
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 317

The Life Sentence Review Commissioners' Rules 2001

Part III

Hearings

Directions

11.—(1) Subject to paragraph (2), the chairman of the panel may give, vary or revoke directions for the conduct of the case allocated to his panel, including directions in respect of matters such as:—

- (a) the timetable for the case;
- (b) the varying of the time within which or by which an act, required or authorised by these rules, be done;
- (c) the service of documents;
- (d) the submission and production of evidence;
- (e) the curing or waiving of irregularities;
- (f) the listing, location and adjournment of hearings, including preliminary hearings;
- (g) the calling of witnesses;
- (h) the appointment of a special advocate and his conduct of a case under rule 16;
- (i) the granting of consent in accordance with rule 5(2);

and following his appointment under rule 3, the chairman of the panel shall consider whether such directions need to be given at any time.

(2) Directions under paragraph (1) may be given, varied or revoked either:—

- (a) of the chairman of the panel's own motion; or
- (b) on the written application of a party to the Commissioners which has been served on the other party and which specifies the direction which is sought.

(3) Within 7 days of making a direction under paragraph (2) the chairman of the panel shall serve on the parties such direction which shall be recorded in writing with reasons and dated and signed by him.

(4) Within 14 days of being notified of a direction given under paragraph (3) either party may appeal to the panel by serving a written notice of appeal on both the panel and the other party stating the grounds of the appeal.

(5) Within 7 days of being served with a notice of appeal under paragraph (4) the other party may in reply make written representations on the appeal which shall be served on the panel and the party moving the appeal.

(6) The panel shall consider the written representations of the parties.

(7) After considering the written representations made under paragraph (6) the panel may make a direction:—

- (a) upon the basis of the written representations; or
 - (b) where it thinks it necessary before making a direction after hearing oral submissions by the parties at a preliminary hearing conducted in accordance with paragraph (8); and it shall give the parties at least 14 days' notice of the time and place fixed for the preliminary hearing.
- (8) Subject to paragraph (9), a preliminary hearing shall be conducted in accordance with rule 9.
- (9) The panel may hold the preliminary hearing in the absence of the prisoner at a location other than the prison or other place of detention where the prisoner is detained.
- (10) The direction of the panel made under paragraph (7) shall be final and shall be recorded in writing with reasons, dated and signed by the chairman of the panel, and served on the parties not more than 7 days after the date of the making of the direction.