STATUTORY INSTRUMENTS

1980 No. 2005

DEFENCE

The Imprisonment and Detention (Air Force) Rules 1980

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ARRANGEMENT OF RULES

PART I

PRELIMINARY

Rule

1. Citation and commencement.
2. Interpretation.
3. Application.

PART II

CONTROL AND INSPECTION OF AIR-FORCE ESTABLISHMENTS

4. Control of air-force establishments.
5. Inspectors of air-force establishments.
6. Inspection of air-force establishments.

PART III

PROVISION, CLASSIFICATION AND USE OF AIR-FORCE ESTABLISHMENTS

7. Places in which persons may be required to serve air-force sentences of imprisonment or detention.
8 Classification of air-force establishments.
9. Provision of air-force establishments other than service detention rooms.
10. Provision of service detention rooms.
11. Places in which officers and certain civilians shall serve air-force sentences of imprisonment.

12. Airmen sentenced in the United Kingdom.

13. Airmen sentenced outside the United Kingdom.

14. Places in which air-force sentences of imprisonment shall be served in the United Kingdom.

15. Places in which air-force sentences of imprisonment shall be served outside the United Kingdom.

16. Places in which air-force sentences of detention shall be served in the United Kingdom.

17. Places in which air-force sentences of detention shall be served outside the United Kingdom.

18. Places in which women shall serve air-force sentences of imprisonment or detention.

19. Service of air-force sentences in naval and military establishments.

20. Removal of persons under sentence to the United Kingdom.

21. Removal from the United Kingdom of persons serving air-force sentences.

22. Temporary custody of persons under air-force sentences.

23. Committal to or removal from prisons and other establishments.

24. Release from air-force sentences of imprisonment or detention.

25. Authority for release from air-force establishments.

26. Temporary release.

27. Detention of airmen in safe custody.

PART IV

REMISSION

28. Remission of sentences.

29. Records of remission.

30. Automatic forfeiture of remission.

31. Restoration of forfeited remission.

32. Effect on remission of subsequent sentences.

PART V

AIR-FORCE CORRECTIVE TRAINING CENTRES

33. Application of these Rules to air-force corrective training centres.

34. The aim of an air-force corrective training centre.

35. Progressive stages at an air-force corrective training centre.

36. Organisation of an air-force corrective training centre.

37. Segregation of airmen in an air-force corrective training centre.
38. Educational and vocational training in the discharge wing of an air-force corrective training centre.
39. Stage I.
40. Stage II.
41. Stage III.
42. Stage III—parole.

PART VI

Visiting Officers, Independent Board of Visitors

43. Appointment of visiting officers.
44. Duties of a visiting officer.
45. Investigation of complaints by a visiting officer.
46. Redress of complaints made to a visiting officer.
47. Independent Board of Visitors.
48. Air-force establishments to be visited by the Independent Board.
49. General duties of the Independent Board.
50. Duties of the Independent Board on inspection.

PART VII

Treatment, Employment, Discipline and Control of Airmen Under Sentence

51. Application of Part VII of these Rules.
52. Rules to be brought to the notice of airmen under sentence.
53. The aim of training and treatment.
54. Corporal punishment and the use of force.
55. Admission to air-force establishments.
56. Accommodation of airmen under sentence.
57. Provision of miscellaneous accommodation in air-force establishments.
58. Daily routine of airmen under sentence.
59. Work and training of airmen under sentence.
60. Sundays and public holidays.
61. Work in association.
62. Unauthorised work.
63. Reimbursement allowance.

64. Rations for airmen under sentence.
65. Smoking by airmen under sentence.
66. Letters.
67. Parcels.
68. Censorship.
69. Visits by relatives and friends.
70. Visits by legal advisers.
71. Visits for the purpose of investigating offences.
72. Medical attention.
73. Functions of the medical officer.
74. Attendance by the medical officer.
75. Appeals.
76. Facilities for airmen under sentence who wish to petition or appeal.
77. Complaints.
78. Searching airmen under sentence.
79. Method of searching.
80. Escapes.
81. Duration of sentences of persons who escape.
82. Deaths in air-force establishments.
83. Offences against discipline by airmen under sentence.
84. Jurisdiction of the commandant and of an officer under his command.
85. Procedure for dealing with offences.
86. Punishments which may be awarded by a commandant.
87. Punishments which may be awarded under the delegated authority of the commandant of an air-force establishment.
88. Visiting Disciplinary Board.
89. Corporal punishment prohibited.
90. Close confinement.
91. Mechanical restraints.
92. Authorisation of mechanical restraints.
93. Types of mechanical restraints.
94. Use of handcuffs.
95. Use of the strait waistcoat.
96. Use of the body belt.
97. Use of special clothing.

PART VIII

Service Detention Rooms

98. Application of the Rules to service detention rooms.
99. Setting up service detention rooms.
100. Segregation in service detention rooms.

PART IX

Religion, Education and Welfare

101. Books of religious instruction.
102. Chaplains.
103. Duties of chaplains.
104. Divine Services.
105. Education of airmen under sentence.
106. Welfare.

PART X

Miscellaneous Rules and Offences Relating to Air-Force Establishments

107. Unlawful conveyance of spirits or tobacco into an air-force establishment.
108. Unlawful introduction of other articles.
109. Offences in relation to air-force establishments and persons under sentence.
110. Admission of visitors and others to air-force establishments.

PART XI

Staff of Air-Force Establishments

111. Appointment of commandant and staff.
112. Duties of the commandant of an air-force establishment.
113. Duties of members of the staff of an air-force establishment.

PART XII

Rules which apply to Air-Force Prisons or Detention Barracks

114. Earnings scheme.

PART XIII

MISCELLANEOUS

115. Revocations.

SCHEDULES

Schedule 1—Part I.
—Part II.
—Part III.
Schedule 2.
Schedule 3.
Schedule 4.
Schedule 5.

The Secretary of State, in exercise of the powers conferred upon him by sections 119, 122, 123, 124, 126, 127 and 129 of the Air Force Act 1955(a) and section 52 of the Courts-Martial (Appeals) Act 1968(b) and paragraph 12 of Schedule 3 to the Armed Forces Act 1976(c) and Article 90 of the Standing Civilian Courts Order 1977(d) and of all other powers enabling him in that behalf, hereby makes the following Rules:—

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Imprisonment and Detention (Air Force) Rules 1980, and shall come into operation on the first day of March 1981.

