

Additional Material for Chapter 37 – Northern Ireland

Section numbers from McNae's are used in headings below when content here relates directly to content in the book using the same headings. The book's content provides more detail and context.

37.1 The law is broadly the same as in England and Wales

Open justice: journalists tweeting or sending reports from courtrooms

Practice Note 1 of 2016, issued by Northern Ireland's Lord Chief Justice, gives a general permission for 'accredited' journalists to use mobile phones and laptops in courtrooms to report cases by means of 'live text communication', including by tweeting, emailing and texting. Journalists do not need to ask the court's permission for this, but the use of the devices must be silent and not disruptive. A court can decide to ban this journalistic use of such devices in a particular case. The Practice Note says there could be such a ban if there is concern that witnesses who are out of court may be informed of what has already happened in court and, therefore, before they give evidence could be coached or briefed (improperly) on what to say in it; or that information may be posted on social media about inadmissible evidence which may influence members of the jury; or that allowing journalists to use such devices may put pressure on witnesses, distracting or worrying them. For such reasons, it is illegal for members of the public to use such devices in court. For context, see 12.3 in *McNae's* about law in England and Wales on 'live text communication' from courtrooms. For the Practice Note in full see Useful Websites, below

Open justice: Note-taking

Practice Note 1 of 2016 says that the default position in Northern Ireland's courts is that anyone in the public gallery (and therefore any journalist who cannot find a place in the press box) can make notes of a hearing on paper unless the judge considers in an individual case there is a compelling legal reason to derogate from this aspect of open justice and therefore to deny permission. The Note says that if the judge does decide to revoke this general permission to take notes, he/she should state the reason for this. The Note adds that members of the public are not permitted to take notes on electronic devices such as laptops or tablets, but that 'accredited' journalists sitting in the press box are permitted to take notes in all cases and to use electronic devices without notifying the court. See 15.8 in *McNae's* for context on how the issue of note-taking in courts arose in England and Wales in a High Court case, and for grounds on which a judge might ban the public from taking notes but should not - on those grounds - ban journalists from note-taking. That High Court ruling, earlier in 2016, apparently prompted Northern Ireland's Lord Chief Justice to include in the Practice Note this general permission to take notes in court.

Open justice: one journalist must remain

Article 13 of the Criminal Evidence (Northern Ireland) Order 1999 says a court can exclude the public and some journalists during the evidence of a witness in a case relating to a sexual offence or a slavery or human trafficking offence, or where there are grounds for believing that the witness has been or may be intimidated, but must permit one reporter to remain in court when the witness gives evidence. For the analogous law applying in England and Wales, see 15.9 in *McNae's*. For anonymity law in sexual, slavery and human trafficking offence cases, see below.

Open justice: youth courts

Article 27 of the Criminal Justice (Children) (Northern Ireland) Order 1998 states that the public cannot attend youth court cases but representatives of newspapers or news agencies can. For context, see 10.3 in *McNae's* on analogous law applying in England and Wales.

Open Justice – Court rules

Though there are many similarities in the laws of Northern Ireland, England and Wales, the rules for Northern Ireland courts do not explicitly protect the openness of justice to the extent that court rules do in England and Wales. That protection of open justice by court rules in England and Wales, including by provision of information and access to case material, is set out in 15.10, 15.12 and 15.13 in *McNae's*. See Useful Websites, below, for online access to court rules in Northern Ireland. These are a form of law, though the versions available through this official site are not all up-to-date. See too, below, for law on open justice in preliminary hearings, and for other law on reporting restrictions in Northern Ireland, including in cases concerning children.

37.2 Defamation law in Northern Ireland

Controversially, Northern Ireland has not adopted the Defamation Act 2013, which most of the media see as a reforming measure and which - as parts of *McNae's* chs. 20-23 explain - is in force in England and Wales. In Northern Ireland older versions of defamation defences remain in force, and new statutory defences in the Act - 'truth', 'honest opinion', 'the single publication rule', the section 5 defence and the 'public interest' defence - are not in force.

The justification defence survives in Northern Ireland

The common law defence of justification, which survives in Northern Ireland, is very similar to the 'truth' defence in the 2013 Act, and therefore its essence can be understood by reading what 22.2 in *McNae's* says about the 'truth' defence. For example, the justification defence requires that the published material complained of can be proved in court to be substantially true, and the standard of proof needed for the defence to succeed is that used in civil cases - the material must be proved true 'on the balance of probabilities'.

The honest comment defence survives in Northern Ireland

The common law defence of 'honest comment', formerly known as 'fair comment', which survives in Northern Ireland is similar to the 'honest opinion' defence in the 2013 Act, described in 22.3 in *McNae's*. But it should be noted that the main requirements of 'honest comment' differ in some respects from those of 'honest opinion'.

The main requirements of the 'honest comment' defence are:

- the published comment must be the honestly held opinion of the person making it (though it may have been published by another party);
- it must be recognisable (that is, to the reader/viewer/listener) as comment rather than as a factual allegation;
- it must be based on provably true facts/privileged material;

- it must explicitly or implicitly indicate, at least in general terms, the facts on which it was based. But the facts might also be so widely known that this is not necessary; and
- the subject commented on must be a matter of public interest.

All these requirements must be met if the defence is to succeed. The third bullet point shows why the justification and privilege defences underpin it.

Absolute privilege in Northern Ireland

The defence of absolute privilege for court reporting is limited in Northern Ireland to reports of proceedings conducted in UK courts, or at the European Court of Justice, the European Court of Human Rights, or at any international criminal tribunal established by the United Nations or by an international agreement to which the UK is a party. The 2013 Act extended this privilege, as regards material published in England and Wales, to a report of a court hearing held anywhere in the world under the law of any nation or territory. There is explanation in 22.5 in *McNae's* that the general requirements of this defence, in Northern Ireland as well as England and Wales, are that the report is of proceedings held in public, and that the report is fair, accurate and published contemporaneously.

Qualified privilege in Northern Ireland

Because Northern Ireland has not adopted the 2013 Act, the scope of the statutory defence of qualified privilege in schedule 1 of the Defamation Act 1996 does not have the amendments made by the 2013 Act.

