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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2015 No.**

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

**Restriction of disclosure of information**

- 3.—(1) This regulation applies to information which is furnished—
- (a) to the Department or any court, tribunal or other person or body on whom functions are imposed or conferred by or under Articles 12A to 20A of the Order, and
  - (b) in connection with the case of an individual seeking or receiving civil legal services funded by the Department.
- (2) Information as described in paragraph (1) may be disclosed—
- (a) in accordance with the law of Northern Ireland or a court order;
  - (b) for the purpose of the Department instituting, or otherwise for the purpose of, proceedings before a court;
  - (c) for the purpose of enabling or assisting the Director to discharge any functions imposed or conferred on the Director by or under Articles 12A to 20A of the Order;
  - (d) for the purpose of enabling or assisting the Department to discharge any functions imposed or conferred on it by or under Articles 12A to 20A of the Order;
  - (e) for the purpose of enabling or assisting any court, tribunal or other person or body to discharge any functions imposed or conferred by or under Articles 12A to 20A of the Order;
  - (f) subject to paragraph (3), for the purpose of the investigation or prosecution of any offence (or suspected offence) under the law of Northern Ireland or any other jurisdiction; or
  - (g) for the purpose of facilitating the proper performance by any tribunal of disciplinary functions.
- (3) The Director and the Department must not disclose any information for the purposes of the investigation or prosecution of an offence (or a suspected offence) under the law of Northern Ireland or any other jurisdiction which—
- (a) relates to the defence of a person who has made an application for free legal aid (whether or not a criminal aid certificate is granted to that person); and
  - (b) may be used for the purposes of the prosecution of that person in that case.