Interpretation

2. In these Rules unless the context otherwise requires—

"the Act" means the Air Force Act 1955;

"airmen" includes any man or woman under air-force sentence of imprisonment or detention except that in Rules 12 to 17 the expression shall not include a person who when sentenced was:

(i) an officer, or

(ii) a person subject to Part II of the Act by virtue of section 208A or 209 thereof, to Part II of the Army Act 1955 by virtue of section 208A or 209 thereof, or to Parts I and II of the Naval Discipline Act 1957 by virtue of section 118 thereof;

"commandant" means:

(i) in relation to an air-force establishment, being an air-force prison, air-force detention barracks or an air-force corrective training centre, the officer appointed as commandant or superintendent thereof, or any officer from time to time acting in his place,

(ii) in relation to an air-force establishment, being service detention rooms, the commanding officer of the air-force station unit or detachment providing the rooms under these Rules or any officer from time to time acting in his place;

"confirming officer" means, in relation to a person under sentence of imprisonment or detention passed by court-martial, the officer by whom that sentence was confirmed;

"court-martial" means a court-martial under the Air Force Act 1955, the Army Act 1955(e), or the Naval Discipline Act 1957(f);

"Independent Board" means the Independent Board of Visitors appointed under Rule 17 of the Naval Detention Quarters Rules 1973(g);

"legal adviser" means, in relation to an airman under sentence:

(i) a person who is qualified as a barrister-at-law or a solicitor according to the law of England or Northern Ireland,

(a) 1955 c. 19.
(b) 1968 c. 20.
(c) 1976 c. 52.
(d) S.I. 1977/88.
(e) 1955 c. 18.
(f) 1957 c. 53.
(g) S.I. 1973/270.

(ii) a person who is qualified as an advocate or as a solicitor according to the law of Scotland,

(iii) any person, with the approval of the commandant, who is recognised by him in any country or territory outside the United Kingdom as having rights and duties similar to those of a barrister-at-law or a solicitor in England,

(iv) a clerk in the full-time employment of any such person as aforesaid authorised by that person to interview an airman under sentence,

(v) any naval, military or air-force officer representing or assisting a prisoner for the purposes of his defence or in connection with a petition or appeal;

"local commander" means, in relation to an air-force establishment, any officer not below the rank of air commodore or corresponding rank superior in command to the commandant;

"military establishment" means a military prison or any other establishment under the control of the Secretary of State maintained for the military service where persons may be required to serve military sentences of imprisonment or detention;

"military prison" means separate premises under the control of the Secretary of State maintained for the military service and primarily allocated for persons serving military sentences of imprisonment;

"naval establishment" means any establishment under the control of the Secretary of State maintained for the naval service where persons may be required to serve sentences of imprisonment or detention under the Naval Discipline Act 1957 and any reference in these Rules to a naval prison shall include reference to naval detention quarters;

"overseas establishment" means an establishment under the control of the authorities of a country or territory outside the United Kingdom in which air-force sentences of imprisonment or detention may be served wholly or in part in accordance with the arrangements made by the Secretary of State with those authorities pursuant to section 126 of the Act;

"reconsidering authority" means, in relation to a person under an air-force or military sentence of imprisonment or detention, an officer specified in regulations made under section 114 of the Act or section 114 of the Army Act 1955 as an officer by whom such sentences may be reconsidered, and, in relation to a person serving a sentence of imprisonment or detention under the Naval Discipline Act 1957, the authority provided for by section 92 of that Act;

"reviewing authority" means, in relation to a person under an air-force or military sentence of imprisonment or detention, the authority responsible for reviewing that sentence under the Act or the Army Act 1955 and, in relation to a person serving a sentence of imprisonment or detention under the Naval Discipline Act 1957, the authority provided for by section 70 of that Act;

"room" means any cell or room or other place of confinement within any premises, vessel, hut or tent, or any part of a hut or tent;

"Standing Civilian Court" means a Standing Civilian Court established under section 6 of the Armed Forces Act 1976;

"superintendent" means any officer above the rank of flight lieutenant or corresponding rank appointed to superintend an air-force establishment in respect of which the senior full-time member of the staff is not an officer.

Application

3. Rules 25(1), 26, 28 to 32, subject to the omission from Rules 28 and 30 of the words "or an overseas establishment", Rules 33 to 80 and 82 to 113 shall apply to persons detained in air-force establishments while serving sentences of imprisonment or detention awarded under the Army Act 1955 or the Naval Discipline Act 1957, as they apply to airmen serving air-force sentences of imprisonment or detention, and notwithstanding that such persons are not for the time being subject to air-force law.

PART II

CONTROL AND INSPECTION OF AIR-FORCE ESTABLISHMENTS

Control of air-force establishments

4. All air-force establishments shall be under the control of the Secretary of State.

Inspectors of Air-Force Establishments

5. The Secretary of State may appoint one or more Inspectors of Air-Force Establishments.

Inspection of air-force establishments

6.—(1) It shall be the duty of an Inspector of Air-Force Establishments to inspect air-force establishments and to report to the Secretary of State on all air-force establishments other than service detention rooms at least once in every year. Inspectors of Air-Force Establishments shall also be responsible to the Secretary of State for the training of staff for employment in air-force establishments and for advising on the appointment and posting of officers for employment on the staffs of air-force establishments.

(2) In the case of any air-force establishments outside the United Kingdom, the local commander shall from time to time inspect, or arrange for the inspection on his behalf, any air-force establishment in the area of his command in addition to the inspection of those establishments by Inspectors of Air-Force Establishments.

PART III

PROVISION, CLASSIFICATION AND USE OF AIR-FORCE ESTABLISHMENTS

Places in which persons may be required to serve air-force sentences of imprisonment or detention

7. Subject to and in accordance with the provisions of these Rules the places in which persons may be required to serve the whole or any part of air-force sentences of imprisonment or detention passed upon them shall be air-force, naval and military establishments, civil prisons and overseas establishments:

Provided that, except for the purposes of temporary custody in accordance with Rule 22, no person on whom an air-force sentence of detention has been passed shall be required to serve any part of that sentence in a prison.

Classification of air-force establishments

8.—(1) Air-force establishments shall consist of the following classes of establishments:

(*a*) air-force prisons;

(*b*) air-force detention barracks;

(*c*) air-force corrective training centres; and

(*d*) service detention rooms.

(2) Combined air-force establishments may be provided consisting of two or more of the air-force establishments listed in paragraph (1) of this Rule.

Provision of air-force establishments other than service detention rooms

9. Air-force prisons, air-force detention barracks, air-force corrective training centres, and combined air-force establishments may be provided—

(*a*) in the United Kingdom, only by the Secretary of State;

(*b*) outside the United Kingdom, by the Secretary of State or by the officer commanding an independent command, being an officer who is directly responsible to the Air Force Board of the Defence Council in matters of air-force administration.

