

**Changes to legislation:** *The Criminal Justice (Northern Ireland) Order 2008, Paragraph 4 is up to date with all changes known to be in force on or before 24 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*

## SCHEDULES

### SCHEDULE 4

#### THE PAROLE COMMISSIONERS

##### *Rules*

4.—(1) The [F1Department of Justice] may make rules with respect to the proceedings of the Commissioners.

(2) In particular rules may include provision—

- (a) for the allocation of proceedings to panels of Commissioners;
- (b) for the taking of specified decisions by a single Commissioner;
- (c) conferring functions on the Chief Commissioner or deputy Chief Commissioner;
- (d) about evidence and information, including provision—
  - (i) requiring the Commissioners to send to the [F1Department of Justice] copies of such documents as the rules may specify;
  - (ii) requiring the [F1Department of Justice] to provide specified information to the Commissioners;
  - (iii) for the giving of evidence by or on behalf of the [F1Department of Justice], the Police Service of Northern Ireland and others;
  - (iv) about the way in which information or evidence is to be given;
  - (v) for evidence or information about a prisoner not to be disclosed to anyone other than a Commissioner if the [F1Department of Justice] certifies that the evidence or information satisfies conditions specified in the rules;
  - (vi) preventing a person from calling any witness without leave of the Commissioners;
- (e) for proceedings to be held in private except where the Commissioners direct otherwise;
- (f) preventing a person who is serving a sentence of imprisonment or detention from representing or acting on behalf of a prisoner;
- (g) permitting the Commissioners to hold proceedings in specified circumstances in the absence of any person, including the prisoner concerned and any representative appointed by the prisoner.

(3) Where a prisoner and any representative appointed by the prisoner are excluded from proceedings by virtue of sub-paragraph (2)(g), the Advocate General for Northern Ireland may appoint a person to represent the prisoner's interests in those proceedings

(4) A person appointed under sub-paragraph (3) shall not be responsible to the prisoner whose interests the person so appointed represents.

(5) Until section 27 of the Justice (Northern Ireland) Act 2002 (c. 26) comes into force, sub-paragraph (3) shall have effect as if the reference to the Advocate General for Northern Ireland were a reference to the Attorney General for Northern Ireland.

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#### **Textual Amendments**

- F1** Words in Sch. 4 para. 4 substituted (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. 31(2)** (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\(2\)](#)