

*These notes refer to the Justice Act (Northern Ireland)
2016 (c.21) which received Royal Assent on 12 May 2016*

Justice Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2

The Prison Ombudsman for Northern Ireland

Section 36: Report of investigation of complaint

This Section specifies that the Ombudsman must report in writing on the outcome of an investigation into a complaint to the Department and the complainant (Section 36(1)), and may report to any other person as the Ombudsman sees fit (Section 36(2)).

Within a report to the Department the Ombudsman may make recommendations arising out of the investigation (Section 36(3)). The Department must respond (Section 36(4)) and the Ombudsman can report on the response (Section 36(6)). These recommendations may relate for example to the resolution of the complaint or redress for the benefit of the complainant, or any other individual affected, or suggested improvements to the administrative processes of the Department.

This Section enables regulations to be made for the procedures to be used in relation to reports of investigations into complaints including who may see a draft of the report, who may be identified within the report, and what is to happen where the complainant has died or is unable to act (Section 36(7)).