1976 No. 53

PRISONS

Prison (Amendment) Rules (Northern Ireland) 1976

Made . . . . . 19*th February* 1976

Coming into operation . . . 1*st March* 1976

To be laid before Parliament

The Secretary of State(a) in pursuance of section 13 of the Prison Act (Northern Ireland) 1953(b) hereby makes the following rules:

Citation, commencement and interpretation

1.—(1) These rules may be cited as the Prison (Amendment) Rules (Northern Ireland) 1976 and shall come into operation on 1st March 1976.

(2) In these rules "the Principal Rules" means the Prison Rules (Northern Ireland) 1954(c).

Amendment of the rule as to removal from association

2. For Rule 24 of the Principal Rules there shall be substituted the following Rule:—

"24.—(1) Where it appears desirable for the maintenance of good order or discipline or in his own interests that a prisoner should not associate with other prisoners, either generally or for particular purposes, the governor may arrange for the prisoner's removal from association accordingly. Removal from Association

(2) A prisoner shall not be removed under this Rule for a period of more than 24 hours without the authority of a member of the Board of Visitors, or of the Secretary of State. An authority given under this paragraph shall be for a period not exceeding one month, but may be renewed from month to month.

(3) The governor may arrange at his discretion for such a prisoner as aforesaid to resume association with other prisoners and shall do so if in any case the medical officer so advises on medical grounds.".

Amendment of the rule as to remission

3. For Rule 25 of the Principal Rules there shall be substituted the Rule set out in Part I of the Schedule to these Rules, but that Rule shall, until 30th June 1976, have effect subject to the provisions of Part II of that Schedule.

Amendments of the rules as to offences against discipline

4. In paragraph (1)(*b*) of Rule 31 of the Principal Rules for the word "fourteen" there shall be substituted the word "twenty-eight".

(a) Formerly the Ministry of Home Affairs for Northern Ireland: *see* S.I. 1973/2163.
(b) 1953 c. 18 (N.I.)
(c) S.R. & O. (N.I.) 1954 No. 7 (p. 543) as amended by S.R. & O. (N.I.) 1969 No. 223 (p. 1019), S.R. & O. (N.I.) 1970 No. 166 (p. 983) and S.R. (N.I.) 1975 No. 339

5. After Rule 35 of the Principal Rules there shall be inserted the following Rule:—

Prospective forfeiture of remission

"**35A.**—(1) In the case of an offence against discipline committed by a prisoner, who is detained only on remand or to await trial or sentence, an award of forfeiture of remission may be made notwithstanding that the prisoner has not (or had not at the time of the offence) been sentenced to imprisonment.

(2) An award under paragraph (1) above shall have effect only in the case of a sentence of imprisonment being imposed which is reduced by section 26 of the Treatment of Offenders Act (Northern Ireland) 1968(**d**) by a period which includes the time when the offence against discipline was committed.".

Amendment of the rules as to the powers and duties of committees (Boards of Visitors and Visiting Committees)

6. For Rule 204 of the Principal Rules there shall be substituted the following Rule:—

"**204.**—(1) The members of a Board of Visitors or Visiting Committee appointed respectively under sections 10 and 11 of the Act shall hold office for a period of 3 years or such less period as the Secretary of State may appoint.

(2) The first business at the first meeting of a Board of Visitors or Visiting Committee after appointment shall be the election of a Chairman.

(3) The Chairman of a Board of Visitors or Visiting Commiteee may be elected for the whole term of office of the Board or Committee or, at the discretion of the Board or Committee, a Chairman may be elected annually.

(4) The members shall continue in office until the date of the first meeting of their successors."

Revocations

7. The following Rules are hereby revoked:

(*a*) Rules 33, 34, 52, 53, 175(4) and 203 of the Principal Rules;

(*b*) Rule 2 of the Prison (Amendment) Rules (Northern Ireland) 1969(**e**);

(*c*) Rule 3 of the Prison (Amendment) Rules (Northern Ireland) 1970(**f**); and

(*d*) the Prison (Amendment) Rules (Northern Ireland) 1975(**g**).

Merlyn Rees
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
19th February 1976

(**d**) 1968 c. 29 (N.I.)
(**e**) S.R. & O. (N.I.) 1969 No. 223 (p. 1019)
(**f**) S.R. & O. (N.I.) 1970 No. 166 (p. 983)
(**g**) S.R. 1975 No. 339