



2016 CHAPTER 21

PART 2

The Prison Ombudsman For Northern Ireland

Own-initiative investigations

Own-initiative investigations

41.—(1) The Ombudsman may carry out an investigation under this section into a matter if—

- (a) the matter relates—
 - (i) to the way in which a prisoner has been treated by a prison officer;
 - (ii) to the way in which a person visiting a prison has been treated by a prison officer;
 - (iii) to the facilities available to a person at a prison (including, in the case of a prisoner, facilities for the welfare of the prisoner);
 - (iv) to the cleanliness and adequacy of a prison; and
- (b) the Ombudsman has reasonable grounds for believing that, in relation to the matter—
 - (i) a number of events of the same or a similar nature have occurred; and
 - (ii) the number or frequency of the events requires the matter to be investigated under this section.

(2) Before commencing an investigation under this section, the Ombudsman must—

- (a) consult the Department; and

- (b) inform the Department of the matter proposed to be investigated and of the grounds referred to in subsection (1)(b).
- (3) It is for the Ombudsman to determine the procedures to be applied to an investigation under this section.
- (4) This section applies to a matter whether or not a complaint has been, or could be, made about the matter under section 35.