STATUTORY RULES OF NORTHERN IRELAND

2021 No. 138

PRISONS

The Parole Commissioners' (Amendment) Rules (Northern Ireland) 2021

Made - - - -	*21st May 2021*
Coming into operation -	*21st June 2021*

The Department of Justice makes the following rules in exercise of the powers conferred by Article 100(5) of, and paragraph 4 of Schedule 4 to, the Criminal Justice (Northern Ireland) Order 2008(**a**).

Citation and commencement

1. These Rules may be cited as the Parole Commissioners' (Amendment) Rules (Northern Ireland) 2021 and shall come into operation on 21st June 2021.

Amendment of the Parole Commissioners' Rules (Northern Ireland) 2009

2. The Parole Commissioners' Rules (Northern Ireland) 2009(**b**) ("the 2009 Rules") are amended as follows—

(1) In rule 22 (Location and privacy of oral hearings) paragraph (3) for "Information" substitute "Subject to rule 22A, information".

(2) After rule 22 insert—

" Information about proceedings

22A.—(1) Where a registered victim or other person makes a request for a summary of the reasons for a provisional direction of a single Commissioner recorded under rule 13(2)(b) that has become final by virtue of rule 13(6), the single Commissioner must produce a summary of the reasons for that direction, unless the Commissioner considers that there are exceptional circumstances why a summary should not be produced for disclosure.

(2) The single Commissioner is not required to produce a summary under paragraph (1) where the request is made more than 6 months after the date when the direction under rule 13(2)(b) became final.

(3) Other than those of the parties, the names of persons concerned in proceedings under Rule 13(2) must not be disclosed under paragraph (1) except insofar as the single Commissioner directs.

(**a**) S.I. 2008/1216 (N.I. 1) as amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), Article 6(2) and Sch. 5 paragraphs 30 and 31(2).
(**b**) S.I. 2009 No. 82 (N.I.) to which there are amendments which are not relevant to these Rules.

(4) Where a registered victim or other person makes a request for a summary of the reasons for a decision recorded after oral proceedings under rule 24(2), the relevant panel must produce a summary of the reasons for that decision unless the chairman of that panel considers that there are exceptional circumstances why a summary should not be produced for disclosure.

(5) The relevant panel is not required to produce a summary under paragraph (4) where the request is made more than 6 months after the date of the decision.

(6) Other than those of the parties, the names of persons concerned in oral proceedings under these Rules must not be disclosed under paragraph (4) except insofar as the chairman of the relevant panel directs.

(7) This rule does not affect the operation of rule 9 (Non-disclosure of confidential information).

(8) For the purposes of this rule, "registered victim" means a person who is registered or entitled to receive information under any of—

(a) the Prisoner Release Victim Information (Northern Ireland) Scheme 2003(**a**);

(b) the Probation Board for Northern Ireland Victim Information Scheme 2005(**b**);

(c) the Victims of Mentally Disordered Offenders Information (Northern Ireland) Scheme 2008(**c**).".

Transitional provision

3.—(1) Where a case is listed under rule 6 of the 2009 Rules before these Rules come into operation, the 2009 Rules shall apply.

(2) Where the case of a prisoner is listed after these Rules come into operation, the 2009 Rules shall apply as amended by these Rules.

Sealed with the Official Seal of the Department of Justice on 21st May 2021

L.S.

Naomi Long
Minister of Justice

(**a**) S.R. 2003 No. 293.
(**b**) S.R. 2005 No. 432.
(**c**) S.R. 2008 No. 457.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Parole Commissioners' Rules (Northern Ireland) 2009 (the 2009 Rules) to add a new rule 22A. It enables registered victims or other persons to make a request for a summary of the reasons for a final direction of a single Commissioner under rule 13(2)(b) of the 2009 Rules or of a decision of a panel made in oral proceedings under rule 24(2) of the 2009 Rules to be produced and disclosed, unless the single Commissioner or the chairman of the panel, as the case may be, considers there are exceptional circumstances why a summary should not be produced.

Rule 2(1) makes a consequential amendment to Rule 22 and Rule 3 applies a transitional provision.

No impact assessment has been prepared for these Regulations.

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