Provision of service detention rooms

10. Service detention rooms may be provided by the commanding officer of any air-force station, being an officer not below the rank of wing commander or corresponding rank. Such rooms shall also be provided by the commanding officer of any air-force station, unit or detachment whatever his rank, if required to do so by higher authority.

Places in which officers and certain civilians shall serve air-force sentences of imprisonment

11. An officer, and a person to whom Part II of the Act applies by virtue of section 208A or 209 thereof, upon whom an air-force sentence of imprisonment has been passed shall be required to serve that sentence in a civil prison in the United Kingdom:

Provided that—

(*a*) where the sentence was passed on him outside the United Kingdom and he is a person of any such class as is specified in Rule 20, he shall be required to serve his sentence in an air-force establishment or an overseas establishment unless the confirming officer or reviewing authority otherwise directs;

(*b*) where the sentence was for a period of more than twelve months and was passed outside the United Kingdom, he shall be required to serve in an air-force establishment or overseas establishment that part of his sentence which he is required to serve outside the United Kingdom in accordance with a direction given by the confirming officer or reviewing authority under section 127 of the Act; and

(*c*) where the sentence was for a period not exceeding twelve months and was passed outside the United Kingdom, he may, if the confirming officer or reviewing authority so directs, be required to serve the whole or any part of his sentence in an air-force establishment or an overseas establishment.

Airmen sentenced in the United Kingdom

12. Except as provided in Rule 21, an airman upon whom an air-force sentence of imprisonment or detention has been passed in the United Kingdom shall be required to serve that sentence in the United Kingdom.

Airmen sentenced outside the United Kingdom

13. An airman upon whom an air-force sentence of imprisonment or detention has been passed outside the United Kingdom shall be required to serve that sentence as follows:

(*a*) if the sentence is for a period of more than twelve months, in the United Kingdom:

Provided that—

(i) if he is a person of any such class as is specified in Rule 20 he shall be required to serve that sentence outside the United Kingdom unless the confirming officer or reviewing authority otherwise directs; and

(ii) he shall be required to serve outside the United Kingdom that part of his sentence which he is required to serve in accordance with a direction given by the confirming officer or reviewing authority acting under section 127 of the Act;

(*b*) if the sentence is for a period not exceeding twelve months, outside the United Kingdom unless the confirming officer or reviewing authority otherwise directs.

Places in which air-force sentences of imprisonment shall be served in the United Kingdom

14. The whole or part of an air-force sentence of imprisonment which an airman is required to serve in the United Kingdom shall be served in a civil prison.

Places in which air-force sentences of imprisonment shall be served outside the United Kingdom

15. An airman shall serve the whole or any part of an air-force sentence of imprisonment which he is required to serve outside the United Kingdom in an air-force establishment or an overseas establishment.

Places in which air-force sentences of detention shall be served in the United Kingdom

16. An airman shall serve the whole or any part of an air-force sentence of detention which he is required to serve in the United Kingdom in an air-force establishment, not being an air-force prison.

Places in which air-force sentences of detention shall be served outside the United Kingdom

17. An airman, other than a woman, shall serve the whole or any part of an air-force sentence of detention which he is required to serve outside the United Kingdom in an air-force establishment, not being an air-force prison, or, if his sentence is for a period exceeding twelve months and no suitable air-force establishment is available, in an overseas establishment, not being a prison.

Places in which women shall serve air-force sentences of imprisonment or detention

18.—(1) A woman shall serve the whole or any part of an air-force sentence of imprisonment in a civil prison or an overseas establishment or in service detention rooms set apart for members of the women's forces.

(2) A woman shall serve the whole or any part of an air-force sentence of detention in service detention rooms set apart for members of the women's forces.

Service of air-force sentences in naval and military establishments

19. Notwithstanding anything hereinbefore contained, an airman under air-force sentence of imprisonment or detention may be required to serve the whole or any part of such a sentence passed upon him in a naval or military establishment instead of an air-force establishment in the following cases:—

(*a*) where no accommodation is available in an air-force establishment in the country where he is for the time being; or

(*b*) where, after due consideration of the case, his commanding officer is of the opinion it is desirable that he should do so:

Provided that no airman under air-force sentence of detention shall be required to serve any part of that sentence in a naval or military prison except as is provided by Rule 22, and that no woman under air-force sentence of imprisonment or detention shall be required to serve any part of that sentence in a naval or military establishment other than one provided exclusively for the accommodation of women.

Removal of persons under sentence to the United Kingdom

20. For the purpose of section 127(3) of the Act, the following shall be the classes of persons whose removal to the United Kingdom would not be beneficial:—

(*a*) persons of non-European descent whose health might in the opinion of the confirming officer or the reviewing authority be adversely affected by the climate of the United Kingdom;

(*b*) persons who were born outside the United Kingdom and whose domicile at the date of their sentence was in a place outside the United Kingdom; and

(*c*) persons enlisted for local service outside the United Kingdom.

Removal from the United Kingdom of persons serving air-force sentences

21. A person who is serving an air-force sentence of imprisonment or detention in the United Kingdom may by order of the confirming officer, reviewing authority or reconsidering authority be removed out of the United Kingdom:—

(*a*) to any colony in which he was enlisted; or

(*b*) to any place outside the United Kingdom where the unit or any part thereof, to which for the time being he belongs is serving or is under orders to serve,

but not to any other place.

Temporary custody of persons under air-force sentences

22. Notwithstanding anything hereinbefore contained and subject to section 125 of the Act, where a person on whom an air-force sentence of imprisonment or detention has been passed—

(1) is awaiting admission to any prison or other establishment or is in transit from one prison or establishment to another; or

(2) is being removed from one country or place to another; or

(3) has appealed to a court-martial against his conviction by a Standing Civilian Court or against sentence imposed upon him by that court and requires to attend that court-martial whether in the United Kingdom or outside it; or

(4) is required or entitled to be present at any civil court, court-martial or inquiry held within the United Kingdom or elsewhere, or at any Standing Civilian Court outside the United Kingdom; or

(5) is, for any other reason connected with air-force duty, required to be removed temporarily from one prison or establishment to some other place;

he may be detained temporarily under the following circumstances—

(*a*) on the written order of his commanding officer in civil custody for a period not exceeding seven days in accordance with section 129(2) of the Act; or

(*b*) on the written order of his commanding officer or the commandant or other person in charge of the prison or establishment where he is for the time being—

(i) in any air-force, naval or military establishment, provided that a person on whom an air-force sentence of detention has been passed shall not be detained in an air-force, naval or military prison for longer than seven days on any one occasion; or

(ii) in such other form of air-force, naval or military custody as may be determined by his commanding officer or the commandant or other person in charge of the said prison or establishment.

