
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 94

**The Prisons and Young Offenders
Institutions (Scotland) Rules 2006**

PART 12

REQUESTS AND COMPLAINTS

Appeals in relation to disciplinary proceedings

130.—(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 119(1), against the punishment only.

(2) An appeal under paragraph (1) shall be dealt with as if it were a complaint made under rule 125 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), (f) or (h) of rule 119(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 126, the powers of the Governor under rule 126(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.