JUVENILE COURTS AND OFFENDERS

1955 No. 691 (S. 87)

The Juvenile Courts (Constitution) (Scotland) (Amendment) Rules, 1955

Made - - - -	*5th May*, 1955
Laid before Parliament	*6th May*, 1955
Coming into Operation	1*st September*, 1955

In exercise of the powers conferred upon me by section 51 of the Children and Young Persons (Scotland) Act, 1937(**a**) as extended by section 14 of the Justices of the Peace Act, 1949(**b**) and by virtue of the Transfer of Functions (Justices of the Peace) (Scotland) Order, 1955(**c**) and of all other powers enabling me in that behalf, I hereby make the following Rules:—

1.—(1) These Rules may be cited as the Juvenile Courts (Constitution) (Scotland) (Amendment) Rules, 1955, and shall come into operation on the first day of September, 1955.

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

2. The Juvenile Courts (Constitution) (Scotland) Rules, 1933(**e**), and the Juvenile Courts (Constitution) (Scotland) (Amendment) Rules, 1951(**f**), which relate to the constitution of Juvenile Courts in Scotland, shall have effect subject to the amendments set out in the Schedule to these Rules.

Dated this fifth day of May, 1955.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

SCHEDULE

(1) The following Rule shall be substituted for Rule 5:—

"5.—The number of persons appointed to serve on the Juvenile Court panel for any area shall be such as the justices at the time of appointment think sufficient for the Juvenile Courts in that area, and the justices may at any time appoint an additional member of the panel".

(2) The following Rule shall be inserted after Rule 9:—

"9A.—A justice appointed to a Juvenile Court panel as an additional member shall, subject to the provisions of rule 2 of the Juvenile Courts (Constitution) (Scotland) (Amendment) Rules 1951, serve thereon until the end of the period for which the other members of the panel were appointed".

(3) In Rule 10 for the words "to fill any vacancy" there shall be substituted the words "under Rule 5 or 9 of these Rules".

(4) In Rule 11 for the words "to fill a vacancy in the panel" there shall be substituted the words "under Rule 5 or 9 of these Rules".

(a) 1 Edw. 8 & 1 Geo. 6. c. 37.
(b) 12, 13 & 14 Geo. 6. c. 101.
(c) S.I. 1955/240 (p. 1199 below).
(d) 52 & 53 Vict. c. 63.
(e) S.R. & O. 1933/984 (Rev. XI, p. 619 : 1933, p. 995).
(f) S.I. 1951/24 (1951 I, p. 1176).

(5) The following Rule shall be substituted for Rule 13:—

"13.—(1) Every Juvenile Court shall consist of not more than three justices selected as provided in the next following Rule from the Juvenile Court panel for the area for which the Court acts and shall, subject to the following provisions of this Rule, include at least one man and one woman.

(2) If at any sitting of a Juvenile Court the only man or the only woman selected to sit in the Court—

(*a*) is not available by reason of circumstances unforeseen when the justices to sit were selected, or

(*b*) cannot properly sit as a member of that Court,

then, if the remaining justices selected to sit in the Court think it inexpedient in the interests of justice that there should be an adjournment, the Court may be constituted without the said man, or, as the case may be, the said woman.

(3) 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".

EXPLANATORY NOTE

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

These Rules provide that a Juvenile Court shall include both a man and a woman except in circumstances mentioned in Rule 13 (2). Amendments to the principal Rules of 1933 have been made to allow for additional justices to be appointed to the Juvenile Court panel when found to be necessary.

1955 No. 873

The Juvenile Courts (London) Order, 1955

Made - - - -	21*st June*, 1955
Coming into Operation	4*th July*, 1955

At the Court at Buckingham Palace, the 21st day of June, 1955

Present,

The Queen's Most Excellent Majesty in Council

Whereas by paragraph 2 of the Second Schedule to the Children and Young Persons Act, 1933(**a**) (hereinafter called "the Act of 1933"), as amended by section seven of the Children and Young Persons Act, 1938(**b**), it is provided that Her Majesty may by Order in Council specify as respects the metropolitan police court area the places (which, notwithstanding anything in the Metropolitan Police Courts Acts, 1839 and 1840(**c**), may be places other than police courts) in which juvenile courts are to sit, and assign as a division to each such place such portion of that area as may be specified in the Order, and direct for the purposes of the constitution of a juvenile court in that area the manner in which the justices of the peace for the county of London shall be selected from a panel of such justices nominated from time to time by the Secretary of State:

And Whereas by the Act of 1933 it is further provided that any such Order in Council may contain such supplemental, incidental and consequential provisions as appear to Her Majesty in Council to be necessary or proper for the purposes of the Order and may be revoked or varied by a subsequent Order:

(**a**) 23 & 24 Geo. 5. c. 12. (**b**) 1 & 2 Geo. 6. c. 40. (**c**) 2 & 3 Vict. c. 71 and 3 & 4 Vict. c. 84.