
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 267

PRISON AND YOUNG OFFENDERS CENTRES

The Prison and Young Offenders Centre
(Amendment) Rules (Northern Ireland) 2000

Made - - - - 7th September 2000

To be laid before Parliament

Coming into operation 2nd October 2000

The Secretary of State in pursuance of section 13 of the Prison Act (Northern Ireland) 1953⁽¹⁾, as extended by section 2 of the Treatment of Offenders Act (Northern Ireland) 1968⁽²⁾, hereby makes the following rules:—

Citation and commencement

1. These rules may be cited as the Prison and Young Offenders Centre (Amendment) Rules (Northern Ireland) 2000 and shall come into operation on 2nd October 2000.

Interpretation

2. In these rules any reference to a rule by number is a reference to that rule so numbered in the Prison and Young Offenders Centre Rules (Northern Ireland) 1995⁽³⁾.

Inquiry into Charge

3. In paragraph 7 of Rule 36 for the words “rules 37, 39 and 40” there shall be substituted the words “rules 37 and 39”.

Governor’s Awards

4. In paragraph 1 of Rule 39 for the words “rules 40 and 41” there shall be substituted the words “rule 41”.

(1) 1953 c. 18 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(2) 1968 c. 19 (N.I.) as modified by S.I. 1973/2163
(3) S.R. 1995 No. 8 as modified by S.I. 1995/264 and S.I. 1997/86

Provisions in relation to particular awards

5. In paragraph 1 of Rule 41 the words “or as the case may be 56 days,” shall be deleted.

Prospective loss of remission

6. In paragraph 1 of Rule 42 for the words “in rules 39 and 40” there shall be substituted the words “in rule 39”.

Suspended Awards

7. In paragraph 2 of Rule 43 for the words “ the authority dealing with that offence may” there shall be substituted the words “the governor dealing with that offence may”.

Remission and mitigation of awards

8. Rule 44 shall be amended as follows—

- (a) in paragraph (2) for the words “and the board of visitors may remit or mitigate any punishment imposed by a board of visitors” there shall be substituted the words “or a board of visitors”;
- (b) in paragraph (3) for the words “in the opinion of the Secretary of State, the governor or, as the case may be, the board of visitors, less severe” there shall be substituted the words “in the opinion of the Secretary of State or the governor less severe”.

Disciplinary awards

9. Rule 95 shall be amended as follows—

- (a) in paragraph (1) for the words “Rules 39(1) and 40(2)” there shall be substituted the words “Rule 39(1)”;
- (b) in paragraph (2) for the words “rules 40 and 41” there shall be substituted the words “rule 41”;
- (c) paragraph (3) shall be deleted.

Proceedings of the board

10. In paragraph 2 of Rule 123 the words “except as provided under rule 125(3)” shall be deleted.

More serious offences – inquiry and awards by the Secretary of State or board of visitors

11. Rule 40 is hereby revoked.

Adjudication procedure by boards

12. Rule 125 is hereby revoked.

L.S.

Northern Ireland Office
7th September 2000

Peter Mandelson
One of Her Majesty’s Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the Prison and Young Offenders Centre Rules (Northern Ireland) 1995 (the principal rules) so as to remove the disciplinary powers delegated by the Secretary of State to the boards of visitors in respect of adjudications presently held under Rules 40 and 125 of the principal rules and provide for the consequential amendment of the provisions of the principal rules relating to adjudication procedures.