
DRAFT STATUTORY INSTRUMENTS

2003 No.

**The Commissioner for Children and Young
People (Northern Ireland) Order 2003**

Formal investigations

Disclosure of information by Commissioner

23.—(1) Information obtained by the Commissioner or his officers in the course of, or for the purposes of, a formal investigation shall not be disclosed except as permitted by paragraph (2) or for the purposes of—

- (a) the investigation and any report to be made thereon under this Order;
- (b) any proceedings for a criminal offence;
- (c) an inquiry with a view to the taking of proceedings for a criminal offence; or
- (d) any proceedings under Article 22.

(2) Where information is to the effect that any person (“the subject”) is likely to constitute a threat to the health or safety of any other person (“the person at risk”), the Commissioner may disclose that information to any person to whom the Commissioner thinks it should be disclosed in the interests of the health or safety of the person at risk.

(3) If the Commissioner discloses information as permitted by paragraph (2), he shall—

- (a) where he knows the identity of the subject, inform the subject—
 - (i) that he has disclosed the information; and
 - (ii) of the identity of any person to whom he has disclosed it; and
- (b) inform the person from whom the information was obtained that he has disclosed it.

(4) The Commissioner and his officers shall not be called upon to give evidence in any proceedings (other than proceedings mentioned in paragraph (1)(b) or (d)) of matters coming to his or their knowledge in the course of a formal investigation.