
STATUTORY INSTRUMENTS

2003 No. 1247

The Criminal Justice (Northern Ireland) Order 2003

PART V

MISCELLANEOUS

Disclosure of pre-sentence reports

32.—(1) After Article 21 of the [Criminal Justice \(Northern Ireland\) Order 1996 \(NI 24\)](#) (procedural requirements for custodial sentences), there shall be inserted the following Article—

“Disclosure of pre-sentence reports

21A.—(1) This Article applies where a court obtains a pre-sentence report.

(2) Subject to paragraphs (3) and (4), the court shall give a copy of the report—

(a) to the offender or his counsel or solicitor; and

(b) to the prosecutor, that is to say, the person having conduct of the proceedings in respect of the offence.

(3) If the offender is under the age of 17 years and is not represented by counsel or a solicitor, a copy of the report need not be given to him but shall be given to his parent or guardian if present in court.

(4) If the prosecutor is not of a description prescribed by order made by the Secretary of State, a copy of the report need not be given to the prosecutor if the court considers that it would be inappropriate for him to be given it.

(5) No information obtained by virtue of paragraph (2)(b) shall be used or disclosed otherwise than for the purpose of—

(a) determining whether representations as to matters contained in the report need to be made to the court; or

(b) making such representations to the court.”.

(2) In Article 57 of that Order (rules and orders), after “13(10),” there shall be inserted “21A(4)”.

(3) Article 34 of that Order (reports of probation officers) shall cease to have effect.