



Department of  
**Justice**  
An Roinn Dlí agus Cirt  
Máinnstríe O tha Laa  
[www.justice-ni.gov.uk](http://www.justice-ni.gov.uk)

**Department of Justice**  
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28<sup>th</sup> May 2021

**REFERENCE: FOI21117**

Dear Sir

Thank you for your request for information dated 12<sup>th</sup> August 2020 and detailed below:

*In November 2017, the UK Government submitted its 'concrete proposals' to the Council of Europe to address the case of HIRST (No. 2) v. the United Kingdom. Alongside plans to allow prisoners granted temporary release to vote and a commitment to provide clearer guidance to those released on Home Detention Curfew, the UK Government proposed to amend 'the standard warrant of committal to prison' and to ensure that the 'UK Judiciary' 'is aware that the loss of the right to vote is a consequence of a custodial sentence'. While the UK Government is responsible for these matters in Wales and England, it also stated its intention to liaise with the authorities in Scotland and Northern Ireland in order to resolve this issue for the whole of the UK. See Communication from the United Kingdom concerning the case of HIRST (No. 2) v. the United Kingdom (Application No. 74025/01):*

*<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680763233>*

*In accordance with the Freedom of Information Act 2000, can you please provide me with the following information:*

- 1. Can you please provide me with a copy of the guidance that was issued to ensure that the Judiciary of Northern Ireland is aware that the loss of the right to vote is a consequence of a custodial sentence.*
- 2. Can you please tell me when this guidance was issued to the Judiciary of Northern Ireland.*



3. *Can you please confirm if the proposed changes to the 'standard warrant of committal to prison' (to inform prisoners that they have lost their right to vote) have been made.*

4. *Can you please tell me when the changes to the 'standard warrant of committal to prison' (to inform prisoners that they have lost their right to vote) were made.*

5. *Can you please provide me with a copy of (i) the standard warrant of committal to prison before the change was made and (ii) the standard warrant of committal to prison since the change has been made.*

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold recorded information falling in scope of your request, and you have the right to receive this recorded information subject to cost limit or exemption.

I can advise that the Department does not hold any recorded information in scope of your request. This is due to the fact that the out-workings of the response to the Hirst judgement is the responsibility of the UK government. The Joint Ministerial Committee<sup>1</sup> (JMC) is the central pillar of the UK's intergovernmental architecture. Current intergovernmental relations (IGR) serve two primary functions: to act as a dispute resolution mechanism between the UK government and the devolved nations and to make joint decisions in areas of shared competence and responsibilities.

Decisions relating to electoral rights of prisoners within Northern Ireland will fall within the remit of the Northern Ireland Office who can be contacted via the details below:

Freedom of Information Manager  
Stormont House  
Belfast  
Northern Ireland  
BT4 3SH  
United Kingdom

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<sup>1</sup> The JMC's terms of reference are: 'to consider non-devolved matters which impinge on devolved responsibilities, and devolved matters which impinge on non- devolved responsibilities; where the UK Government and the devolved administrations so agree, to consider devolved matters if it is beneficial to discuss their respective treatment in the different parts of the United Kingdom; to keep the arrangements for liaison between the UK Government and the devolved administrations under review; and to consider disputes between the administrations.



[foi@nio.gov.uk](mailto:foi@nio.gov.uk)

If you are unhappy at the way in which your request has been handled you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Further details on the role of the Information Commissioner can be found at:  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Yours sincerely

**DoJ Records & Information Manager**

