

**EXPLANATORY MEMORANDUM TO**  
**The Civil Legal Services (Disclosure of Information) Regulations (Northern Ireland) 2015**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Justice to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 32(1) and 34(1) of the Access to Justice (Northern Ireland) Order 2003 and is subject to the draft affirmative resolution procedure.

**2. Purpose**

- 2.1. The Statutory Rule makes provision for the disclosure of information which is furnished to the Department of Justice in connection with an individual seeking or receiving civil legal services. The Regulations also require the provision of information from suppliers to the Director of Legal Aid Casework and waive the rules of privilege and confidentiality.

**3. Background**

- 3.1. The Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 will dissolve the Northern Ireland Legal Services Commission (the Commission) and transfer its functions and staff to the Department of Justice (the Agency) on 1 April 2015. As part of this change, civil legal services will be commenced under the Access to Justice (Northern Ireland) Order 2003 and a suite of subordinate legislation is required for commencement, including this set of Regulations.

**4. Consultation**

- 4.1. The Department launched a consultation with key stakeholders on these Regulations in September 2014. It received responses from the Attorney General for Northern Ireland, the Law Society of Northern Ireland and the Northern Ireland Human Rights Commission.

**5. Equality Impact**

- 5.1. The equality screening established that a full impact assessment was not required.

**6. Regulatory Impact**

- 6.1. The proposals do not impose any restriction or burden on business.

**7. Financial Implications**

- 7.1. There are no financial implications.

**8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The proposal is considered to be compatible with section 24 of the Northern Ireland Act 1998.

**9. EU Implications**

9.1. Not applicable.

**10. Parity or Replicatory Measure**

10.1. Similar provisions apply in England and Wales.

**11. Additional Information**

11.1. Not applicable.