Committal to or removal from prisons and other establishments

23. Subject to the provisions of section 125 of the Act, no person under air-force sentence of imprisonment or detention shall be committed to a civil prison or overseas establishment, or to an air-force, naval or military establishment or form of custody, or removed from one country or place to another or from one prison, establishment or form of custody to another, except in accordance with an order made in one of the forms specified in Part I of Schedule 1 to these Rules as is appropriate to the case. Every such order shall be properly completed in accordance with the instructions for that form in the said Part I and signed by an officer of such rank and appointment as is specified in it.

Release from air-force sentences of imprisonment or detention

24. Except as provided for in Rules 25 and 26, no person under air-force sentence of imprisonment or detention shall be released from an air-force, naval, military or overseas establishment or forms of custody otherwise than—

(*a*) by an order of the Courts-Martial Appeal Court or other civil court of competent jurisdiction;

(*b*) by an order of a court-martial acting as an appellate court from a conviction or sentence of a Standing Civilian Court;

(*c*) by an order made in the form specified in Part II of Schedule 1 to these Rules and signed by an officer of such rank and appointment as is specified in it; or

(*d*) on the expiration of his sentence, less any remission allowed under these Rules:

Provided that where a sentence is due to expire on a Sunday or a public holiday, the person shall be released on the next previous weekday and any uncompleted days shall be considered as remitted.

Authority for release from air-force establishments

25.—(1) A person under air-force sentence may be released from imprisonment or detention in an air-force establishment for the purposes of medical examination, observation, or treatment, for such period and under such conditions as the commandant, acting on the advice of the medical officer, may lay down.

(2) A person under air-force sentence of imprisonment or detention may be released from an air-force establishment in accordance with any provision of these Rules under which an airman may be removed from any place, establishment, or form of custody, to any other place, establishment, or form of custody.

Temporary release

26.—(1) The commandant of an air-force establishment may authorise the temporary release from an air-force establishment on compassionate grounds of an airman under sentence in the cases and under the conditions set out in this Rule.

(2) The cases in which an airman under sentence may be released temporarily under paragraph (1) of this Rule are:—

(*a*) where the death or dangerous illness of a near relative occurs and the commandant is satisfied that the presence of the airman under sentence is desirable;

(*b*) where damage has been suffered by any premises occupied by that airman's family or near relatives, and the commandant is satisfied that the presence of the airman under sentence is desirable;

(*c*) where the airman under sentence should make arrangements before or after the birth of a child, and the commandant is satisfied that the presence of the airman is desirable for that purpose;

(*d*) where the airman under sentence has requested facilities to enable him to marry a woman who is expecting a child;

(*e*) where there are domestic difficulties concerning the airman under sentence or his family, and the commandant is satisfied that the personal attendance of the airman is desirable.

(3) The conditions under which the commandant of an air-force establishment may authorise the temporary release of an airman under sentence are:—

(*a*) that the airman under sentence shall comply with any conditions laid down by the commandant which apply during the period of his temporary release, including any conditions as to custody and as to places where the airman may not go during that period;

(*b*) that if the airman under sentence fails to comply with any condition under which he was temporarily released such release will immediately be terminated, and it shall be the duty of the airman under sentence to return forthwith to the air-force establishment.

(4) The period of temporary release shall not count as part of the sentence served by the airman.

Detention of airmen in safe custody

27.—(1) On receiving an order in writing made by the commanding officer of a person subject to air-force law or subject to Part II of the Act by virtue of its section 208A or 209 who has been remanded for trial by court-martial or in whose case steps have been taken by higher authority in relation to a charge with a view to it being tried by a Standing Civilian Court, or has been tried and is awaiting promulgation of the finding and sentence of a court-martial, or is awaiting investigation and disposal of a charge against him, the commandant of an air-force, naval or military establishment may detain him in safe custody in that establishment provided:—

(*a*) there is accommodation available in such establishment in which such a person can be segregated from persons under sentence; and

(*b*) the commandant can make arrangements for such a person to be supplied with the ordinary rations of an airman who is not under sentence.

Provided that no such person may be detained in safe custody in a naval or military establishment by virtue of an order under the provisions of this Rule unless such order specifically authorises detention in such an establishment.

(2) For the purpose of this Rule or Rule 22 the commanding officer of a person subject to Part II of the Act by virtue of its section 208A or 209 shall be the officer appointed to be his commanding officer under regulation 10 of the Summary Jurisdiction (Air Force) Regulations 1972.

(3) An order in writing of the commanding officer under paragraph (1) of this Rule shall be in the form prescribed therefore in Part III of Schedule 1 to these Rules, and any person who has been detained in accordance with any such order shall thereafter be delivered over by the commandant of the establishment in which he is detained to such person as may be specified by the commanding officer by order in writing in the form so prescribed.

PART IV

Remission

Remission of sentences

28.—(1) Subject to any of these Rules which provide for or authorise forfeiture of remission, an airman under sentence in an air-force establishment or an overseas establishment shall be entitled to have part of his sentence remitted according to the following provisions:—

(*a*) if his sentence does not exceed twenty-four days—no remission;

(*b*) if his sentence exceeds twenty-four days but does not exceed twenty-eight days—a period equal to the number of days by which the sentence exceeds twenty-four days;

(*c*) if his sentence exceeds twenty-eight days—one third of the period of his sentence, except where this would result in an airman under sentence serving less than twenty-four days when the period of remission will be such as to require him to serve twenty-four days.

(2) For the purpose of calculating remission according to paragraph (1) of this Rule fractions of a day shall be ignored.

Records of remission

29.—(1) The commandant of an air-force establishment is to maintain a record of the remission to which an airman under sentence is entitled under Rule 28, and of any remission forfeited in accordance with any of these Rules.

(2) The commandant, or an officer authorised by him, shall verify the records maintained under this Rule at frequent intervals.

(3) The records maintained under this Rule shall be made available to a Visiting Disciplinary Board, the commandant, and any officer to whom the commandant has delegated jurisdiction under these Rules, on each occasion when an airman under sentence is being tried on a charge for an offence against these Rules. The records, however, shall not be produced to the Board or the officer hearing the charge until the airman has been found guilty of the alleged offence, or a decision is made to report the offence to the local commander, or the commanding officer of the airman disposes of the charge otherwise than under these Rules.

