
STATUTORY INSTRUMENTS

2008 No. 1216

The Criminal Justice (Northern Ireland) Order 2008

PART 2

SENTENCING

CHAPTER 4

RELEASE ON LICENCE

Licence conditions

Licence conditions

24.—(1) In this Article—

- (a) “the standard conditions” means such conditions as may be prescribed for the purposes of this Article as standard conditions; and
- (b) “prescribed” means prescribed by the Secretary of State by rules.

(2) Any licence under Article 17 or 19 in respect of any prisoner serving one or more determinate custodial sentences of less than 12 months and no determinate custodial sentence of 12 months or more shall include—

- (a) such conditions as may be required by the court in passing sentence; and
- (b) so far as not inconsistent with them, the standard conditions.

(3) Any other licence under this Chapter

- (a) shall include the standard conditions; and
- (b) may include such other conditions of a kind prescribed for the purposes of this paragraph as the Secretary of State may for the time being specify in the licence.

(4) The Secretary of State may vary or cancel any conditions specified in a licence under this Chapter and may subsequently include additional conditions.

(5) Where a prisoner is released on licence under Article 18, the Secretary of State shall not—

- (a) include a condition under paragraph (3)(b) on release, or
- (b) subsequently insert, vary or cancel a condition under paragraph (4),

except after consultation with the Parole Commissioners.

(6) For the purposes of paragraph (5), the Secretary of State is to be treated as having consulted the Parole Commissioners about a proposal to include, insert, vary or cancel a condition in any case if they have been consulted about the implementation of proposals of that description generally or in that class of case.

(7) Paragraphs (2) and (3) have effect subject to—

- (a) Articles 25 and 26;

(b) Articles 32(2) and 33(3) and (4).

(8) In exercising the powers to prescribe standard conditions or other conditions referred to in paragraph (3), the Secretary of State shall have regard to the following purposes of the supervision of offenders while on licence under this Chapter—

- (a) the protection of the public;
- (b) the prevention of re-offending;
- (c) the rehabilitation of the offender.