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## STATUTORY INSTRUMENTS

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# 2008 No. 1216

## The Criminal Justice (Northern Ireland) Order 2008

### PART 2

#### SENTENCING

##### CHAPTER 7

##### PAROLE COMMISSIONERS

#### The Parole Commissioners

**46.**—(1) The Life Sentence Review Commissioners shall be renamed the Parole Commissioners for Northern Ireland.

(2) In discharging their functions the Parole Commissioners shall—

- (a) have due regard to the need to protect the public from serious harm; and
- (b) have regard to the desirability of
  - (i) securing the rehabilitation of prisoners; and
  - (ii) preventing the commission of further offences by prisoners.

(3) The Parole Commissioners shall advise the [<sup>F1</sup>Department of Justice or (as appropriate) the] Secretary of State with respect to any matter connected with the release or recall of prisoners referred to them under this Part or the Life Sentences (Northern Ireland) Order 2001 (NI 2) [<sup>F2</sup>or Articles 46 to 46B of the Criminal Justice (Children) (Northern Ireland) Order 1998.]

(4) Schedule 4 shall have effect in relation to the Parole Commissioners.

[<sup>F3</sup>(5) Arrangements under section 1A(7) of the Prison Act (Northern Ireland) 1953 may include arrangements for purposes connected with any of the Secretary of State's functions by virtue of—

- (a) the Life Sentences (Northern Ireland) Order 2001,
- (b) Chapter 4 of this Part, or
- (c) this Chapter (including rules made under paragraph 4 or 4A of Schedule 4);

and, accordingly, in section 1A(8) of the 1953 Act the reference to functions of the Secretary of State includes functions of the Secretary of State by virtue of any of the provisions mentioned in sub-paragraphs (a) to (c) above.]

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#### Textual Amendments

**F1** Words in art. 46(3) inserted (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 6(2), [Sch. 5 para. 29\(2\)](#) (with arts. 28-31); [S.I. 2010/977](#), [art. 1\(2\)](#)

**F2** Words in art. 46(3) added (26.4.2013) by [Criminal Justice Act \(Northern Ireland\) 2013 \(c. 7\)](#), [ss. 10\(4\), 15\(1\)](#) (with s. 10(5)-(9))

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**Changes to legislation:** *The Criminal Justice (Northern Ireland) Order 2008, CHAPTER 7 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

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**F3** Art. 46(5) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(2), **Sch. 5 para. 29(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 Pt. 1 para. 31A renumbered as 31(B) by [2022 c. 19 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- art. 19(1A) inserted by [2015 c. 9 \(N.I.\) s. 82](#)
- art. 45(1A) inserted by [2011 c. 24 \(N.I.\) s. 58\(2\)](#)