Below is the text of Parts 1 and 2 of the schedule, paras 1 - 15, as it remains law in Northern Ireland. The general requirements of this defence are explained in 22.7 in *McNae's*. Note that parts of 22.7 in *McNae's* describe the schedule as it is in force in England and Wales, as amended by the 2013 Act.

Schedule 1 of the Defamation Act 1996 as in force in Northern Ireland

Part 1: Statements privileged without explanation or contradiction

1. A fair and accurate report of proceedings in public of a legislature anywhere in the world.
2. A fair and accurate report of proceedings in public before a court anywhere in the world [para. 17 makes clear that this includes the European Court of Justice, the European Court of Human Rights, and any international criminal tribunal established by the United Nations or by an international agreement to which the UK is a party]
3. A fair and accurate report of proceedings in public of a person appointed to hold a public inquiry by a government or legislature anywhere in the world.
4. A fair and accurate report of proceedings in public anywhere in the world of an international organisation or an international conference. [para. 17 limits these definitions to a conference attended by representatives of two or more governments or an organisation of which two or more governments are members, including any committee or other subordinate body of such an organisation]
5. A fair and accurate copy of or extract from any register or other document required by law to be open to public inspection.

6. A notice or advertisement published by or on the authority of a court, or of a judge or officer of a court, anywhere in the world.
7. A fair and accurate copy of or extract from matter published by or on the authority of a government or legislature anywhere in the world.
8. A fair and accurate copy of or extract from matter published anywhere in the world by an international organisation or an international conference. [same definitions as for para. 4]

Part 2: Statements privileged subject to explanation or contradiction

9. (1) A fair and accurate copy of or extract from a notice or other matter issued for the information of the public by or on behalf of
 - (a) a legislature in any member state [*of the European Union*] or the European Parliament;
 - (b) the government of any member state, or any authority performing governmental functions in any member state or part of a member state, or the European Commission;
 - (c) an international organisation or international conference.

(2) In this paragraph 'governmental functions' includes police functions.

10. A fair and accurate copy of or extract from a document made available by a court in any member state or the European Court of Justice (or any court attached to that court), or by a judge or officer of any such court.

11. (1) A fair and accurate report of proceedings at any public meeting or sitting in the United Kingdom of -

(a) a local authority or local authority committee;

(aa) in the case of a local authority which is operating executive arrangements, the executive of that authority or a committee of that executive

(b) a justice or justices of the peace acting otherwise than as a court exercising judicial authority;

(c) a commission, tribunal, committee or person appointed for the purposes of any inquiry by any statutory provision, by Her Majesty or by a Minister of the Crown, a member of the Scottish Executive, the Welsh Ministers or the Counsel General to the Welsh Assembly Government, or a Northern Ireland Department;

(d) a person appointed by a local authority to hold a local inquiry in pursuance of any statutory provision;

(e) any other tribunal, board, committee or body constituted by or under, and exercising functions under, any statutory provision.

(1A) In the case of a local authority which are operating executive arrangements, a fair and accurate record of any decision made by any member of the executive where that record is required to be made and available for public inspection by virtue of section 22 of the Local Government Act 2000 or of any provision in regulations made under that section.

(2) In sub-paragraphs (1)(a), (1)(aa) and (1A)

'local authority' means

(a) in relation to England and Wales, a principal council within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100J(1) of that Act or an authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies,

(b) in relation to Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994 or an authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies,

(c) in relation to Northern Ireland, any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply; and

'local authority committee' means any committee of a local authority or of local authorities, and includes -

(a) any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100J of that Act), and

(b) any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act.

(2A) In sub-paragraphs (1) and (1A) 'executive' and 'executive arrangements' have the same meaning as in Part II of the Local Government Act 2000.

(3) A fair and accurate report of any corresponding proceedings in any of the Channel Islands or the Isle of Man or in another member state.

12. (1) A fair and accurate report of proceedings at any public meeting held in a member state.

(2) In this paragraph a 'public meeting' means a meeting bona fide and lawfully held for a lawful purpose and for the furtherance or discussion of a matter of public concern, whether admission to the meeting is general or restricted.

13. A fair and accurate report of proceedings at a general meeting of a UK public company.

(2) A fair and accurate copy of or extract from any document circulated to members of a UK public company -

(a) by or with the authority of the board of directors of the company,

(b) by the auditors of the company, or

(c) by any member of the company in pursuance of a right conferred by any statutory provision.

(3) A fair and accurate copy of or extract from any document circulated to members of a UK public company which relates to the appointment, resignation, retirement or dismissal of directors of the company.

(4) In this paragraph 'UK public company' means -

(a) a public company within the meaning of section 4(2) of the Companies Act 2006 or

(b) a body corporate incorporated by or registered under any other statutory provision, or by Royal Charter, or formed in pursuance of letters patent.

(5) A fair and accurate report of proceedings at any corresponding meeting of, or copy of or extract from any corresponding document circulated to members of, a public company formed under the law of any of the Channel Islands or the Isle of Man or of another member state.

14. A fair and accurate report of any finding or decision of any of the following descriptions of association, formed in the United Kingdom or another member state, or of any committee or governing body of such an association -

(a) an association formed for the purpose of promoting or encouraging the exercise of or interest in any art, science, religion or learning, and empowered by its constitution to exercise control over or adjudicate on matters of interest or concern to the association, or the actions or conduct of any persons subject to such control or adjudication;

(b) an association formed for the purpose of promoting or safeguarding the interests of any trade, business, industry or profession, or of the persons carrying on or engaged in any trade, business, industry or profession, and empowered by its constitution to exercise control over or adjudicate upon matters connected with the trade, business, industry or profession, or the actions or conduct of those persons;

(c) an association formed for the purpose of promoting or safeguarding the interests of a game, sport or pastime to the playing or exercise of which members of the public are invited or admitted, and empowered by its constitution to exercise control over or adjudicate upon persons connected with or taking part in the game, sport or pastime;

(d) an association formed for the purpose of promoting charitable objects or other objects beneficial to the community and empowered by its constitution to exercise control over or to adjudicate on matters of interest or concern to the association, or the actions or conduct of any person subject to such control or adjudication.

15. (1) A fair and accurate report of, or copy of or extract from, any adjudication, report, statement or notice issued by a body, officer or other person designated for the purposes of this paragraph –

(a) for England and Wales, by order of the Lord Chancellor

(b) for Scotland, by order of the Secretary of State, and

(c) for Northern Ireland, by order of the Department of Justice in Northern Ireland.

