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STATUTORY INSTRUMENTS

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**1999 No. 728**

**The Prison Rules 1999**

**PART II**

**PRISONERS**

*OFFENCES AGAINST DISCIPLINE*

**Remission and mitigation of punishments [<sup>F1</sup>, variation of compensation requirements] and quashing of findings of guilt**

**61.—(1)** [<sup>F2</sup>Except in the case of a finding of guilt made, or a punishment imposed, by an adjudicator under rule 55A(1)] the Secretary of State may quash any finding of guilt and may remit any punishment or mitigate it either by reducing it or by substituting another award which is, in his opinion, less severe.

[<sup>F3</sup>(1A) Where a compensation requirement has been imposed by a governor under rule 55AB(2), the Secretary of State may reduce the amount of the requirement.]

[<sup>F4</sup>(2) Subject to any directions given by the Secretary of State, the governor may, on the grounds of good behaviour, remit or mitigate any punishment already imposed by an adjudicator [<sup>F5</sup>or governor].]

**Textual Amendments**

- F1** Words in rule 61 title inserted (1.11.2013) by [The Prison and Young Offender Institution \(Amendment\) Rules 2013 \(S.I. 2013/2462\)](#), rule 1, **Sch. 1 para. 3(2)** (with rule 4)
- F2** Words in rule 61(1) inserted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), **Sch. 1 para. 7(a)**
- F3** Rule 61(1A) inserted (1.11.2013) by [The Prison and Young Offender Institution \(Amendment\) Rules 2013 \(S.I. 2013/2462\)](#), rule 1, **Sch. 1 para. 3(1)** (with rule 4)
- F4** Rule 61(2) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), **Sch. 1 para. 7(b)**
- F5** Words in rule 61(2) substituted (1.4.2008) by [The Prison \(Amendment\) Rules 2008 \(S.I. 2008/597\)](#), rules 1, 5

**Changes to legislation:**

There are currently no known outstanding effects for the The Prison Rules 1999, Section 61.