

JUSTICE (NORTHERN IRELAND) ACT 2002

EXPLANATORY NOTES

COMMENTARY

Part 5: Miscellaneous

Victims of Crime

Section 68: Information about discharge and temporary release of prisoners

136. The Secretary of State must make a victim information scheme under *subsection (1)* to give to victims of offences the information specified in *subsection (3)*, that is, the month in which it is anticipated that the offender will be discharged and, where reasonably practicable, the fact that the offender is being considered for temporary release under the Prison Rules¹. The scheme can make provision about the giving of further, more detailed information (*subsection (4)*). However, information need not be given in the circumstances described in *subsection (8)*, for example, where this would adversely affect the well-being of a victim or threaten the safety of any person.
137. The information is to be given to the actual victim of the offence. But the Secretary of State may decide that it should also be given to other persons who he considers to have been directly affected by the offence (*subsection (5)*), such as the immediate family of a murder victim, or a person who was present when a violent offence was committed. The Secretary of State may also decide that the information should not be given to the actual victim but should instead be given to some other person on his behalf (*subsection (6)*), such as when the victim is a young child or is mentally disabled.

¹ Rule 27 of the Prisons and Young Offenders Centre Rules (Northern Ireland) 1995 permits the temporary release of eligible prisoners for any special purpose or to enable a prisoner to have medical treatment, to engage in employment, to receive instruction or training or to assist in the transition from prison to outside life (S.R. 1995 No.8).