1964 No. 27 (L. 1)

SESSIONS

The Borough Quarter Sessions (Assessors) Rules 1964

Made - - - - 15*th January* 1964
Coming into Operation 1*st February* 1964

I, Reginald Edward, Baron Dilhorne, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by section 19 of the Children and Young Persons Act 1963(a) (hereinafter called " the Act "), hereby make the following Rules :—

1. Before a court of quarter sessions for any borough hears an appeal from a juvenile court or deals with the case of a person committed by a juvenile court to quarter sessions under section 28 of the Magistrates' Courts Act 1952(b) or section 67 of the Mental Health Act 1959(c), the clerk of the peace shall make arrangements to secure—

(*a*) that the recorder shall, where practicable, be assisted by two members of the juvenile court panel, who shall sit with him and act as assessors ;

(*b*) that, so far as practicable, of any two justices assisting the recorder one shall be a man and one a woman ; and

(*c*) that no justice shall sit as assessor in any case upon which he has adjudicated in a juvenile court.

2.—(1) For the purposes of the foregoing Rule, the juvenile court panel shall be that mentioned in section 19(4) of the Act:

Provided that, where the borough has a population of less than 50,000 and is not part of an area for which a combined panel has been formed in pursuance of Schedule 2 to the Act, the juvenile court panel shall be deemed to include the juvenile court panel for any area or areas from time to time designated by the custos rotulorum of the county in which the borough is situated (or, in the case of the city of Canterbury, of the county of Kent) and the clerk of the peace of the borough may arrange with the clerk of the peace of the county for any member of the panel for an area so designated to be invited to act as an assessor.

(2) If the office of custos rotulorum is vacant or he is for any reason unable to act, the chairman of the court of quarter sessions for that county may act on his behalf for the purposes of the foregoing paragraph.

(3) In paragraph (1) above of this Rule the population of a borough shall be ascertained according to the last published census for the time being and for this purpose the expression " the last published census " shall be construed in accordance with section 296(2) of the Local Government Act 1933(d).

(a) 1963 c. 37.
(b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
(c) 7 & 8 Eliz. 2. c. 72.
(d) 23 & 24 Geo. 5. c. 51.

3. These Rules may be cited as the Borough Quarter Sessions (Assessors) Rules 1964 and shall come into operation on the first day of February 1964.

Dated 15th January 1964.

Dilhorne, C.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules provide for the selection of Justices who are members of the Juvenile Court Panel for a Borough to sit as Assessors at the Borough Quarter Sessions when appeals from Juvenile Courts or committals by them for sentence or a restriction order are heard. In the case, however, of a Borough with a population of less than 50,000 and where the Juvenile Court Panel has not been combined with that of a neighbouring Petty Sessional Division, members of the Juvenile Court Panel for one or more Petty Sessional Division within the County may be invited to serve.