Automatic forfeiture of remission

30. One day's remission of the sentence of an airman under sentence in an air-force establishment or an overseas establishment shall be forfeited for each period of two days and every odd day on which the airman is unable to do the work or training he would normally be required to do because—

(*a*) his sickness was caused by his own misconduct; or

(*b*) he was undergoing a sentence of a civil court; or

(*c*) he was in the lawful custody of any civil authority.

Restoration of forfeited remission

31. Remission which has been forfeited under these Rules may be restored by order of:

(*a*) the Defence Council;

(*b*) the reviewing authority;

(*c*) the reconsidering authority;

(*d*) the commandant with the approval of the reviewing or reconsidering authority.

Effect on remission of subsequent sentences

32.—(1) If an airman in an air-force establishment who is under air-force sentence of imprisonment or detention (referred to in this Rule as "the first sentence") is awarded a further sentence of imprisonment or detention (referred to in this Rule as "the second sentence") the remission to which he is entitled shall be calculated as follows:—

(*a*) where the two sentences are to run consecutively, he shall serve the first sentence (less any remission to which he is entitled on that sentence) and a new record of remission shall be calculated under Rule 28 in respect of the second sentence and applied to it;

(*b*) where the two sentences are to run concurrently a new record of remission shall be prepared in accordance with Rule 28. The earliest possible release dates for each sentence shall be compared and the airman under sentence shall be released on whichever is the later date.

(2) In calculating remission for the first sentence under Rule 32(1)(*b*) a proportional allowance for remission shall be made for that part of the first sentence which was completed before the passing or award of the second sentence. This allowance shall be added to the remission calculated for the second sentence. If, however, an airman under sentence forfeits any remission under these Rules between the passing by a court-martial of the second

sentence and its subsequent promulgation, such forfeiture shall be deducted from the allowance for remission made for the first sentence.

(3) Any reference in this Rule to the date on which a sentence is passed by a court-martial shall include the date on which the Courts-Martial Appeal Court dismisses an application for leave to appeal where that Court makes a direction under section 11(2) of the Courts-Martial (Appeals) Act 1968.

PART V

AIR-FORCE CORRECTIVE TRAINING CENTRES

Application of these Rules to air-force corrective training centres

33. Except where stated, all the provisions of these Rules apply to air-force corrective training centres and in this Part of these Rules there are special rules which apply only to air-force corrective training centres.

The aim of an air-force corrective training centre

34. The aim of air-force corrective training is to hold under restriction those airmen who have been awarded air-force sentences of detention and to provide the facilities, instruction and guidance whereby—

(*a*) those airmen under sentence who are to return to normal air-force service after completing their sentence will improve their service efficiency, discipline and morale and will determine to become better airmen.

(*b*) those airmen under sentence who are to be dismissed from Her Majesty's forces should enhance their potential for self-sufficiency and responsible citizenship.

Progressive stages at an air-force corrective training centre

35. Airmen under sentence in an air-force corrective training centre shall be classified as belonging to three stages, which shall be known as Stage I, Stage II and Stage III. Stage I shall be the lowest stage and airmen under sentence in that stage shall have no privileges. An airman under sentence in Stage II shall have some privileges and an airman under sentence in Stage III shall have more privileges than an airman in Stage II. The commandant shall ensure that all airmen under sentence, provided they have sufficient time to serve, have an equal opportunity of progressing through these stages.

Organisation of an air-force corrective training centre

36.—(1) Subject to paragraph (2) of this Rule the commandant of an air-force corrective training centre shall organise it so as to provide:—

(*a*) one wing for airmen under sentence who are to return to their units on completion of sentence;

(*b*) one wing (to be known as the discharge wing) for airmen under sentence who are to be dismissed from Her Majesty's service or discharged on completion of their sentence.

(2) The commandant of an air-force corrective training centre shall not, however, be required to organise an air-force corrective training centre in accordance with paragraph (1) of this Rule if, in his opinion, it would not be reasonable to divide it into such wings, or where the accommodation available or the circumstances are such as to make it impracticable to divide it so.

Segregation of airmen in an air-force corrective training centre

37. Nothing in Rule 36 of these Rules shall prevent the commandant of an air-force corrective training centre from further segregating an airman or airmen under sentence from other airmen under sentence within wings.

Educational and vocational training in the discharge wing of an air-force corrective training centre

38. Where the Defence Council, or an officer authorised by them, lays down a syllabus for the educational and vocational training of airmen under sentence in the discharge wing of an air-force corrective training centre the commandant shall ensure that such training is carried out according to the syllabus laid down.

Stage I

39. On admission to an air-force corrective training centre an airman under sentence shall be in Stage I and, subject to the provisions of Rule 35, he shall remain in Stage I for such period as the commandant may decide.

Stage II

40.—(1) The commandant may upgrade an airman under sentence from Stage I to Stage II when he considers that he is responding to corrective training.

(2) An airman under sentence in Stage II shall be employed in accordance with the usual time-table, except that at times and within the limits of the air-force corrective training centre as laid down by the commandant he may be allowed the privilege of free unescorted movement.

(3) An airman under sentence in Stage II shall receive an increased reimbursement allowance.

Stage III

41.—(1) The commandant may upgrade an airman under sentence from Stage II to Stage III when he considers the airman's continued response to corrective training justifies it.

(2) An airman under sentence in Stage III shall be employed in accordance with the usual time-table but he shall be allowed the following privileges:—

(*a*) free and unescorted movement within the limits laid down by the commandant except when detailed for any parade or duty;

(*b*) the measure of surveillance by members of the staff shall be reduced as directed by the commandant;

(*c*) he shall be permitted to retain in his possession any article or class of articles which airmen under sentence in Stage III may be authorised by the commandant to possess, and any other article authorised by the commandant;

(*d*) he may purchase articles in accordance with any general or specific approval of the commandant;

(*e*) he may be granted parole under the conditions laid down in Rule 42;

(*f*) he shall be allowed to send letters and parcels which shall not be subject to censorship under Rule 68 unless the commandant is authorised by higher air-force authority to apply the provisions of that Rule;

(*g*) the restriction in Rule 65(2) of only being permitted to obtain cigarettes or tobacco from the establishment canteen shall not apply to him;

(*h*) he shall receive an increased reimbursement allowance.

(3) An airman under sentence in any wing in Stage III shall be entitled to the same privileges as are set out in paragraph (2) of this Rule.

Stage III—parole

42.—(1) The commandant of an air-force corrective training centre may grant an airman under sentence a period of parole during each week of his sentence in Stage III. The times of the parole period shall be decided by the commandant but they shall be between 0600 hours and 2359 hours on the same day. Except in exceptional circumstances the commandant shall not allow a period of parole on a Saturday or a Sunday or on any public holiday.