[sub-paras 2 and 3 specify the procedure by which such orders shall be made]

Criminal court procedure in Northern Ireland

Bail

In Northern Ireland, as in England and Wales, the presumption is that the defendant will get bail unless there is a sufficient, legal ground for it to be refused. In Northern Ireland bail can only be refused if the court decides at least one of the following grounds applies:

- There is risk that the defendant will fail to appear for trial if bailed
- There is risk that the defendant will interfere with the course of justice if bailed – for example, by destroying evidence or interfering with (e.g. threatening) a witness
- There is risk that the defendant will commit further offences while on bail
- There is risk to the preservation of public order if the defendant is released on bail.
- The defendant would be at risk of harm from himself/herself or from others, against which he or she would be inadequately protected if bailed

The court must consider if imposing any condition(s) of bail – for example, that the defendant must surrender his/her passport, obey a curfew, report to the police regularly, not go to a certain area or

not have contact with a witness – would sufficiently alleviate any such risk, so that bail could be granted.

In Northern Ireland if a district judge in the magistrates' court refuses bail, the defendant can appeal to the High Court. This is the appeal route too if a Crown court judge refuses bail.

See Useful Websites below for guidance on bail issued by Northern Ireland's Courts and Tribunals Service.

Preliminary hearings

A committal hearing is a type of preliminary hearing in which, after a person is charged with an indictable offence, a district judge (magistrates' court) considers the evidence to decide whether there is a *prima facie* case (sufficient evidence from the prosecution) to commit the case to Crown court for trial. Committal hearings have been abolished in England and Wales. There is explanation in 6.1 of *McNae's* of the terms 'indictable' and 'indictable-only' and that in these nations indictable-only cases are 'sent for trial' without consideration at the magistrates' court of the strength of the evidence. As explained in 8.3 in *McNae's*, this 'sending' procedure is also used in England and Wales for contested, either-way cases in which the defendant wants to be tried by jury or when magistrates or a district judge decide, in the allocation procedure, that the case is too serious to be tried in the magistrates' court.

The reforms

Northern Ireland has retained committal hearings in its magistrates' courts. But reforms in the Justice Act (Northern Ireland) 2015 will, when in force, streamline the process.

There will still be two types of committal hearing - a 'preliminary investigation' or a 'preliminary inquiry'. In the former type there is oral evidence given by witnesses, who can be cross-examined, whereas the latter is normally a 'paper exercise' in that the evidence is usually considered only from documents – for example, written statements from witnesses. Normally in a 'preliminary inquiry' there will be no witness present.

Law in the Act will mean that a 'preliminary investigation' will only take place if the district judge (magistrates' court) makes a direction to this effect, because he/she rules this is in the 'interests of justice' (whereas under current law a defendant can insist on there being a 'preliminary investigation' – that is, that witnesses must attend to be questioned - rather than a 'preliminary inquiry'). Under the Act, a defendant can apply for the direction to be made. Otherwise, or if the application is not granted, there will be a 'preliminary inquiry'.

The reform is to reduce the number of indictable cases in which witnesses have to give evidence at the preliminary stage. Testifying in court can be a daunting and traumatic experience, especially if the witness is the alleged victim of the offence. The reform is intended to ensure that in most contested cases a witness will give oral evidence only once – at the trial. Also, 'preliminary investigations' are difficult to organise, and costly. In the Act defendants will retain the right to make oral representations in a 'preliminary inquiry', and there is provision too for a witness to be required to give oral evidence to 'preliminary inquiry' if the district judge decides this is 'in the interest of justice'.

Law on open justice in preliminary hearings

Article 35 of the Magistrates Courts (Northern Ireland) Order 1981 says that a 'preliminary investigation' or 'preliminary inquiry' must be held in public (that is, 'in open court') unless any statutory provision permits it to be held in private or 'it appears to the court that the ends of justice would not be served by sitting in open court' for the whole or any part of the hearing.

See 37.4.1 in *McNae's* for restrictions which automatically limit or may limit a media report of a committal hearing which is a 'preliminary investigation' or 'preliminary inquiry'.

The Magistrates' Courts Rules (Northern Ireland) 1984 say in rule 25 (4) that at a 'preliminary investigation' hearing the clerk 'shall make public the nature of the charges by reading aloud and in full at least one charge in each category of the offence charged'. Rule 34 (6) says this should be done too at a 'preliminary inquiry' hearing.

Rule 35 (2) says that if at a 'preliminary inquiry' hearing a written statement is admitted in evidence the name of the maker of the statement shall be read aloud unless the court in the interests of justice otherwise directs. Other rules give the court discretion to order that the statement's contents be read aloud.

Direct committals

The 2015 Act will also enable Northern Ireland's magistrates' courts to use 'direct committal' procedure to send some categories of indictable cases straight to Crown court, beginning with murder and manslaughter cases. 'Direct committal' means there is no consideration in the magistrates' court of the strength of the evidence, so there will be no 'preliminary investigation' or 'preliminary inquiry', and the magistrates' court's function will be limited in a 'direct committal' hearing to bail decisions and other procedural matters. So in such circumstances 'direct committal' procedure will be similar to the 'sending' procedure in England and Wales, described in 8.1 and 8.3 in *McNae's*.

The 'direct committal' procedure can be used in other categories of indictable cases after a defendant indicates in the magistrates' court an intention to plead guilty, in which circumstance the 'direct committal' would be in effect be a 'committal for sentence' – see 7.6.2 in *McNae's* - although a defendant could change his or her mind and formally plead 'not guilty' when arraigned at Crown court. A similar procedure is already used in Northern Ireland for serious fraud cases, and for indictable cases in which a sexual offence or an offence involving violence or cruelty is alleged, in which a child is due to give evidence.

37.4 Reporting restrictions

There is concern among Northern Ireland's journalists that courts there have become more likely to agree with defence lawyers that adults charged with or convicted of offences should be granted anonymity in reports of their cases. As explained in 16.5 in *McNae's*, in England and Wales it is exceptionally rare for criminal courts to use any power to ban the media from identifying a defendant.

