
STATUTORY INSTRUMENTS

2003 No. 435

Access to Justice (Northern Ireland) Order 2003

[^{F1}PART 2

CIVIL LEGAL SERVICES AND CRIMINAL DEFENCE SERVICES]

Criminal defence services

Criminal defence services: code of conduct

22.—(1) The Commission shall prepare a code of conduct to be observed by employees of the Commission, and employees of any body established and maintained by the Commission, in the provision of criminal defence services.

(2) The code shall include—

- (a) duties imposed in accordance with any scheme made by the Commission under Schedule 9 to the Northern Ireland Act 1998^{F1} (equality schemes),
- (b) duties to protect the interests of the individuals for whom criminal defence services are provided,
- (c) duties to the court,
- (d) duties to avoid conflicts of interest, and
- (e) duties of confidentiality,

and duties on employees who are members of a professional body to comply with the rules of the body.

(3) The Commission may from time to time prepare a revised version of the code.

(4) Before preparing or revising the code the Commission shall consult the Law Society and the General Council of the Bar of Northern Ireland and such other bodies or persons as it considers appropriate.

(5) After preparing the code or a revised version of the code the Commission shall send a copy to the Lord Chancellor.

(6) If he approves it he shall lay it before [^{F2}the Assembly].

(7) The Commission shall publish—

- (a) the code as first approved by the Lord Chancellor, and
- (b) where he approves a revised version, either the revisions or the revised code as appropriate.

(8) The code, and any revised version of the code, shall not come into force until it has been approved by a resolution of [^{F3}the Assembly].

Changes to legislation: *Access to Justice (Northern Ireland) Order 2003, Section 22 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F2** Words in art. 22(6) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 157** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F3** Words in art. 22(8) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 157** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 22(1) substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(24\)\(a\)](#)
- art. 22(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(24\)\(b\)](#)
- art. 22(2) words inserted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(24\)\(b\)](#)
- art. 22(3)(4) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(24\)\(c\)](#)
- art. 22(5)(6) substituted for art. 22(5)-(8) by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(24\)\(d\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 2(ic)(id) inserted by [2023 c. 37 s. 56\(8\)](#)
- Sch. 4 para. 10(b)(c) coming into force by [S.R. 2015/194 art. 2Sch.](#) (This amendment is not be applied - relevant text is not available on [legislation.gov.uk](#))
- art. 14(2AA) inserted by [2023 c. 37 s. 56\(7\)](#)
- art. 27A inserted by [2011 c. 24 \(N.I.\) s. 84\(2\)](#)
- art. 27A(1)(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(28\)](#)
- art. 46(5A) inserted by [2011 c. 24 \(N.I.\) s. 84\(4\)](#)