(2) Parole shall not be granted under paragraph (1) of this Rule unless, in the opinion of the commandant, the conduct of the airman under sentence continues to be satisfactory. If the conduct of the airman is not satisfactory the commandant may refuse to grant or may curtail the period of parole in any week. If the conduct of the airman is especially good the commandant may grant more than one period of parole in a week.

(3) The commandant of an air-force corrective training centre may award punishment under these Rules to an airman under sentence in Stage III if that airman—

(*a*) fails to return to an air-force corrective training centre by the end of a period of parole;

(*b*) fails to observe any of the conditions under which he is granted parole;

(*c*) returns from parole under the influence of alcohol or drugs.

(4) An airman under sentence in any wing in Stage III shall be entitled to parole under the conditions set out in paragraphs (1) and (2) of this Rule.

PART VI

Visiting Officers, Independent Board of Visitors

Appointment of visiting officers

43. The local commander shall ensure that an officer above the rank of flight lieutenant or corresponding rank, (referred to in these Rules as a "visiting officer"), visits each air-force establishment (other than service detention rooms) within his command once every week. A written order of appointment shall be given to each visiting officer.

Duties of a visiting officer

44.—(1) A visiting officer, who has been appointed to visit an air-force establishment, shall attend in accordance with the instructions of the order appointing him.

(2) On arrival at an air-force establishment the visiting officer shall produce, if required, the order appointing him to the commandant or anyone acting on his behalf.

(3) The visiting officer is not to inspect the staff, buildings or premises of the air-force establishment.

(4) Except under the conditions of paragraph (7) of this Rule, on each visit the visiting officer shall see all the airmen under sentence in the air-force establishment either on parade or in their rooms. Airmen in close confinement or in a medical detention room shall be seen in those rooms.

(5) Except under the conditions of paragraph (7) of this Rule, the visiting officer shall ask all airmen under sentence if they have any complaints to bring to his notice. This question is to be asked by the visiting officer himself and not by any member of the staff on his behalf. This question is not to be qualified in any way nor is an airman's right to complain to be made subject to any conditions.

(6) An airman under sentence who wishes to complain shall be asked by the visiting officer whether he wishes to make his complaint there and then or to see him privately. If the airman wishes to make his complaint privately the commandant shall make a suitable room available for the visiting officer. If the commandant considers it necessary a member of the staff may be present to ensure there is no breach of discipline by the airman but, at the discretion of the visiting officer, that member of the staff is to remain within sight but out of hearing.

(7) A visiting officer is to satisfy himself he has seen all airmen under sentence in the air-force establishment, except any whom he is specifically requested not to see on medical grounds on the advice of the medical officer.

Investigation of complaints by a visiting officer

45.—(1) A visiting officer is to make full inquiries into any complaint made to him and the commandant shall place at his disposal any witness or evidence required. The visiting officer is to ascertain whether the complaint had previously been made to the commandant or other officer on the staff of the air-force establishment and, if so, any action taken as a result of it.

(2) After completing the investigation into any complaint made by an airman under sentence the visiting officer is to proceed as follows:—

(*a*) if in his opinion the complaint was not justified he shall inform the airman under sentence accordingly;

(*b*) if in his opinion the complaint was justified, he shall inform the airman under sentence that he will report the matter to the local commander.

(3) A visiting officer is not under any circumstances to offer any redress to the airman under sentence.

(4) After each visit a visiting officer is to make a report to the local commander, including a full report of every complaint made to him and his subsequent investigation.

Redress of complaints made to a visiting officer

46. On receipt of a complaint reported to him by a visiting officer, the local commander shall investigate it and take any necessary steps for redressing the matter.

Independent Board of Visitors

47. The Independent Board shall be deemed to have been appointed the Independent Board of Visitors of air-force establishments for the purposes of these Rules.

Air-force establishments to be visited by the Independent Board

48. Each air-force establishment, other than service detention rooms, shall be visited by the Independent Board in accordance with Rules 49 to 50.

General duties of the Independent Board

49.—(1) The Independent Board shall carry out the following general duties with regard to the air-force establishment to which their appointment relates:

(*a*) inspect the air-force establishment in accordance with Rule 50 below on at least two occasions in a year;

(*b*) whether in the course of their inspection under sub-paragraph (*a*) above or not, inquire into any matter into which the Secretary of State directs them to inquire or into any alleged abuses or shortcomings which may come to their notice.

They shall report the results of each inspection or inquiry to the Secretary of State in the following manner, namely, where the air-force establishment is in the United Kingdom, through the Air Officer Commanding the Group in which it is situated or, where it is overseas, through the Commander-in-Chief of the overseas command concerned.

(2) The Independent Board shall record each visit made by them to an air-force establishment in the journal kept by the establishment for that purpose and they may note in the journal any observations they wish to make.

Duties of the Independent Board on inspection

50.—(1) On an inspection the Independent Board shall satisfy themselves as to the state of the premises of the air-force establishment, the administration of the establishment, and the treatment of the airmen under sentence.

(2) Without affecting the generality of paragraph (1) of this Rule, the Independent Board shall in particular on each inspection—

(*a*) see all airmen under sentence and hear, in private if the board think fit, any complaints or requests which any such airman may wish to make to them;

(*b*) inspect the food prepared and provided for the airmen under sentence;

(*c*) inspect such of the forms and books maintained in connection with these Rules as they think fit.

(3) The Independent Board shall, if they consider necessary, report to the Secretary of State, as specified in Rule 49(1), upon any complaint or request made to them under paragraph (2)(*a*) of this Rule, or upon any food which they have inspected under paragraph (2)(*b*) of this Rule and found to be unsatisfactory.

(4) Where the Independent Board make a report about the food under paragraph (3) of this Rule, the commandant of the air-force establishment is to take immediate steps to provide satisfactory food.

PART VII

TREATMENT, EMPLOYMENT, DISCIPLINE AND CONTROL OF AIRMEN UNDER SENTENCE

Application of Part VII of these Rules

51. Except as otherwise stated or required by the context, this Part of these Rules shall apply to all airmen under sentence in air-force establishments.

Rules to be brought to the notice of airmen under sentence

52. A copy of this Part of these Rules, or a suitable extract of it in a form approved by the Secretary of State, shall be displayed conspicuously in every air-force establishment in such places where it can be seen from time to time by every airman under sentence.

The aim of training and treatment

53. The aim of the training and treatment of airmen under sentence is to fit them, and to give them the will, to become more efficient members of Her Majesty's forces and to be better citizens.

Corporal punishment and the use of force

54.—(1) Corporal punishment is not to be inflicted on airmen under sentence.