Bans on identifying defendants

In 2013 the High Court in Belfast permanently banned the media from identifying a man jailed for blackmail and having indecent images of children. The injunction meant that reports could only refer to him as ZY. Mr Justice McCloskey imposed the ban after the man's legal team presented medical evidence that there was a 'real and immediate' risk that if publicly named in connection with his offences he would commit suicide. He had made a suicide attempt in 2010 after an earlier arrest, the court heard. The judge said that the man's right to life under Article 2 of the European Convention of Human Rights prevailed over the media's Article 10 rights – see 16.5 in *McNae's* about these rights and 16.6.3 about the 'real and immediate' risk criterion. *The Belfast News Letter* (26 January 2013) said it was 'unprecedented' for anonymity to be granted to a defendant on this ground. The man sought the injunction in legal action against court reporter Paul Higgins. Northern Ireland's Courts and Tribunals Service joined Mr Higgins in the unsuccessful attempt to oppose it being made. Mr Higgins also had support from the National Union of Journalists.

In 2013 *The Belfast Telegraph* reported on 26 July that there had been a 'surge' in use of orders banning the identification of defendants. In the first six months of that year, 31 defendants had been granted anonymity by means of orders made under section 11 of the Contempt of Court Act 1981, the newspaper said. These included defendants facing drugs charges in the Londonderry area, for whom anonymity was granted because of alleged threat to their lives from the 'Republican Action Against Drugs' group. For explanation of section 11 orders and grounds on which anonymity for defendants can be opposed, see 12.6, 16.6.2 and 16.6.3 in *McNae's*.

In August 2015 District Judge Fiona Bagnall ruled that a ban preventing the media from identifying a woman charged with murdering her baby should stay in place, after hearing medical evidence that if coverage of the case identified her it would increase the risk of her committing suicide (*The Belfast News Letter*, 19 August 2015). The ban also meant that the dead baby could not be identified.

In 2016 a district judge at Derry magistrates' court made an anonymity order for a man accused of supplying heroin (*Derry Journal*, 11 May 2016).

See also below: **Identifying defendants in sexual offence cases**

Section 46 anonymity orders for witnesses

The Magistrates' Courts Rules (Northern Ireland) 1984, as amended by The Magistrates' Courts (Amendment No. 2) Rules (Northern Ireland) 2004, set out procedure for the making of an anonymity order for a witness under section 46 of the Youth Justice and Criminal Evidence Act 1999, and how a challenge to the continuation of such an order can be initiated. That anonymity provision and grounds on which its imposition or continuation can be opposed are explained in 12.9 and 16.9 in *McNae's*.

Guide to reporting restrictions

See Useful Websites, below, for a guide to reporting restrictions issued in 2008 by Northern Ireland's Judicial Studies Board.

37.4.3 Juveniles in court

In Northern Ireland law cited below the term for someone aged under 18 is 'a child'. *McNae's* sections cited below refer to analogous law in England and Wales about children. The similarities with Northern Ireland law mean that explanation in *McNae's* should be helpful. But note that in *McNae's* the term 'juvenile' is often used – for convenience - to refer to someone aged under 18. A person in this age group may in relevant English and Welsh statute be referred to as a child or 'young person'.

In Northern Ireland, as in England and Wales, it is a criminal offence - punishable by a fine - to publish detail which breaches anonymity provided for a child, whether that is provided by a statute automatically or by a court order.

As explained below, with reference to *McNae's*, there are circumstances in which a media organisation may argue in court against the imposition or continuation of anonymity for a child. As regards a child who is a persistent offender or has committed a serious crime, these arguments are more likely to succeed if the child is 16 or 17.

Anonymity for children concerned in youth court cases

Article 22 (2) of the Criminal Justice (Children) (Northern Ireland) Order 1998 is an automatic reporting restriction which bans any report of a youth court case from identifying any child as being 'concerned in its proceedings', which means the defendant and any child witness, and any child who – though not a witness – is the alleged victim/victim of the offence.

The scope of the anonymity is that:

- no report shall be published which reveals the name, address or school of a child (someone aged under 18) 'concerned in the proceedings' or includes any particulars (details) likely to lead to the child being identified,
- and no picture shall be published as being or including a picture of any such child

'Picture' will be deemed to include footage.

For explanation of the effect of this anonymity provision on reports of youth court cases, and the criminal liability for breaching it, see 10.4 in *McNae's*, where explanation is in the context of analogous law in England and Wales. Note that the wording of the anonymity provision in Article 22(2) for Northern Ireland's youth court cases is close to that of the English and Welsh law in section 39 of the Children and Young Persons Act 1933, set out in 10.9 in *McNae's*, which can be used in England and Wales to provide anonymity for juveniles concerned in civil proceedings. This wording means that Article 22(2) automatically bans any identification of the child's school, even if publishing the name of the school would be unlikely to identify the child/juvenile.

The Article 22 (2) anonymity provision automatically applies to reports of a hearing in Northern Ireland's higher courts if it is an appeal from a youth court decision – for example, an appeal against conviction or severity of sentence or about a legal ruling.

Lifting of the youth court anonymity

The Article 22 (2) anonymity applying to a particular child can be lifted wholly or to an extent if the court or the Secretary of State is satisfied that it is 'in the interests of justice' to do so and makes an order to that effect.

Also, Article 22 (2) says a court can make an order to lift the anonymity as regards a convicted child if the court is satisfied that it is 'in the public interest' to lift it, but that the court must first hear any representations the prosecution or defence wish to make about whether the anonymity should be lifted.

For the circumstances in which these 'lifting' provisions might be used, see 10.4.5 and 16.8 in *McNae's* about similar provision in English and Welsh law, and grounds on which a journalist can argue that the 'public interest' justifies the lifting of a convicted child's anonymity

It can be construed from a Court of Appeal decision – see 10.4.5 in *McNae's* - that the Article 22 (2) anonymity automatically ceases to apply when the child reaches the age of 18.

Discretionary power to bestow anonymity for children in other criminal courts

Article 22 (1) of the Criminal Justice (Children) (Northern Ireland) Order 1998 gives criminal courts – for example, the magistrates' court or Crown court – the power to order that reports of the case should not identify a child (someone aged under 18) as being concerned in the proceedings. This provision is not automatic, so the court should consider if that particular child needs the anonymity.

