

STATES OF JERSEY

r

STATES OF JERSEY LAW 1966, AS AMENDED: DELEGATION OF FUNCTIONS– PRISON OFFICERS (JERSEY) REGULATIONS 1957 – REVISED COMMITTEE PAPER

**Presented to the States on 22nd March 2005
by the Home Affairs Committee**

STATES GREFFE

REPORT

On 11th March 2005, the Home Affairs Committee made an Act delegating certain of its functions under the Prison Officers (Jersey) Regulations 1957.

The terms of the delegation were recorded in an Act of the Committee as follows –

“A1. The Committee with reference to its Act No. A1 of 28th February 2005, received a revised document from the Prison Governor requesting delegated powers.

The Committee was apprised (consequent upon advice from the Law Officers) that it would be advisable to widen the scope of delegated authority granted to the Prison Governor in order to empower him with the necessary authority to perform all the functions contained within Regulation 17. The wording of the document designated Committee Paper (CP-HAF/1/05) was accordingly amended to read as follows –

<i>Function delegated/ Scope of delegation:</i>	<i>Where an offence against discipline has been committed by a Prison Officer, to grant power, in pursuance of Regulation 17, to either–</i>
	<i>(1)(a) dismiss him;</i>
	<i>(b) require him to resign forthwith, or at such date as may be determined (as an alternative to dismissal);</i>
	<i>(c) reduce his rate of pay (without reduction in rank for a limited, definite period not exceeding 12 months. At the end of that period the Officer shall be advanced to the rate of pay to which he would have been entitled but for the punishment awarded him, unless the period of reduction had in the meantime been extended by way of punishment for a further offence against discipline;</i>
	<i>(d) reduce him in rank;</i>
	<i>(e) reprimand him; or</i>
	<i>(f) caution him as to his future behaviour.</i>
	<i>(2) Every punishment, except a caution, shall be entered in the Officer's personal record kept in pursuance of Regulation 23 of these Regulations.</i>
	<i>Notification to the Home Affairs Committee of all hearings leading to discipline covered by (1)(a) – (d) above.</i>

The Committee agreed that the Prison Governor's scope of delegated authority should be revised and that the amended version should be presented to the States as a Rapport et Correspondance.

The Greffier of the States was requested to make the necessary arrangements.”.