

PROJET DE LOI

ENTITLED

The Parole Review Committee (Guernsey) Law, 1989 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XXXI, p. 414; as amended by the Criminal Justice (Supervision of Offenders) (Bailiwick of Guernsey) Law, 2004 (No. IX of 2005); the Parole Review Committee (Amendment) Ordinance, 2004 (No. XV of 2004). This Law is prospectively repealed by the Parole (Guernsey) Law, 2009 (No. IV of 2011).

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ARRANGEMENT OF SECTIONS

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2. Duties of the Committee.
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THE STATES, in pursuance of their Resolution of the 26th day of November, 1986, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of Law in the Island of Guernsey.

Establishment of the Parole Review Committee.

1. (1) There shall be established by Resolution of the States a committee ("**the Committee**").

(2) The constitution of the Committee shall be determined, from time to time, by Resolution of the States.

NOTE

The following cases have referred to this Law:

Webster and Singleton v. Parole Review Committee 2003-04 GLR 559;

Bradley v. Parole Review Committee 2005-06 GLR 335;

J C Irvine v. Parole Review Committee (2006) (Unreported, Royal Court, 27th March) (Guernsey Judgment No 18/2006).

Duties of the Committee.

2. It shall be the general duty of the Committee, subject to the provisions of any Ordinance made under section 3 of this Law, to be responsible for –

- (a) the release on licence of persons serving sentences of imprisonment in the Island of Guernsey ("**prisoners**") whose cases have been referred to it by the States [Home Department], on the grounds of their industry, good conduct, or likelihood of leading a good and useful life after release,
- (b) the recall of such prisoners released on licence,
- [(bb) the recall of prisoners released subject to a licence as part of an extended sentence passed under section 3(2) of the Criminal Justice (Supervision of Offenders) (Bailiwick of Guernsey) Law, 2004,]
- (c) the conditions to be attached to such licences, including the variation or revocation of such conditions, and
- (d) any other matter connected with the release on licence or recall of such prisoners.

NOTES

In section 2,

the words in square brackets in paragraph (a) were substituted by the Parole Review Committee (Amendment) Ordinance, 2004, section 18, with effect from 26th May, 2004;

paragraph (bb) was inserted by the Criminal Justice (Supervision of Offenders) (Bailiwick of Guernsey) Law, 2004, section 6, with effect from 8th July, 2005.

The following cases have referred to section 2:

Webster and Singleton v. Parole Review Committee 2003-04 GLR 559;

Bradley v. Parole Review Committee 2005-06 GLR 335;

J C Irvine v. Parole Review Committee (2006) (Unreported, Royal Court, 27th March) (Guernsey Judgment No 18/2006).

Control of the Committee by the States.

3. (1) The States may, from time to time, by Ordinance make such provision as they think fit to regulate the powers, duties and functions of the Committee.

(2) Without prejudice to the generality of subsection (1) an Ordinance thereunder may –

- (a) prescribe the practice and procedure to be followed in connection with the exercise by the Committee of its statutory duties,
- (b) authorise the disclosure and submission of documents and information to the Committee,
- (c) make such ancillary, incidental and supplemental provisions as the States consider necessary or expedient for the purposes of the Ordinance to provide,
- (d) confer any power upon the Committee which, in the opinion of the States, it is necessary for the Committee to enjoy in order to secure the effective discharge of its functions under section 2,
- (e) limit the civil liability of the Committee, its members and officers and any person exercising any power under this Law in respect of acts done in the performance of their duties.

NOTE

The following Ordinances have been made under section 3:

*Parole Review Committee Ordinance, 1991;
Parole Review Committee (Amendment) Ordinance, 1992;
Parole Review Committee (Amendment) Ordinance, 2004.*

Amendment and repeal of Ordinances.

4. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to amend or repeal any prior Ordinance thereunder.

Citation and commencement.

5. (1) This Law may be cited as the Parole Review Committee (Guernsey) Law, 1989.

(2) This Law shall come into force on such date as the States may by Ordinance appoint.

NOTE

The Law was brought into force on 1st December, 1989 by the Parole Review Committee (Guernsey) Law, 1989 (Commencement) Ordinance, 1989, section 1.
