

*These notes refer to the Justice Act (Northern Ireland)
2016 (c.21) which received Royal Assent on 12 May 2016*

Justice Act (Northern Ireland) 2016

EXPLANATORY NOTES

OVERVIEW OF THE ACT

The Prison Ombudsman for Northern Ireland

14. Part 2 of the Act creates the office of Prison Ombudsman for Northern Ireland and sets out his main functions which are to deal with complaints, death in custody investigations and investigations requested by the Department, or on the Ombudsman's own initiative. These functions were previously carried out by the Prisoner Ombudsman on a non-statutory basis. Detailed in the Act are conditions for the eligibility of complaints, the circumstances in which an investigation may be initiated or deferred, reporting arrangements and provision for regulations to be made in relation to these matters.
15. The Ombudsman will have the power to enter any prison premises or Juvenile Justice Centre and have powers of access to documents needed for his investigation. It will be an offence to obstruct the Ombudsman in his investigations. Information provided to the Ombudsman in the course of his investigations will be protected information and the Act details arrangements for disclosure and sharing of information.
16. [Schedule 3](#) sets out that the Ombudsman will be appointed by the Department for a fixed term of seven years, and sets out arrangements for remuneration and allowances. It allows for the appointment of an acting Ombudsman in the case of a vacancy arising in the office, and for the Ombudsman to appoint officers to perform any function of the office. The Ombudsman may use advisers in the discharge of his functions. The Department of Justice will fund the Ombudsman's office. The Ombudsman will be required to prepare a report each year on how he has carried out his functions which will be laid in the Assembly.