

INTRODUCTION

As part of the range of services provided to victims of crime, the Government now provides an information scheme on the release of prisoners. The Scheme offers victims the opportunity to give and receive information about prisoners who have been convicted of a crime against them. The Prisoner Release Victim Information Scheme is a statutory scheme as provided by sections 68-70 of the Justice (NI) Act 2002. This leaflet informs how victims can be involved in the scheme and the type of information they may receive about a particular prisoner.

The Scheme is administered by the Northern Ireland Prison Service.

WHO IS ELIGIBLE FOR THE SCHEME?

To benefit from the Scheme a person must have been the victim of a crime which has resulted in an offender being sentenced to imprisonment.

A victim may be eligible to participate in the Scheme if:

- a. He or she is the victim of the offence for which the offender was imprisoned;
- b. He/she is not the victim but is the next of kin; is an immediate family member, or has a close relationship with someone who has died as a result of the crime; or
- c. He/she is acting on behalf of a victim when that person is unable to act on their own behalf. This would include a close family member or legal guardian on behalf of a child; or, for example, a carer acting on behalf of an ill or incapacitated person.

If someone is acting on behalf of a victim they are likely to be required to provide the written consent of the victim where that is possible and/or appropriate.

ARE ALL PRISONERS INCLUDED IN THE SCHEME?

The Prisoner Release Victim Information Scheme only applies to **adult** prisoners sentenced or permanently transferred to serve their sentence in Northern Ireland. An adult prisoner is one aged 18 years or over. Only in certain circumstances are young offenders, sentenced to a Young Offenders Centre, included in the Scheme. Those circumstances are that the young offender must have been:

- given the equivalent of a life sentence;
- convicted of a grave offence; or
- sentenced to detention in a Young Offenders Centre by the Crown Court.

And only when such a young offender becomes 18 will he be part of the Scheme.

In addition, the Scheme only applies to prisoners who have been sentenced to a period of 6 months or more. Sentences of less than 6 months are not part of the Scheme. Nor are cases where a prisoner receives a number of sentences of less than 6 months which in total are more than that period. A prisoner must be serving at least one sentence of six months or more to be included within the Scheme.

WHAT INFORMATION CAN BE MADE AVAILABLE?

Information on a prisoner's final discharge or temporary release from prison can be provided.

A victim can receive information on the prisoner's discharge which includes:

- the month and year in which a prisoner is expected to be discharged;
- any conditions of release to be imposed;
- any breaches of those conditions which result in the prisoner's return to custody;
- in the case of life sentence prisoners:
 - the minimum number of years which the life prisoner must serve;
 - when the life prisoner is being considered for discharge; and
 - the opportunity to contribute to the consideration of the life prisoner for final release.

A victim can also be told of any temporary release the prisoner is granted during the course of his/her sentence. Temporary release is available to most prisoners usually towards the end of their sentence. It **normally** takes the form of some days out of prison for a particular purpose – a working-out, rehabilitation, or reintegration scheme – or for family reasons. Prisoners must apply and be considered for such release before it is granted. Information on temporary release may therefore not be relevant until some time into the prisoner's sentence.

If a victim chooses to receive information about temporary release he/she will be notified when the prisoner is being considered and will be given the opportunity, if time permits, to submit views to the prison. The victim's views will be taken into consideration as part of the assessment process and a decision made. The victim will then be notified of the outcome. Guidance notes will be provided to those interested in the temporary release aspects of the Scheme at the appropriate time.

It should be noted that it may not always be possible to provide information in advance of a prisoner's temporary release. On occasions, urgent applications may be considered on compassionate grounds. Victims may occasionally have to be told of temporary release after it has occurred.

SAFETY CONSIDERATIONS

Before a victim can register to receive information about a prisoner there are certain safety considerations which must be taken into account. To comply with these requirements the victim's details will be confirmed with the police or prosecutor involved in the case.

If the information on their records is insufficient to validate the application the victim may be asked to provide more details as to their interest in the case and perhaps some additional form of identification. Applicants will be notified if further details are required.

If it is determined that giving information to either the victim or the prisoner, will raise safety concerns the information will not be shared.

Participation in the Prisoner Release Victim Information Scheme is entirely voluntary. It is for the victim to choose if they wish to obtain information about a prisoner and/or contribute to the temporary release process. Neither are victims forced to receive information that they do not want to know. Victims can change their mind and opt out of the Scheme at any time. Other than being offered access to the Scheme, victims will not be sent unsolicited information.

HOW DO I APPLY?

If, after having read this leaflet, you feel you would like to receive information or make representations about a prisoner, you should apply to the Prisoner Release Victim Information Unit. You can do so by completing the application form provided in this leaflet or by contacting the Unit on 0845 247 0002. They will be glad to provide further advice.

You need do nothing if you do not wish to participate in the Scheme.

If a victim applies, the Unit will notify him/her of the outcome of their application. If eligible the Unit will provide as much of the information requested about the prisoner as soon into the sentence as possible. It is therefore important that victims continue to keep the Unit informed of any change in contact details for future reference.

Tel: 0845 247 0002

(Calls charged at local rate)

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