

SCHEDULES

SCHEDULE 1

Article 10

INDEPENDENT MONITORING BOARDS: CONSEQUENTIAL AMENDMENTS

The Prison Act (Northern Ireland) 1953 (c. 18)

1. For section 10 substitute—

“Independent monitoring boards

10.—(1) The Secretary of State shall appoint a group of independent monitors (to be known as “the independent monitoring board”) for each prison, young offenders centre and remand centre.

(2) In the case of a prison used as a women’s prison, at least two of the monitors appointed shall be women.”.

2. In section 13(1) for paragraphs (f) and (g) (rules as to functions of boards of visitors and visiting committee) substitute—

“(f) the functions of independent monitoring boards;”.

3. In section 19(3) (entry in visitor’s book to be brought to attention of board of visitors) for “boards of visitors” substitute “independent monitoring board”.

4. In section 39(1) (notification of inquiry into death of prisoner) for “board of visitors or the visiting committee, as the case may be” substitute “independent monitoring board”.

5. In section 47(1A) (provisions of Prison Act to apply to young offenders centres and remand centres) omit “except sections 10, 23 and 46”.

The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29)

6. In section 2 (young offenders centres and remand centres) omit the words from “so, however, that” to the end.

7. Omit section 3 (visiting committee).

The Juries (Northern Ireland) Order 1996 (NI 6)

8. In Schedule 2 (persons ineligible for jury service) in the entry beginning “Governors, chaplains and other officers of” for “boards of visitors or visiting committees” substitute “independent monitoring boards”.

The Employment Rights (Northern Ireland) Order 1996 (NI 16)

9. In Article 78 (right to time off for public duties)—
 - (a) in paragraph (2) for sub-paragraph (c) substitute—

Status: This is the original version (as it was originally made).

- “(c) an independent monitoring board appointed under section 10 of the Prison Act (Northern Ireland) 1953;”;
- (b) omit paragraph (5).

The Freedom of Information Act 2000 (c. 36)

- 10. In Part VII of Schedule 1 (public bodies and offices: Northern Ireland)—
 - (a) omit the entry “Boards of Visitors and Visiting Committees”; and
 - (b) at the appropriate place insert the following entry—
 - “An independent monitoring board appointed under section 10 of the Prison Act (Northern Ireland) 1953.”.

The Justice (Northern Ireland) Act 2002 (c. 26)

- 11. In paragraph 1 of Schedule 4 (retained functions of justices of the peace) in sub-paragraph (2) (f) omit “section 10(4) (board of visitors) and”.

The Prison (Amendment) (Northern Ireland) Order 2004 (NI 5)

- 12. Omit Article 3 (membership of board of visitors).

SCHEDULE 2

Article 10

REPEALS

Short Title	Extent of repeal
The Prison Act (Northern Ireland) 1953 (c. 18)	Section 13(6). In section 47(1A), the words “except sections 10, 23 and 46”.
The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29)	In section 2 the words from “so, however, that” to the end. Section 3.
The Employment Rights (Northern Ireland) Order 1996 NI 6	Article 78(5).
The Freedom of Information Act 2000 (c. 36)	In Part VII of Schedule 1, the entry “Boards of of Visitors and Visiting Committees”.
The Justice (Northern Ireland) Act 2002	In Schedule 4, in paragraph 1(2)(f) the words “section 10(4) (board of visitors) and”.
The Extradition Act 2003 (c. 41)	Sections 184 and 185. Section 226(4).
The Prison (Amendment) (Northern Ireland) Order 2004 (NI 5).	Article 3.

Short Title	Extent of repeal
The Anti-social Behaviour (Northern Ireland) Order 2004 (NI 12).	Article 6(9) to (11) and (12)(a).