

PBNI

Privacy Notice for those in prison subject to Probation supervision on release

Probation Board for Northern Ireland (PBNI)
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Introduction

We are giving you this notice because, as a result of the sentence imposed by the Court, you are now subject to a sentence which will require you to work with the Probation Board for Northern Ireland (PBNI) whilst in prison and then be supervised on licence in the community on your release.

The delivery of effective resettlement services to those in custody is key to reducing offending and protecting the community from further victimisation. A core function of the Northern Ireland Prison Service (NIPS) is to reduce reoffending and provide resettlement services for prisoners being released back into the community. NIPS cannot deliver resettlement alone and works closely with the PBNI, through the Prisoner Development Unit (PDU) to help prisoners address issues during their period of imprisonment.

The Probation Board for Northern Ireland (PBNI) takes extremely seriously its requirements under data protection law to store, protect and, if necessary, share your information.

The purpose of this Privacy Notice is therefore to advise you of your personal information that we hold and have access to, who we may share it with, and your rights under data protection law.

Who does this Privacy Notice apply to?

This Privacy Notice applies to you if you have been sentenced or are subject to any of the following:

- a) Determinate Custodial Sentence
- b) Extended Custodial Sentence for Public Protection
- c) Indeterminate Custodial Sentence for Public Protection
- d) Article 26 Licence
- e) Life Sentence
- f) Transfer of licences from another jurisdiction

These orders are provided in law by the Criminal Justice (Northern Ireland) Order 2008 (items a, b and c); the Criminal Justice (Northern Ireland) Order 1996 (item d), and the Life Sentences (NI) Order 2001 (item e) and Schedule 1 of the Crime (Sentences) Act 1997. The law which sets out PBNI's role and functions is the Probation Board (Northern Ireland) Order 1982.

What information will PBNI hold and have access to about you?

The information which PBNI holds and has access to is:

- a) Your name, date of birth and last known address.
- b) Details of the offence(s) for which you have been convicted and the sentence you have been given.
- c) A copy of your court order / licence including the conditions of your sentence.
- d) A copy of any pre-sentence report prepared for the court dealing with your case or any recall report if you have been recalled from licence
- e) Copy of PBNI Psychology / NIPS Psychology reports
- f) Details of your personal circumstances, for example, your family, employment, any addiction issues, health complaints or other difficulties you may have.
- g) Details of any other offences for which you have been convicted of previously.
- h) A record of any induction or other interviews.
- i) A record of any work or development plan.
- j) An assessment of risk and likelihood of your re-offending and any risk management plan where appropriate.
- k) Any referral forms to programmes or projects and information about any programmes or projects you undertake in prison.
- l) A record of your compliance with the conditions of your court order including any warnings or breach reports that are prepared.
- m) Record of contact with the Probation Service and NI Prison Service

PBNI also has access to your criminal record via the [Causeway](#) Criminal Record Viewer. This is to inform reports for, courts, parole commissioners and to assist in supervision.

PBNI will have access to and hold your personal information in both paper and electronic format.

Will any of your information be shared and who may it be shared with?

The information PBNI holds on you may be shared as appropriate with:

1. You and, subject to your consent, your solicitor.
2. The Prisoner Development Unit.
3. Any programme or project provider whose programme you agree to undertake in prison. This will include NI Prison Service Departments E.g. Psychology or Healthcare department.
4. Elements of your information will be available to certain others with your consent and in specific circumstances. Where you have been referred to any of the following by PBNI this can include:
 - a) A Health and Social Care Trust, the Northern Ireland Housing Executive, or subject to your age, the Youth Justice Agency;
 - b) An agency involved in multiagency partnerships including The NI Safeguarding Board, The Public Protection Arrangements Northern Ireland; and Multi-Agency Risk Assessment Committee; or

- c) If required for transfer purposes, a Probation Authority in another jurisdiction
5. Northern Ireland Prison Service staff in the Prisoner Development Unit and Residential Unit.
6. The Parole Commissioners for Northern Ireland.
7. The Supporting Prisoners at Risk programme if required.

We will not share your information beyond this list unless you agree; or the law requires us to do so; or the law allows it and we believe it is important to do so.

What rights do I have?

You have a series of rights around access to your personal information.

Those rights are also subject to certain limits where, for example, sharing the information would obstruct a criminal process, investigation or sentence, or cause a public threat or danger.

Subject to those conditions, you have a right:

- to obtain confirmation that your personal information is being [processed, and have access to it](#);
- to have your personal information [rectified if it is inaccurate or incomplete](#);
- to have your personal information erased and to prevent processing, [in specific circumstances](#);
- to object to processing, halt or suspend the processing of your personal information while it is being checked; and
- A right to “data portability which means a right to move, copy or transfer personal information easily from one IT environment to another in a safe and secure way.

Retaining and holding your information

We will only retain your information for as long as necessary and for the purposes we have described. Anything factually incorrect in your personal information will be amended.

Your information will be retained securely and confidentially on our electronic case management system and in paper records.

Information on your sentence will be held for the period of your imprisonment and licence supervision and for a number of years thereafter depending on the length of your sentence. Your record will then be securely destroyed unless further work is anticipated at that time.

Information thereafter limited to your name, DOB, commencement and termination dates of supervision will be retained to ensure we have a record of disposal of your case file.

Full details are available in the PBNI Retention and Disposal Schedule on our website at www.pbni.gov.uk.

How do I complain if I am not happy?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please speak to your Probation Officer in the first instance.

If you have any further concerns, you should contact the PBNI Data Protection

Officer at: Email: dpo@probation-ni.gov.uk

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>