If an order is made under Article 22 (1), its normal scope is that:

- no report shall be published which reveals the name, address or school of a child 'concerned in the proceedings' or includes any particulars (details) likely to lead to the child being identified,
- and no picture shall be published as being or including a picture of any such child

For explanation and context about this type of anonymity provision, see 10.6 in *McNae's*, about analogous law in England and Wales. The definition of 'concerned in the proceedings' is the same as for Article 22 (2) anonymity, see above. It includes a child 'in respect of whom the proceedings are taken', and so includes a child whose parent is prosecuted for in a magistrates' court for allowing the child to be truant.

As is the case with Article 22 (2) anonymity (in youth court cases), the wording of Article 22 (1) means that the normal scope of anonymity bestowed by such an order is similar to that normally bestowed by a 'section 39' order in England and Wales, see above – so this usually means there is a blanket ban on identifying the child's school.

There is case law from England and Wales outlined in 16.7 in *McNae's* which can be cited in Northern Ireland, providing grounds on which a journalist can challenge the imposition or continuation of an Article 22 (1) order. The fact that such case law can apply in Northern Ireland is

recognised in the guidance on reporting restrictions issued by the Judicial Studies Board for Northern Ireland – see Useful Websites, below.

It can be construed from the Court of Appeal decision referred to in 10.6.1 in *McNae's* that anonymity bestowed by an Article 22 (1) order automatically ceases to apply when the child reaches the age of 18.

Anti-social behaviour orders imposed on children

The Anti-social Behaviour, Crime and Policing Act 2014 changed the law of England and Wales by introducing criminal behaviour orders (CBOs) and anti-social behaviour injunctions to replace anti-social behaviour orders (ASBOs). The Additional Material for ch. 10 on www.mcnaes.com explains this. These measures in the 2014 Act are similar to ASBOs in some respects.

Northern Ireland has retained ASBOs. These can be imposed to stop a person's behaviour, criminal or not, which causes harassment, alarm or distress to one or more people not in the person's household. They can be imposed on an adult, or a child aged 10 or older.

The ASBO may be imposed to stop the person engaging in activity which may lead to crime. A persistent shoplifter can, by means of an ASBO, be banned from going into any shop. ASBOs have banned teenagers from entering streets where they habitually have been creating a nuisance.

An ASBO is an order made in civil law, but breaching it is a criminal offence. So, for example, if a person banned from any shop ignores the ban, this is an offence in itself, even if he/she cannot be proved to have shoplifted there. The minimum duration of an ASBO is two years.

There are two main types of court hearing which can impose an ASBO on a child.

ASBO applications in civil proceedings in magistrates' or county courts

An (adult) magistrates' court, sitting in civil proceedings, can impose an ASBO on an adult or child, if persuaded to do so by an application by, for example, a local authority, the Northern Ireland Housing Executive or the police. County courts have similar powers to make ASBOs.

There is no automatic ban on the media identifying a child in a report of an ASBO application in a magistrates or county court, whether or not it results in an ASBO. But Article 8 (1) of the Anti-Social Behaviour (Northern Ireland) 2004 (SI 2004/1988) gives courts discretion to ban any report of proceedings for, or in relation to, an ASBO against a child from identifying him or her. An Article 8 (1) order can be made whether or not the ASBO is imposed, and normally has the same anonymity scope as an order made under Article 22 (1) of the Criminal Justice (Children) (Northern Ireland) Order 1998, see above: that is, the report must not reveal the name, address or school of the child, or include any particulars likely to lead to the identification of him/her, and the report must not include any picture which is or includes a picture of him/her.

ASBO applications in criminal courts

A criminal court, including a youth court, can decide to impose an ASBO on a defendant it has convicted of a relevant offence, whether or not any agency has applied for an ASBO. Such a hearing - on whether an ASBO is needed - is a consequence of that conviction (for example, for theft or taking vehicles), and may proceed immediately after that criminal case concludes.

This type of ASBO, because of this linkage to the conviction, is sometimes known as a 'bolt-on' ASBO (it remains an order made in civil law). In youth courts, the automatic anonymity provided by Article 22 (2) of the Criminal Justice (Children) (Northern Ireland) Order 1998, explained above, prevents the media identifying the child defendant and any child witness or child victim/alleged victim in any report of the criminal court case which precedes the 'bolt-on' ASBO hearing, unless the court or the Secretary of State lifts a child's Article 22 (2) anonymity as regards that criminal case.

But if in a subsequent hearing the youth court decides to impose a 'bolt on' ASBO on the convicted child, a media report may be able to identify him/her in this respect. Article 8 (4) of the 2004 Order states that anonymity under Article 22 of the 1998 Order does not apply 'in so far as the proceedings relate to the making of the [ASBO] order', so the default position is that the child can be identified in a report of the proceedings if and only if the ASBO is imposed on him/her. Even if an ASBO is imposed, Article 8 (1) of 2004 Order gives the youth court discretion to ban the media from identifying that juvenile. See above for the normal scope of this reporting restriction, if it is imposed.

It should be remembered that under the 1998 Order Article 22 (2) anonymity automatically applies to any other child concerned in such ASBO proceedings at a youth court, for example as a witness, whether or not an ASBO is made.

The Additional Material for ch. 10 on www.mcnaes.com outlines grounds on which how reporters can challenge anonymity being given to children made subject to ASBOs (part of the explanation there is given in the context of the English and Welsh provision for injunctions and Criminal Behaviour Orders, but this is very similar provision to the ASBO law).

Summary of anonymity provision for youth court applications for an ASBO

Unless an Article 8 (1) order is made under the 2004 Order, the media can identify a child on whom a 'bolt-on' ASBO is imposed at a youth court in a report of those ASBO proceedings. However, that child may still retain automatic anonymity under Article 22 (2) of the 1998 Order as regards any report of the earlier hearing in the youth court in which he/she was convicted (for example, of theft). The media can argue that the Article 22 (2) anonymity should be lifted 'in the public interest' in respect of that earlier hearing, as explained earlier.

Another option for a reporter who knows an application for an ASBO is to be made is to approach beforehand the person making the application to ask them to repeat in the ASBO hearing information about the child's offending given to the youth court during the criminal case hearing - meaning it can then be reported as being part of the ASBO application.