(2) Force is not to be used unnecessarily in the treatment of an airman under sentence but if the use of force is necessary only the minimum shall be used.

Admission to air-force establishments

55. The following procedure is to be adopted when an airman under sentence is admitted to an air-force establishment:—

(*a*) the order or warrant of committal shall be examined carefully and the attention of the commandant drawn to any omission or irregularity;

(*b*) except for the amount of clothing and those articles which an airman under sentence is authorised to have in his possession, his equipment and any other article which arrives with the airman on admission shall be taken from him, whether they are his own property or not.

Removal of property shall be dealt with as follows:—

(i) clothing, equipment and any other service or public property shall be withdrawn under current regulations of the Service to which the airman belongs. Such items shall be struck off the airman's charge;

(ii) private property of the airman shall be retained in safe custody by the commandant. A record of such property shall be made and signed by the airman concerned and a member of the staff of the air-force establishment;

(iii) an airman's property (other than perishable articles) shall be returned to him on his release provided he signs a receipt acknowledging its return;

(iv) money is to be kept in a safe place or paid into a bank and the equivalent amount returned to the airman on his release. Alternatively, with the agreement of the commandant, it may be sent to any person at the request of the airman;

(v) perishable articles are to be disposed of at the discretion of the commandant who will take into account the airman's wishes where practicable;

(vi) any other property which is held in safe custody on behalf of an airman under sentence may be sent, with the commandant's consent, to a relative or friend of the airman;

(*c*) the airman under sentence shall be searched in accordance with these Rules to ensure he does not retain any unauthorised articles;

(*d*) the airman under sentence shall be weighed and his weight recorded;

(*e*) the airman under sentence shall be medically examined by a medical officer within twenty-four hours of his admission, provided that:—

(i) this period may be extended to forty-eight hours where the airman has been medically examined and certified as fit to undergo sentence on the day of his admission or the day before;

(ii) in computing such periods of twenty-four or forty-eight hours, Saturdays, Sundays, and public holidays shall be excluded;

(*f*) the religious denomination of an airman under sentence is to be recorded and a chaplain of that denomination informed as soon as is practicable;

(*g*) within twenty-four hours of admission the commandant, or a member of the staff of the air-force establishment, shall satisfy himself that the airman under sentence has read or had explained to him this Part of these Rules and the procedure for bringing any complaint to the notice of his commanding officer, the commandant, visiting officers and the Independent Board of Visitors in accordance with the Act and these Rules.

Accommodation of airmen under sentence

56.—(1) No room shall be used for the confinement of airmen under sentence unless it is certified by the medical officer that its size, lighting, heating, ventilation and fittings are adequate for health, and that it allows the airman under sentence to communicate with a member of the staff of the air-force establishment at any time. Where a room is used to confine more than one airman under sentence, the certificate is to state the maximum number of airmen under sentence who may be confined therein.

(2) The size of the room intended for occupation by airmen under sentence should provide at least seventeen cubic metres for each airman under sentence accommodated in it. The local commander may, however, authorise the temporary accommodation of airmen under sentence in smaller rooms if the exigencies of the service so require.

(3) In every air-force establishment special rooms shall be provided for airmen under sentence who are refractory or violent.

(4) Every airman under sentence shall be provided with separate bedding and, where circumstances permit, with a separate bed.

(5) Two airmen under sentence shall never be confined in one room. Confinement must be solitary or with at least three men to a room.

Provision of miscellaneous accommodation in air-force establishments

57. The commandant shall set aside within an air-force establishment the following accommodation:—

(*a*) a medical detention room or rooms where airmen under sentence may be given medical examination, observation, treatment and attention, when the medical officer considers these can be given adequately without it being necessary for the airman under sentence to be admitted to hospital;

(*b*) a room or rooms where airmen under sentence may receive visits in accordance with these Rules.

Daily routine of airmen under sentence

58. The daily routine of airmen under sentence shall be laid down by the commandant of the air-force establishment in accordance with any instructions issued from time to time by or under the authority of the Defence Council. Such daily routine shall be subject to the provisions of these Rules where they refer to the number of hours of work or training which may be done by airmen under sentence.

Work and training of airmen under sentence

59.—(1) Except under paragraph (3) of this Rule and Rule 60, throughout his sentence an airman shall carry out work or training for not more than nine hours each day and not less than six hours (excluding times for meals). He shall not, however, carry out work or training until he has been examined by the medical officer and certified as fit for such work or training.

(2) Training in air-force corrective training centres shall be carried out in accordance with any syllabus laid down by the Defence Council or an officer authorised by them.

(3) An airman under sentence shall not be required to carry out work or training at any time when he is:—

(*a*) in close confinement;

(*b*) excused work or training on medical grounds on the advice of a medical officer;

(*c*) excused work by the commandant or is engaged in some other activity authorised by these Rules.

Sundays and public holidays

60.—(1) On Sundays and public holidays an airman under sentence shall not carry out work or training except work which is necessary for the service of the air-force establishment.

(2) An airmen under sentence whose Sabbath falls on a day other than a Sunday shall not be required to carry out any more work or training on that day than other airmen would be required to do on a Sunday. He may, however, be required to do work or training on Sundays.

Work in association

61.—(1) An airman under sentence in an air-force establishment shall carry out work or training in association with other airmen under sentence, except when it appears to the commandant that it is desirable in the interests of the airman under sentence or for the maintenance of good order and discipline for an airman not to work in association with others, in which case the commandant may arrange for that airman to work apart from other airmen for a period of not more than seven days or, if authorised by a Visiting Disciplinary Board, a period of not more than fourteen days.

(2) In deciding when an airman under sentence should work apart from others or should rejoin them, the commandant shall take into consideration any advice he may be given by a medical officer.

Unauthorised work

62. An airman under sentence shall not be employed directly or indirectly for the private benefit or advantage of any person, nor in any way contrary to these Rules or the orders of the commandant.

Reimbursement allowance

63.—(1) An airman under sentence in an air-force corrective training centre shall be entitled to a reimbursement allowance, in accordance with Schedule 2 to these Rules, whereby he shall be paid sums of money which shall increase as he progresses from one Stage to another. He shall be entitled to purchase from the canteen of the establishment cigarettes, tobacco, sweets, chocolates, writing materials, postage stamps and other articles at the discretion of the commandant of a retail value within his reimbursement allowance.

(2) The Secretary of State may from time to time issue instructions for alterations to the value of the reimbursement allowance.

(3) On release from the establishment at the end of his sentence an airman shall receive the balance of any reimbursement allowance standing to his credit in cash.

Rations for airmen under sentence

64.—(1) The food provided for airmen under sentence in an air-force establishment shall be of a nutritional value adequate for health and strength. It shall be of wholesome quality, well prepared and served, and be reasonably varied.

