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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2015 No.**

**The Criminal Legal Aid (Disclosure of Information) Rules (Northern Ireland) 2015**

**Restriction of disclosure of information**

- 3.—(1) This rule applies to information which is furnished—
- (a) to the Department or any court, tribunal or other person or body on whom functions are imposed or conferred by or under Part 3 of the Order, and
  - (b) in connection with the case of a person seeking or receiving representation under a criminal aid certificate.
- (2) Information as described in paragraph (1) may be disclosed—
- (a) in accordance with the law of Northern Ireland or a court order;
  - (b) for the purpose of the Department instituting, or otherwise for the purpose of, proceedings before a court;
  - (c) for the purpose of enabling or assisting the Director to discharge any functions imposed or conferred on the Director by or under Part 3 of the Order;
  - (d) for the purpose of enabling or assisting the Department to discharge any functions imposed or conferred on the Department by or under Part 3 of the Order;
  - (e) for the purpose of enabling or assisting any court, tribunal or other person or body to discharge any functions imposed or conferred by or under Part 3 of the Order;
  - (f) subject to paragraph (3), for the purpose of the investigation or prosecution of any offence (or suspected offence) under the law of Northern Ireland or any other jurisdiction; or
  - (g) for the purpose of facilitating the proper performance by any tribunal of disciplinary functions.
- (3) The Director and the Department must not disclose any information for the purposes of the investigation or prosecution of an offence (or a suspected offence) under the law of Northern Ireland or any other jurisdiction which—
- (a) relates to the defence of a person who has made an application for free legal aid (whether or not a criminal aid certificate is granted to that person); and
  - (b) may be used for the purposes of the prosecution of that person in that case.