Alleged breach of an ASBO by a child

A child alleged to have breached an ASBO may face a criminal charge, because a breach is a criminal offence. The charge will normally be dealt with at a youth court. The anonymity under Article 22 (2) of the 1998 Order, see above, automatically applies in respect of youth court proceedings in which a child is charged with breaching an ASBO, unless the court lifts the anonymity. This default position in Northern Ireland differs from that which existed in England and Wales for ASBOs. There section 141 of the Serious Organised Crime and Police Act 2005 removed automatic anonymity for juvenile defendants in youth court proceedings as regards any charge of breach of an ASBO. But this section does not apply to Northern Ireland. Nevertheless, the media could choose to challenge the continuation of Article 22 (2) anonymity by arguing that it is in the public interest for it to be lifted - see above and the Additional Material for ch. 10 on www.mcnaes.com.

Anonymity provision for children in civil courts and inquests

Article 170 (7) of the Children (Northern Ireland) Order 1995 gives courts (other than in family or criminal proceedings) a discretionary power to ban media reports of a case from identifying a child as being concerned in it. This is a power which can be used by a civil court - for example, in a civil case in which one party is suing another for damages – or a coroner's court.

The normal scope of the ban, if the court imposes it, is that no person shall publish any material which is intended, or likely, to identify any child as being involved in those proceedings, or an address or school as being that of a child involved in those proceedings.

If a media organisation is prosecuted for breach of the anonymity provision it will be a defence to prove that it did not know, and had no reason to suspect, that the published material was intended, or likely, to identify the child.

Relevant case law from England and Wales is covered in 16.7 in *McNae's*. Those cases can be cited in Northern Ireland, providing grounds on which a journalist can challenge the imposition or continuation of this type of anonymity. Note that the 'section 39' law referred to there is the discretionary power which can be used in England and Wales by judges in civil cases and coroners in inquests to provide such anonymity for a child.

Anonymity provision for children in family cases

An automatic restriction in Article 170 (2) of the Children (Northern Ireland) Order 1995 bans the media from identifying children (anyone aged under 18) as being involved in any case in which a power under the Order can be exercised, a definition which includes a wide range of family law cases. See *McNae's* chapter 14 about family law, and note that there is an extended version of that chapter on www.mcnaes.com.

The ban is that no person shall publish any material which is intended, or likely, to identify any child as being involved in such proceedings, or an address or school as being that of a child involved in them. The scope of these restrictions can be understood by reading 14.4 in *McNae's* concerning the analogous, automatic restrictions in section 97 of the Children Act 1989 which operates in England and Wales.

The general, legal dangers of reporting family cases in Northern Ireland are in essence the same as such dangers in England and Wales. These dangers mean that family cases are rarely covered by the media. And in Northern Ireland the rules of family courts usually prevent journalists attending such cases.

If a media organisation is prosecuted for breach of the anonymity provision it will be a defence to prove that it did not know, and had no reason to suspect, that the published material was intended, or likely, to identify the child.

A family court can make an order to lift the anonymity if satisfied that the welfare of the child requires this. On the same welfare ground, the Lord Chancellor can - if the Lord Chief Justice agrees - make a direction lifting the anonymity. This could happen, for example, if the court needs to trace a child abducted by one parent in a dispute with the other or to defy the court, and if publication of the family's and/or child's names and photographs of the parent or child could assist an appeal made to the public for help to trace the child.

37.4.4 Domestic proceedings

Article 89 of the Magistrates' Courts (Northern Ireland) Order 1981 says that journalists can attend domestic proceedings as defined in Article 88 - for example, hearings in magistrates' courts to enforce maintenance orders.

But Article 90 restricts media reports of such cases to four categories of information. These are:

- the names, addresses and occupations of the parties and witnesses;
- the grounds of the application, and a concise statement of the charges, defences and counter-charges in support of which evidence has been given;
- submissions on any point of law arising in the course of the proceedings, and decisions of the court on the submissions; and
- the decisions of the court, and any observations made by the court in giving its decisions.

These restrictions are automatic and limit the reporting of evidence - the element of proceedings in which personal matters figure in most detail. Evidence can only be published in the form of quotations from the court's decisions and its observations. Domestic proceedings are a branch of civil law, so the reference to 'charges' is to the grounds asserted for the application being made (for example, that maintenance has not been paid), not to criminal charges. To be sure of complying with these restrictions a media organisation should wait until all evidence in the case has been given before publishing a charge, defence, or counter-charge. This ensures that it knows which is supported by evidence and if any evidence has been withdrawn.

Remember! If any domestic proceeding case involves use or potential use of powers in family law, relating to child, to which the automatic reporting restrictions of Article 170 (2) of the 1995 Order apply, see above, the child and therefore his/her family cannot be identified as being concerned in the case.

Reporting restrictions for private hearings

As explained in 12.7 and 14.6 in *McNae's*, section 12 of the Administration of Justice Act 1960 makes it a contempt of court to publish a report of certain types of court hearings heard in private or a report of material from documents prepared for use in such proceedings. These include a wide range of family law cases involving children. There are some minor differences in the wording of section 12 as it applies in Northern Ireland, compared to the version applying in England and Wales. But both versions have the same scope in essence. The Northern Ireland wording is set out in the guide to reporting restrictions produced by the Judicial Studies Board for Northern Ireland - see Useful Websites, below.

Automatic anonymity for victims/alleged victims of 'trafficking'

The Sexual Offences (Amendment) Act 1992, which in Northern Ireland, England and Wales provides automatic anonymity for victims/alleged of sexual offences – see *McNae's* chapter 11 – also provides anonymity for victims/alleged victims of 'human trafficking for exploitation' offences, including trafficking for the purpose of sexual exploitation, such as prostitution. For the scope of such anonymity, see the explanation in 11.1 -11.3 and 11.6 in *McNae's*, which is in the context of analogous law concerning trafficking offences as defined in the Modern Slavery Act 2015, which does not apply in Northern Ireland.

In Northern Ireland the trafficking offences for which the victims/alleged victims have such automatic anonymity under the 1992 Act are those in section 2 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, which are further defined by reference to the Act's section 1 and 3. Most of the definitions of these trafficking offences are the same as or similar to offences in the Modern Slavery Act 2015 set out in *McNae's* 11.6. But the Northern Ireland definitions include more specific references to some types of exploitation, for example, trafficking to exploit a person to gain the proceeds of forced begging or of criminal activities.

