

SCHEDULE 1

AMENDMENTS TO THE PRISON RULES 1999

6. After rule 55A insert—

“Review of adjudicator’s punishment

55B.—(1) A reviewer means a Senior District Judge (Chief Magistrate)⁽¹⁾ approved by the Lord Chancellor for the purposes of conducting a review under this rule or any deputy of such a judge as nominated by that judge.

(2) Where a punishment is imposed by an adjudicator under rule 55A(1), a prisoner may, within 14 days of receipt of the punishment, request in writing that a reviewer conducts a review.

(3) The review must be commenced within 14 days of receipt of the request and must be conducted on the papers alone.

(4) The review must only be of the punishment imposed and must not be a review of the finding of guilt under rule 55A.

(5) On completion of the review, if it appears to the reviewer that the punishment imposed was manifestly unreasonable he may—

- (a) reduce the number of any additional days awarded;
- (b) for whatever punishment has been imposed by the adjudicator, substitute another punishment which is, in his opinion, less severe; or
- (c) quash the punishment entirely.

(6) A prisoner requesting a review shall serve any additional days awarded under rule 55A(1)(b) unless and until they are reduced.”.

(1) A Senior District Judge (Chief Magistrate) is appointed under section 10A of the Justices of the Peace Act 1997 (c. 25) as inserted by section 78 of the Access to Justice Act 1999 (c. 22). Section 10A of the 1997 Act is prospectively repealed by the Courts Act 2003 (c. 39) and re-enacted by section 23 of that Act.