
STATUTORY INSTRUMENTS

1999 No. 728

The Prison Rules 1999

PART II

PRISONERS

OFFENCES AGAINST DISCIPLINE

[^{F1}Interpretation of rule 51

[^{F2}51A.—(2) For the purposes of rule 51—

- (a) reference to a protected characteristic means a characteristic listed in section 4 of the Equality Act 2010;
- (b) a prisoner commits a sexual assault if the criteria in section 3(1) of the Sexual Offences Act 2003 are fulfilled;
- (c) Sections 3(2), 75 and 76 of the Sexual Offences Act 2003 apply to an offence under rule 51(1B);
- (d) a prisoner commits exposure if the criteria in section 66(1) of the Sexual Offences Act 2003 are fulfilled;
- (e) a prisoner sexually harasses a person if the criteria in section 26(2) of the Equality Act 2010 are fulfilled;
- (f) an offence is aggravated by a protected characteristic if—
 - (i) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim having that protected characteristic, or
 - (ii) the offence is motivated (wholly or partly) by hostility to persons based on them sharing that protected characteristic;
- (g) references to particular protected characteristics, to a person who has a particular protected characteristic, and to persons sharing a particular protected characteristic, are to be interpreted in accordance with sections 5 to 12 of the Equality Act 2010;
- (h) reference to a person having a protected characteristic includes a person being presumed to have, or associating with those who have, a protected characteristic;
- (i) reference to persons sharing a protected characteristic includes persons being presumed to share, or associating with those who share, a protected characteristic.]]

Textual Amendments

- F1** Rule 51A inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 4](#)

Changes to legislation: *There are currently no known outstanding effects for the The Prison Rules 1999, Section 51A. (See end of Document for details)*

F2 Rule 51A(2) substituted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Prison Rules 1999, Section 51A.