In Northern Ireland, or in England and Wales, a person who was trafficked for any such exploitation, or for whom such trafficking was planned, must not be identified in any publication referring to this fate or plan, unless he or she gives valid, written consent (and to give that he or she must be 16 or over) or a court uses a power in the 1992 Act to lift the anonymity – see 11.8 in *McNae's*.

See Useful Websites, below, for the wording of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

37.4.5.1 Identifying defendants in sexual offence cases

It was revealed in 2014 that 61 alleged sex offenders had been granted anonymity by Northern Ireland judges making orders, purportedly using the Sexual Offences (Amendment) Act 1992. But as explained in 16.10 in *McNae's*, there is no power in the Act to grant anonymity to defendants (although the need to retain anonymity which it automatically grants to the victims/alleged victims of such offences may mean that a media organisation cannot for this reason identify the defendant – see 10.12 in *McNae's*). Northern Ireland's Lord Chief Justice carried out a review of the 61 orders,

which led to 15 being deemed invalid. But *The Belfast Telegraph* reported on 24 April 2014 that the rest remained in place.

In August 2014 a district judge used section 11 of the Contempt of Court Act 1981 to temporarily ban the media from identifying a solicitor accused of indecent assault. The ban was later lifted. He was convicted (*Ulster Star*, 21 January 2015; *The Belfast Telegraph*, 29 August 2014).

Automatic anonymity for victims/alleged victims of 'trafficking'

In March 2017 new law took force in Northern Ireland making it illegal in most circumstances for any publication to identify anyone in their lifetime as being a victim or alleged victim of a forced marriage offence. This law is in schedule 3A of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, inserted there by the Policing and Crime Act 2017.

This law, including the scope of the anonymity, can be understood by explanation in the Additional Material for ch. 11 on www.mcnaes.com of identical anonymity provision in England and Wales for such victims/alleged victims, which is set out in the Anti-social Behaviour, Crime and Police Act 2014. In Northern Ireland law, forced marriage offences are set out in section 16 of the 2015 Act, but are in essence the same as those in the 2014 Act as regards England and Wales.

Schedule 3A of the 2015 Act makes clear that a person aged 16 or older can give written consent to be identified in a publication as such a victim/alleged victim, if there is no unreasonable interference with their peace or comfort to gain the consent.

A court can lift the anonymity when it has ruled that otherwise the defence of a person accused of a forced marriage offence would be substantially prejudiced. A court can also lift the anonymity by ruling that the anonymity imposes a substantial and unreasonable restriction on the reporting of the court proceedings, and that it is in the public interest to remove or relax the restriction.

If a person is prosecuted for breaching the anonymity, it is a defence if he/she can prove that he/she did not know or suspect or have reason to suspect that the publication included 'the matter in question' (the identifying detail), or that he/she did not know or suspect or have reason to suspect that the allegation in question (that is, the relevant allegation of a forced marriage offence) had been made. It is also a defence to prove there was valid 'written consent' waiver of the anonymity (see above).

Schedule 3A of the 2015 Act says that if the anonymity is illegally breached, each of the persons responsible for the publication is guilty of an offence. It says those who have this responsibility are, in the case of a newspaper or periodical, any person who is a proprietor, editor or publisher; in the case of a programme, a body corporate engaged in providing the programme service in which the programme is included, or any person who has functions in relation to the programme corresponding to those of an editor of a newspaper; and in the case of any other type of publication, any person who publishes it. The person or company can be fined an amount for which there is no limit in statute.

Inquests in Northern Ireland

The coroners system in Northern Ireland is governed mainly by the Coroners Act (Northern Ireland) 1959 and the Coroners (Practice and Procedure) Rules (Northern Ireland) 1963. The system has many similarities to the English and Welsh coroners system, described in *McNae's* chapter 17. For example, the Contempt of Court Act 1981 applies as to what can be published as regards 'active' inquest cases in all three nations. The Act also automatically bans audio-recording in inquests – see 17.9 and 17.10 in *McNae's*. In Northern Ireland section 8 of the 1981 Act is the law which protects the confidentiality of an inquest jury's deliberations – see 12.4 and 17.10 in *McNae's* for law in England and Wales which is almost identical. A coroner can make an order under section 11 of the 1981 Act or common law to provide anonymity for a witness – see 12.6 and 17.10 in *McNae's*. Other law automatically bans any photography or filming in an inquest - see 37.4.5.3 in *McNae's*. Media reports of inquest proceedings, because these are court proceedings, are protected in defamation law by absolute privilege or qualified privilege, if the relevant defence's requirements are met (see above, **37.2 Defamation law**)

As in England and Wales, some inquests in Northern Ireland consider if historic, found objects are 'treasure – see Useful Websites, below.

In Northern Ireland inquests into deaths have the same purpose as those in England and Wales – that is, they ascertain who the deceased person was, and where, when and how he or she died, and enable the coroner to register certain particulars about the death. In Northern Ireland the inquest's decisions on these matters are officially referred to as 'findings' though – as in England and Wales – the term 'verdict' may be used colloquially. In Northern Ireland too such decisions may be in 'narrative' form rather than 'short-form'.

Death inquests with juries

In Northern Ireland the circumstances in which a jury will be used in an inquest into a death are:

- the person died in prison; or
- the death may involve a breach of Government regulations such as health and safety; or
- the death occurred in circumstances which may affect the health or safety of the public; or
- the coroner thinks it is necessary to have a jury.

As in England and Wales, an inquest jury in Northern Ireland is of at least seven and not more than eleven people.

Admission to inquests

Rule 5 of the Coroners (Practice and Procedure) Rules (Northern Ireland) 1963 says that every inquest shall be held in public, except that the coroner may direct that the public be excluded from an inquest or any part of an inquest if he/she considers that it would be in the interest of national security so to do.

The airing of evidence

Rule 17 says that a document may be admitted in evidence at an inquest if the coroner considers that the attendance as a witness by the maker of the document is unnecessary and the document is produced from a source considered reliable by the coroner. This means that some witnesses – for example, busy doctors – may not be at the inquest, because their evidence will be accepted in written form.

