JUVENILE COURTS AND OFFENDERS

1954 No. 1711 (L. 21)

The Juvenile Courts (Constitution) Rules, 1954

Made - - - -	17*th December*, 1954
Laid before Parliament	30*th December*, 1954
Coming into Operation	1*st March*, 1955

I, the Right Honourable David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by section fifteen of the Justices of the Peace Act, 1949(a), as extended by section fourteen of that Act and by section one hundred and twenty-two of the Magistrates' Courts Act, 1952(b), do hereby, after consultation with the Rule Committee appointed under the said section fifteen, make the following Rules:—

1.—(1) The justices for each petty sessions area shall at their meeting held in the month of October, 1955, in accordance with rules made under section thirteen of the Justices of the Peace Act, 1949, for the purpose of electing a chairman of the justices, and thereafter at the said meeting in every third year, appoint in accordance with these Rules justices specially qualified for dealing with juvenile cases to form a juvenile court panel for that area.

(2) The panel for a petty sessions area shall, except as provided in paragraph (4) of this Rule, be appointed from amongst the number of the justices for that area who have not attained the age of sixty-five years.

(3) The number of persons appointed to the panel for a petty sessions area shall be such as the said justices at the time of appointment think sufficient for the juvenile courts in the area and the said justices may at any time appoint an additional member to the panel.

(4) If in the case of a petty sessions area being a petty sessional division of a county the justices consider that a sufficient number of persons cannot otherwise be appointed to the panel, they may appoint a justice for the county, who is specially qualified as aforesaid and who has not attained the age of sixty-five years, notwithstanding that he is not a justice for that area.

2. Where a stipendiary magistrate exercises jurisdiction in a petty sessions area he shall be a member of the panel therefor by virtue of his office, whether or not he has attained the age of sixty-five years.

3. A justice shall be eligible for appointment to a panel for a petty sessions area whether or not he is or has been a member of the panel for that or any other area.

4. Subject to Rule 7 of these Rules the members of a panel shall serve thereon from the first day of November next following the date of appointment for a period of three years.

5. A justice who attains the age of sixty-five years shall forthwith cease to be a member of a panel:

(a) 12, 13 & 14 Geo. 6. c. 101. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.

Provided that the Lord Chancellor may, if it appears necessary to him in order that there may be a sufficient number of justices on the panel for a petty sessions area, direct in the case of a particular justice that he may continue to be a member of the panel for such period as may be specified in the direction.

6. If a vacancy occurs in the membership of a panel for a petty sessions area the justices for that area shall as soon as practicable, unless they consider that it is not necessary, appoint such a justice to fill the vacancy as might have been appointed to the panel under Rule 1 of these Rules.

7. A justice appointed to a panel to fill a vacancy or as an additional member shall, subject to Rule 5 of these Rules, serve thereon until the end of the period for which the other members of the panel were appointed.

8. The clerk to the justices for each petty sessions area shall forthwith notify the Secretary of State—

(*a*) of the name, address and age of every member of the panel for that area appointed under Rule 1 or Rule 6, and of every person elected under paragraph (1) or (2) of Rule 9 of these Rules, specifying in each case the provision of these Rules under which he is appointed or, as the case may be, elected ;

(*b*) of the name of every justice ceasing to be a member of the said panel and of the reason why he ceases to be a member thereof and of every occasion on which the justices consider it unnecessary to fill a vacancy in the said panel.

9.—(1) The members of the panel for each petty sessions area shall on the occasion of their appointment or as soon as practicable thereafter meet and elect from amongst their number by secret ballot a chairman and as many deputy chairmen as will ensure that each juvenile court in the area sits under the chairmanship of a person so elected in accordance with paragraph (1) of Rule 13 of these Rules, and may at any subsequent time elect an additional deputy chairman.

(2) If a vacancy occurs in the chairmanship or a deputy chairmanship, the members of the panel shall elect by secret ballot a chairman or, as the case may be, deputy chairman to hold office for the remainder of the period for which the members serve.

10. The members of a panel shall meet as often as may be necessary but not less often than twice a year to make arrangements connected with the holding of juvenile courts and to discuss questions connected with the work of those courts.

11. The justices to sit in each juvenile court shall be chosen from the panel, in such manner as the panel determine, so as to ensure that paragraph (1) of Rule 12 and paragraph (1) of Rule 13 of these Rules can be complied with.

