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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 81**

**CRIMINAL LAW**

**The Criminal Justice (Sentencing) (Licence  
Conditions) (Northern Ireland) Rules 2009**

*Made* - - - - *5th March 2009*

*To be laid before Parliament*

*Coming into operation* *1st April 2009*

The Secretary of State makes the following Rules in exercise of the powers conferred by Article 24(1) and (3) of the Criminal Justice (Northern Ireland) Order 2008<sup>(1)</sup>, and having regard to the purposes of the supervision of offenders while on licence set out in Article 24(8) of that Order.

**Citation, commencement and interpretation**

1.—(1) These Rules may be cited as the Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009 and shall come into operation on 1 April 2009.

(2) In these Rules “the Order” means the Criminal Justice (Northern Ireland) Order 2008.

[<sup>F1</sup>“supervising officer” means a probation officer or such other person or organisation for the time being responsible for supervising specific offenders on licence in accordance with arrangements made by the Department of Justice;]

**F1** Words in [rule 1](#) inserted (6.9.2021) by [The Criminal Justice \(Sentencing\) \(Licence Conditions\) \(Northern Ireland\) \(Amendment\) Rules 2021 \(S.R. 2021/183\)](#), [art. 2\(2\)](#), [rule 1](#)

**Commencement Information**

**I1** Rule 1 in operation at 1.4.2009, see [rule 1\(1\)](#)

**Standard Conditions of Licence**

2.—(1) The conditions set out in paragraphs (2) and (3) are the standard conditions prescribed for the purposes of Article 24(1) of the Order.

(2) The prisoner must —

(a) Keep in touch with the [<sup>F2</sup>supervising officer] as instructed by the [<sup>F2</sup>supervising officer] ;

- (b) Receive visits from the [F3supervising officer] as instructed by the [F3supervising officer] ;
  - (c) Permanently reside at an address approved by the [F4supervising officer] and obtain the prior permission of the [F4supervising officer] for any change of address;
  - (d) Undertake such work, including voluntary work, as approved by the [F5supervising officer] , and obtain the prior permission of the [F5supervising officer] for any proposed change; and
  - (e) Not travel outside the United Kingdom, the Channel Islands or the Isle of Man without the prior permission of the [F6supervising officer] , except where the prisoner is deported or removed from the United Kingdom in accordance with the Immigration Act 1971(2)or the Immigration and Asylum Act 1999(3).
- (3) The prisoner must not —
- (a) Behave in a way which undermines the purposes of the release on licence, which are the protection of the public, the prevention of re-offending and the rehabilitation of the offender;
  - (b) Commit any offence.

<b>F2</b>	Words in rule 2 substituted (6.9.2021) by <a href="#">The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183)</a> , <b>art. 3</b> , rule 1
<b>F3</b>	Words in rule 2 substituted (6.9.2021) by <a href="#">The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183)</a> , <b>art. 3</b> , rule 1
<b>F4</b>	Words in rule 2 substituted (6.9.2021) by <a href="#">The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183)</a> , <b>art. 3</b> , rule 1
<b>F5</b>	Words in rule 2 substituted (6.9.2021) by <a href="#">The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183)</a> , <b>art. 3</b> , rule 1
<b>F6</b>	Words in rule 2 substituted (6.9.2021) by <a href="#">The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) (Amendment) Rules 2021 (S.R. 2021/183)</a> , <b>art. 3</b> , rule 1

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**Commencement Information**

- I2** Rule 2 in operation at 1.4.2009, see [rule 1\(1\)](#)

**Other Conditions of Licence**

**3.—(1)** Conditions of a kind set out in paragraph (2) are prescribed for the purposes of Article 24(3)(b) of the Order.

- (2) The conditions are those which impose on a prisoner:
- (a) A requirement that the prisoner resides at a certain place;
  - (b) A requirement as to the prisoner making or maintaining contact with a person, more than one person or identified group;
  - (c) A restriction relating to the prisoner making or maintaining contact with a person, more than one person or identified group;
  - (d) A restriction on the prisoner’s participation in any activity;
  - (e) A requirement that the prisoner participates in or co-operates with a programme or set of activities, which may include testing, designed to further one or more of the purposes referred to in Article 24(8) of the Order;

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(2) [1971 C.77](#)  
(3) [1999 C.33](#)

- (f) A requirement that the prisoner complies with a curfew arrangement;
- (g) A requirement that the prisoner complies with an electronic monitoring arrangement;
- (h) A restriction on the prisoner's freedom of movement which is not a requirement referred to in sub-paragraph (f);
- (i) Any other requirement relating to the prisoner's supervision in the community by a [<sup>F7</sup>supervising officer] .

(3) For the purpose of these Rules, "curfew arrangement", means an arrangement under which a prisoner is required to remain at a specific place for a specified period of time which is not an arrangement contained in a condition imposed by Article 26(1) of the Order.

**F7** Words in rule 3 substituted (6.9.2021) by [The Criminal Justice \(Sentencing\) \(Licence Conditions\) \(Northern Ireland\) \(Amendment\) Rules 2021 \(S.R. 2021/183\)](#), **art. 4**, rule 1

**Commencement Information**

**I3** Rule 3 in operation at 1.4.2009, see [rule 1\(1\)](#)

Northern Ireland Office

*Paul Goggins*  
Minister of State

**Changes to legislation:** *There are currently no known outstanding effects for the The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009. (See end of Document for details)*

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## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules prescribe the standard and other conditions which may be contained in a licence issued under the provisions of the Criminal Justice (Northern Ireland) Order 2008.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009.