There is no specific provision in the Rules for journalists to see written evidence - for example, a witness statement admitted as documentary evidence when the witness has not attended. But if the coroner does not read this evidence aloud, or even if he/she does, a journalist may need - in order to fully and accurately report the inquest - to assert a right to inspect it. The trend in UK law has been for courts to recognise that journalists may need to inspect case documents in order to exercise their and the public's rights under the common law principle of open justice and Article 10 of the European Convention on Human Rights. For context, see 17.5.4.2 in *McNae's*, including reference to the decision of the Court of Appeal in *R (Guardian News and Media) v City of Westminster Magistrates' Court*, and an update on www.mcnaes.com on how this decision was successfully cited to a coroner in England by the *BuzzFeed News* website to gain access to written evidence.

Review of inquest decisions

As in England and Wales – see 17.8 in *McNae's* - a finding or another type of decision made in an inquest in Northern Ireland can be challenged in the High Court.

Industrial tribunals

Industrial tribunals in Northern Ireland have the same functions as the employment tribunals of England and Wales. These functions are described in 18.5 in *McNae's* and that chapter's Additional Material on www.mcnaes.com. In Northern Ireland too the chair of a tribunal is legally trained and is known as an 'employment judge', empowered to take some decisions alone though other decisions are taken with the two 'lay' members of a tribunal panel.

Procedure in the Northern Ireland tribunals is governed by The Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005, which contains sets of procedural rules, each particular to a category of case.

The main rules are the Industrial Tribunals Rules of Procedure. Under these, the presumption is that hearings (including pre-hearing reviews, which are interim hearings) should normally be in public. Rule 16 says that the tribunal can sit in private if a person is due to give evidence or representations likely in the opinion of the tribunal or its chair to consist of information–

- which the person could not disclose without contravening a prohibition imposed by or by virtue of any statutory provision, or
- which has been communicated to the person in confidence, or which he/she has otherwise obtained in consequence of the confidence placed in him/her by another person; or
- the disclosure of which would, for reasons other than its effect on negotiations with

respect to any of the matters mentioned in Article 96(1) of the Industrial Relations (Northern Ireland) Order 1992 cause substantial injury to any undertaking of his/her or any undertaking in which he/she works.

Rule 33 says that a review of a default judgement can be conducted by a tribunal chair without a hearing if all the parties to the proceedings consent to this in writing, but otherwise must be in public.

Rule 16 says that where a tribunal or its chair decides to hold a hearing or part of one in private, it or he/she shall give reasons for doing so.

If a hearing is conducted by 'electronic communications' and is required by the rules to be held in public, rule 15 says it must be held in a place to which the public has access, and must use equipment so that the public is able to hear all parties to the communication.

The Regulations have a separate set of rules for when the Government ('the Secretary of State') directs or the tribunal or its chair rules that it is 'expedient in the interests of national security' to hold all or part of a hearing in private.

Tribunal reporting restrictions

Rule 50 of the Industrial Tribunals Rules of Procedure allows a tribunal or its chair to make a 'restricted reporting order' in a case involving allegations of sexual misconduct. The order bestows temporary anonymity in reports of or references to the case for a person or people involved in it, as specified in the order. The same rule enables a tribunal to make such a temporary anonymity order for a person or people concerned in a case involving allegations of discrimination on grounds of disability in which evidence of a personal nature is likely to feature. This anonymity provision – including in interim orders – is similar to that which an employment tribunal in England and Wales can use in such cases, explained in 18.5.1 in *McNae's* and in the Additional Material for ch. 18 on www.mcnaes.com.

But rule 50 gives further grounds for temporary anonymity in reports of the Northern Ireland tribunals – for example 'where the disclosure of identifying matter' would be likely to cause an individual 'to be subjected to harassment', or 'to be placed at risk of injury', or if 'the interests of justice' otherwise require such an order to be made.

The rule allows any person considered to have 'a legitimate interest' (which should include the media) to argue against the order being made.

Anonymity provision under rule 50 is temporary because the rule says it automatically expires when both 'liability' and 'remedy' have been determined – see the Additional Material for ch. 18 on www.mcnaes.com for explanation of these terms – if not revoked earlier by the tribunal. But developments in case law mean that the tribunal could, using common law powers deriving from Article 8 (privacy) rights or other rights in the European Convention of Human Rights, make an order giving permanent anonymity to a person in media coverage of or reference to the tribunal

proceedings. In England and Wales this power to bestow permanent anonymity has been written into the tribunal rules – see the Additional Material for ch. 18 on www.mcnaes.com.

The scope of the Sexual Offences (Amendment) Act 1992 means it is illegal to identify a person as being referred to in tribunal proceedings as a victim, or alleged victim, of a sexual offence, and this automatic anonymity normally lasts for their lifetime – see 11.1 - 11.3 in *McNae's*.

The Register

Under the 2005 Regulations a register of the claims, appeals, applications, decisions and 'written reasons' in industrial tribunal cases must be available for the public to see (Regulation 13), though various rules allow information to be kept off the register to protect national security, or a person's privacy or to prevent a victim or alleged victim of sexual offence from being identified.

The register is available for inspection at the Office of the Tribunals in Belfast during office hours.

There is online archive of the 'main decisions' issued since early 2007– see Useful Websites, below.

Useful Websites

<https://www.justice-ni.gov.uk/articles/nicts-court-rules>

Rules for courts in Northern Ireland

<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/bail-applications-english.pdf>

Northern Ireland Courts and Tribunals Service guidance on bail

<https://www.judiciary-ni.gov.uk/judicial-decisions/practice-direction-12016>

Practice Note 1 of 2016

<https://www.judiciary-ni.gov.uk/publications/reporting-restrictions>

Judicial Studies Board for Northern Ireland guide to Reporting Restrictions

<http://www.legislation.gov.uk/nia/2015/2/contents>

Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland)

https://www.justice-ni.gov.uk/sites/default/files/publications/justice/coroners-inquest_0.pdf

Northern Ireland Courts and Tribunals Service guidance on inquests

<https://www.communities-ni.gov.uk/publications/treasure-act-leaflet>

Department of Communities guidance on treasure

<https://www.nidirect.gov.uk/articles/employment-related-tribunals#toc-6>

Government information on industrial tribunals

<https://www.citizensadvice.org.uk/nireland/Work/problems-at-work-ni/employment-tribunals-ni/understanding-employment-tribunals-ni/>

Citizens Advice information on industrial tribunals

https://employmenttribunalsni.co.uk/OITFET_IWS/DecisionSearch.aspx

Online archive of 'main decisions' of industrial tribunals