12.—(1) Each juvenile court shall be constituted of not more than three justices and, subject to the following provisions of this Rule, shall include a man and a woman.

(2) If at any sitting of a juvenile court the only member of the panel present is a stipendiary magistrate who thinks it inexpedient in the interests of justice for there to be an adjournment, he may sit alone.

(3) If at any sitting of a juvenile court no man or no woman is available owing to circumstances unforeseen when the justices to sit were chosen under Rule 11 of these Rules, or if the only man or woman present cannot properly sit as a member of the court, and in any such case the other members of the panel present think it inexpedient in the interests of justice for there to be an adjournment, the court may be constituted without a man or, as the case may be, without a woman.

(4) Nothing in paragraph (1) of this Rule shall be construed as requiring a juvenile court to include both a man and a woman in any case in which a single justice has by law jurisdiction to act.

13.—(1) Except as provided in paragraph (2) of this Rule, each juvenile court shall sit under the chairmanship of the chairman or a deputy chairman elected under Rule 9 of these Rules.

(2) If at any sitting of a juvenile court the chairman or a deputy chairman is not available owing to circumstances unforeseen when the justices to sit were chosen under Rule 11 of these Rules or he cannot properly sit as a member of the court, the members of that court shall choose one of their number to preside.

14.—(1) In these Rules, "panel" means a panel formed in pursuance of Rule 1 of these Rules and, in relation to a petty sessional division of a county, references to the justices for a petty sessions area are references to the justices who ordinarily act in and for that division.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

15.—(1) The Rules specified in the Schedule to these Rules are hereby revoked.

(2) Members of an old panel shall be deemed to have been appointed under these Rules to be members of a panel for a period ending at the expiration of the month of October, 1955, and any chairman selected under the Rules revoked by this Rule shall be deemed to have been elected under paragraph (1) of Rule 9 of these Rules for a term of office ending at the expiration of the said month.

(3) Any direction given by the Lord Chancellor and any other thing done under the Rules revoked by these Rules shall be deemed to have been given or done so far as it could have been so given or done under the corresponding provision of these Rules.

(4) In this Rule the expression "old panel" means a panel appointed under the Rules revoked by this Rule and the expression "member of an old panel" means a member thereof serving as such immediately before the coming into operation of these Rules.

16. These Rules shall not apply in the metropolitan stipendiary court area or in the City of London.

17. These Rules may be cited as the Juvenile Courts (Constitution) Rules, 1954, and shall come into operation on the first day of March, 1955.

Dated the seventeenth day of December, 1954.

Kilmuir, C.

(a) 52 & 53 Vict. c. 63.

SCHEDULE Rule 15 (1)

The Juvenile Courts (Constitution) Rules, 1933(a)
The Juvenile Courts (Constitution) Rules, 1934(b)
The Juvenile Courts (Constitution) Rules, 1942(c)
The Juvenile Courts (Constitution) (Amendment) Rules, 1950(d)
The Juvenile Courts (Constitution) Rules, 1952(e)

EXPLANATORY NOTE

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

These Rules consolidate, with amendments, the Rules specified in the Schedule. The principal new provisions are as follows:—(*a*) a juvenile court is required to comprise both a man and a woman, except in the circumstances mentioned in Rule 12, and to sit under the chairmanship of a chairman or deputy chairman elected by the panel for that purpose in the manner specified in Rule 9, except in the circumstances mentioned in Rule 13 (2); and (*b*) a juvenile court panel is to be appointed at the meeting to elect a chairman of justices in October of every third year.

KUWAIT

1954 No. 1702

The Kuwait (Amendment) Order, 1954

Made - - - -	21*st December*, 1954
Laid before Parliament	29*th December*, 1954
Coming into Operation	1*st January*, 1955

At the Court at Buckingham Palace, the 21st day of December, 1954

Present,

The Queen's Most Excellent Majesty in Council

Whereas by treaty, capitulation, grant, usage, sufferance and other lawful means Her Majesty The Queen has jurisdiction within the territories of the Ruler of Kuwait;

(a) S.R. & O. 1933/647 (Rev. XI, p. 569: 1933, p. 954).
(b) S.R. & O. 1934/273 (Rev. XI, p. 571: 1934 I, p. 870).
(c) S.R. & O. 1942/2680 (Rev. XI, p. 572: 1942 I, p. 488).
(d) S.I. 1950/1627 (1950 I, p. 1154).
(e) S.I. 1952/553 (1952 I, p. 1243).