
STATUTORY INSTRUMENTS

2005 No. 1965

The Criminal Justice (Northern Ireland) Order 2005

Prisons, etc

Recall of life prisoner on licence

9. In Article 9 of the Life Sentences (Northern Ireland) Order 2001 (NI 2) (recall of life prisoner on licence) after paragraph (5) insert—

“(5A) The Commissioners shall not give a direction under paragraph (5) unless they are satisfied that it is no longer necessary for the protection of the public from serious harm that the prisoner should be confined.”.

Independent monitoring boards

10.—(1) The bodies appointed—

- (a) under section 10 of the Prison Act (Northern Ireland) 1953 (c. 18) (boards of visitors for prisons); and
- (b) under section 3 of the Treatment of Offenders Act (Northern Ireland) 1968 (c. 29) (visiting committees for young offenders centres and remand centres)

are renamed as independent monitoring boards.

Para. 2—Amendments

Repeal of section 13(6) of Prison Act

11. Section 13(6) of the Prison Act (Northern Ireland) 1953 (c.18) (prison rules to prohibit application of painful tests on prisoners except with permission of board of visitors) is repealed.

Transfer between young offender centre and prison

12. In section 7(1)(b) of the Treatment of Offenders Act (Northern Ireland) 1968 (c.29) (power of Secretary of State to transfer offender following report by visiting committee) for the words “that person is reported by a visiting committee to the Minister to be incorrigible, or to be” substitute “ it appears to the Secretary of State that that person is incorrigible or is ”.

Right to representation: loss of remission hearings

13. In Article 25 (2) of the Access to Justice (Northern Ireland) Order 2003 (NI 10) (right to representation) after sub-paragraph (g) insert—

“(h) proceedings under Part XIII A of the Prison and Young Offenders Centre Rules (Northern Ireland) 1995 (No. 8).”.

Changes to legislation:

The Criminal Justice (Northern Ireland) Order 2005, Prisons, etc is up to date with all changes known to be in force on or before 01 September 2022. 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.

[View outstanding changes](#)

Commencement Orders yet to be applied to the The Criminal Justice (Northern Ireland) Order 2005

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2016/387 art. 2 commences \(2015 c. 9 \(N.I.\)\)](#)