
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 81

CRIMINAL LAW

**The Criminal Justice (Sentencing) (Licence
Conditions) (Northern Ireland) Rules 2009**

Made - - - - *5th March 2009*

To be laid before Parliament

Coming into operation *1st April 2009*

The Secretary of State makes the following Rules in exercise of the powers conferred by Article 24(1) and (3) of the Criminal Justice (Northern Ireland) Order 2008⁽¹⁾, and having regard to the purposes of the supervision of offenders while on licence set out in Article 24(8) of that Order.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009 and shall come into operation on 1 April 2009.

(2) In these Rules “the Order” means the Criminal Justice (Northern Ireland) Order 2008.

[^{F1}“supervising officer” means a probation officer or such other person or organisation for the time being responsible for supervising specific offenders on licence in accordance with arrangements made by the Department of Justice;]

F1 Words in [rule 1](#) inserted (6.9.2021) by [The Criminal Justice \(Sentencing\) \(Licence Conditions\) \(Northern Ireland\) \(Amendment\) Rules 2021 \(S.R. 2021/183\)](#), [art. 2\(2\)](#), [rule 1](#)

Commencement Information

I1 Rule 1 in operation at 1.4.2009, see [rule 1\(1\)](#)

Standard Conditions of Licence

2.—(1) The conditions set out in paragraphs (2) and (3) are the standard conditions prescribed for the purposes of Article 24(1) of the Order.

(2) The prisoner must —

(a) Keep in touch with the [^{F2}supervising officer] as instructed by the [^{F2}supervising officer] ;

- (b) Receive visits from the [F3supervising officer] as instructed by the [F3supervising officer] ;
 - (c) Permanently reside at an address approved by the [F4supervising officer] and obtain the prior permission of the [F4supervising officer] for any change of address;
 - (d) Undertake such work, including voluntary work, as approved by the [F5supervising officer] , and obtain the prior permission of the [F5supervising officer] for any proposed change; and
 - (e) Not travel outside the United Kingdom, the Channel Islands or the Isle of Man without the prior permission of the [F6supervising officer] , except where the prisoner is deported or removed from the United Kingdom in accordance with the Immigration Act 1971(2)or the Immigration and Asylum Act 1999(3).
- (3) The prisoner must not —
- (a) Behave in a way which undermines the purposes of the release on licence, which are the protection of the public, the prevention of re-offending and the rehabilitation of the offender;
 - (b) Commit any offence.

F2	Words in rule 2 substituted (6.9.2021) by The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183) , art. 3 , rule 1
F3	Words in rule 2 substituted (6.9.2021) by The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183) , art. 3 , rule 1
F4	Words in rule 2 substituted (6.9.2021) by The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183) , art. 3 , rule 1
F5	Words in rule 2 substituted (6.9.2021) by The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183) , art. 3 , rule 1
F6	Words in rule 2 substituted (6.9.2021) by The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183) , art. 3 , rule 1

Commencement Information

- I2** Rule 2 in operation at 1.4.2009, see [rule 1\(1\)](#)

Other Conditions of Licence

3.—(1) Conditions of a kind set out in paragraph (2) are prescribed for the purposes of Article 24(3)(b) of the Order.

- (2) The conditions are those which impose on a prisoner:
- (a) A requirement that the prisoner resides at a certain place;
 - (b) A requirement as to the prisoner making or maintaining contact with a person, more than one person or identified group;
 - (c) A restriction relating to the prisoner making or maintaining contact with a person, more than one person or identified group;
 - (d) A restriction on the prisoner’s participation in any activity;
 - (e) A requirement that the prisoner participates in or co-operates with a programme or set of activities, which may include testing, designed to further one or more of the purposes referred to in Article 24(8) of the Order;

(2) [1971 C.77](#)
(3) [1999 C.33](#)

- (f) A requirement that the prisoner complies with a curfew arrangement;
- (g) A requirement that the prisoner complies with an electronic monitoring arrangement;
- (h) A restriction on the prisoner’s freedom of movement which is not a requirement referred to in sub-paragraph (f);
- (i) Any other requirement relating to the prisoner’s supervision in the community by a [^{F7}supervising officer] .

(3) For the purpose of these Rules, “curfew arrangement”, means an arrangement under which a prisoner is required to remain at a specific place for a specified period of time which is not an arrangement contained in a condition imposed by Article 26(1) of the Order.

F7 Words in rule 3 substituted (6.9.2021) by [The Criminal Justice \(Sentencing\) \(Licence Conditions\) \(Northern Ireland\) \(Amendment\) Rules 2021 \(S.R. 2021/183\)](#), **art. 4**, rule 1

Commencement Information

I3 Rule 3 in operation at 1.4.2009, see [rule 1\(1\)](#)

Northern Ireland Office

Paul Goggins
Minister of State

Changes to legislation: *There are currently no known outstanding effects for the The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules prescribe the standard and other conditions which may be contained in a licence issued under the provisions of the Criminal Justice (Northern Ireland) Order 2008.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009.