STATUTORY INSTRUMENTS

1996 No. 32

The Prisons and Young Offenders Institutions (Scotland) Amendment Rules 1996

Substitution of rule 111 of the principal Rules

36. For rule 111 of the principal Rules (appeals in relation to disciplinary proceedings) there is substituted the following rule:—

> "**Appeals in relation to disciplinary proceedings**
>
> **111.**—(1) A prisoner who is found guilty of any breach of discipline may, where any officer other than the Governor adjudicated the charge, appeal in writing to the internal complaints committee not later than 14 days after the date on which the charge was adjudicated—
>
> > (a) against such a finding of guilt and any punishment imposed in respect of the breach; or
> >
> > (b) in the case of any punishment imposed under rule 100(1), against the punishment only.
>
> (2) An appeal under paragraph (1) shall be dealt with as if it were a complaint made under rule 106 and the Governor shall, if recommended to do so by the internal complaints committee,—
>
> > (a) quash any finding of guilt; or
> >
> > (b) remit or mitigate any punishment (other than a punishment imposed under sub-paragraph (b), (d), (g) or (i) of rule 100(1) where the period for which the punishment was imposed has expired by the date of the decision of the appeal).
>
> (3) If a prisoner who has appealed under paragraph (1) to the internal complaints committee is dissatisfied with the decision of the committee and refers the matter to the Governor under rule 107, the powers of the Governor under rule 107(6) shall include the same powers as mentioned in paragraph (2) above.
>
> (4) Following the conclusion of the appeals procedure in relation to an appeal under paragraph (1), a prisoner shall not be entitled to make any further request, complaint or appeal under this Part of these Rules in relation to the same matter to which the breach of discipline in question related, except for any request which he may make in terms of rule 112 in relation to a punishment imposed in terms of rule 100(1)(e) or (f).".