
STATUTORY INSTRUMENTS

1996 No. 274

The Education (Northern Ireland) Order 1996

PART III

MISCELLANEOUS

Corporal punishment

32.—(1) Article 49A of the 1986 Order (corporal punishment) shall be amended as follows.

(2) In paragraph (1) after the word “pupil” there shall be inserted the words “to whom this paragraph applies”.

(3) After paragraph (1) there shall be inserted—

“(1A) Where, in any proceedings, it is shown that corporal punishment has been given to a pupil by or on the authority of a member of the staff, giving the punishment cannot be justified if the punishment was inhuman or degrading.

(1B) In determining whether punishment is inhuman or degrading regard shall be had to all the circumstances of the case, including the reason for giving it, how soon after the event it is given, its nature, the manner and circumstances in which it is given, the persons involved and its mental and physical effects.”.

(4) For paragraph (5) there shall be substituted—

“(5) In this Article “pupil” does not include any person who has attained the age of 18 years.

(5A) Paragraph (1) applies to a pupil for whom education—

- (a) is provided at a grant-aided school; or
- (b) is secured, otherwise than at such a school, by a board.”.