(2) The commandant and members of the staff of an air-force establishment shall endeavour to ensure that every airman under sentence receives the rations to which he is entitled. An airman under sentence may complain if he believes that he is not getting the rations to which he is entitled but he shall have no right to have them weighed.

Smoking by airmen under sentence

65.—(1) An airman under sentence in an air-force establishment shall be authorised to smoke and have in his possession cigarettes or tobacco at such times as the commandant may decide and in accordance with the subsequent paragraphs of this Rule.

(2) Airmen under sentence in an air-force establishment other than an air-force corrective training centre shall be entitled to be issued with free cigarettes. Airmen under sentence in an air-force corrective training centre may purchase cigarettes or tobacco from the establishment canteen with their reimbursement allowance. No airman under sentence may obtain cigarettes or tobacco in any other manner, except for an airman in Stage III in an air-force corrective training centre.

(3) The scale of cigarettes which may be issued free to an airman under sentence in air-force establishments other than an air-force corrective training centre shall be laid down in instructions issued from time to time by the Secretary of State. The first day of such issue shall be the day after admission into the air-force establishment.

(4) An airman under sentence in an air-force establishment other than an air-force corrective training centre who states he is a non-smoker may be issued with sweets and chocolates to an equivalent value of the free issue of cigarettes under the same conditions as in paragraph (3) of this Rule.

(5) No airman under sentence in an air-force establishment other than an air-force corrective training centre shall be entitled to smoke cigarettes or eat sweets or chocolates issued free other than on the day of issue.

(6) Forfeiture of cigarettes, tobacco, sweets or chocolates, whether issued free or purchased from the canteen by way of a reimbursement allowance, may not be ordered as punishment. It may, however, be ordered on the advice of the medical officer during any period of sickness.

(7) An airman under sentence who is in close confinement shall not be entitled to smoke cigarettes or tobacco or eat sweets or chocolates or have such items in his possession.

Letters

66.—(1) An airman under sentence in an air-force corrective training centre shall be permitted to write and send any number of letters subject to the provisions of Rule 68. Writing materials and postage stamps shall be purchased by the airman from the canteen of the establishment using the reimbursement allowance authorised by these Rules. On admission to the establishment an airman under sentence shall be permitted to write and send one letter free of expense.

(2) An airman under sentence in an air-force establishment other than an air-force corrective training centre shall be permitted to write and send two letters each week. Writing materials and stamps for such letters shall be free of expense to the airman.

(3) An airman in any air-force establishment may receive:

(*a*) any number of letters; and

(*b*) newspapers, periodicals and journals at the discretion of the commandant.

Parcels

67.—(1) A parcel addressed to an airman under sentence in an air-force establishment shall be opened and examined by or under the authority of the commandant in the presence of that airman. Any article which the airman under sentence is not authorised to receive or have in his possession shall be retained in safe keeping by the commandant and handed to the airman on his release. Any perishable articles may be disposed of in accordance with the direction of the commandant by returning them to the sender or otherwise.

(2) An airman under sentence is prohibited from receiving any articles save that with the consent of the commandant he may receive books, newspapers and any other article. An airman serving in Stage III in an air-force corrective training centre may be allowed to receive any articles which airmen serving in that Stage are permitted to retain.

Censorship

68.—(1) The commandant of an air-force establishment or any officer authorised by him may scrutinise letters written by or addressed to persons to whom this Rule applies.

(2) The commandant may withhold from a person to whom this Rule applies the whole or part of a letter addressed to that person but he shall communicate to that person any part of the letter which is not objectionable.

(3) The commandant may withhold a letter written by a person to whom this Rule applies, in which case he shall give such person an opportunity to write another in its place not containing the material to which the commandant objects. If any letter contains a complaint relating to the air-force establishment or to the treatment of an airman under sentence therein the commandant shall withhold the letter unless the complaint had previously been made and investigated under Rule 77.

(4) A letter written by a person to whom this Rule applies to his Member of Parliament may not be withheld by the commandant unless it contains matters relating to the security of the air-force establishment in which case it is to be referred to higher authority.

(5) In every case where the commandant withholds a letter written by or addressed to a person to whom this Rule applies he shall record the fact and his reasons for so doing in a journal.

(6) This Rule applies to:—

(*a*) airmen under sentence in an air-force establishment;

(*b*) persons detained in safe custody in an air-force establishment under Rule 27 of these Rules;

Provided that in relation to a person detained in safe custody under sub-paragraph (*b*) above:

(i) no letter, or part of any letter, written by or addressed to such person may be withheld without reference to higher authority;

(ii) any confidential communication between such a person and his legal adviser shall be exempt from censorship unless the commandant has reason to believe it contains matter unrelated to the case in respect of which the person is detained in safe custody.

Visits by relatives and friends

69.—(1) An airman under sentence may receive visits from his relatives and friends at the discretion of the commandant. Such visits shall take place in the air-force establishment at times and places decided by the commandant.

(2) Any visit authorised under this Rule shall be within the sight and hearing of the commandant or a member of the staff of the air-force establishment.

Visits by legal advisers

70.—(1) The commandant shall provide reasonable facilities for an airman under sentence who is interested in legal proceedings, or proposed legal proceedings, to be visited by his legal adviser. At the discretion of the commandant an airman may also be visited by his legal adviser in connection with other legal business.

(2) Any visit authorised under this Rule shall be within the sight, but not within the hearing of the commandant or a member of the staff of the air-force establishment.

Visits for the purpose of investigating offences

71.—(1) The commandant may permit an airman under sentence to be visited by a constable or, on the written order of a staff officer or provost officer of the Royal Navy, Army or Royal Air Force, by any officer or other person whose duty it is to investigate the commission, or suspected commission, of an offence.

(2) The commandant shall permit any person to visit an airman under sentence if that person is authorised to visit him by a warrant or an order of a court.

Medical attention

72.—(1) The commandant shall ensure that every airman under sentence shall be seen by a medical officer at least once every day on the occasions when he is—

(*a*) in close confinement; or

(*b*) subject to any form of mechanical restraint; or

(*c*) sick or complains of sickness.

(2) The medical officer shall also see daily every airman under sentence to whom his attention is especially directed by the commandant.

Functions of the medical officer

73. The medical officer shall have the care of the mental and physical health of airmen under sentence in an air-force establishment. The commandant shall act in accordance with his advice in these matters unless to do so would be contrary to any Act or these Rules, or the officer in charge of the medical services of the district or command in which the air-force establishment is situated directs otherwise.

Attendance by the medical officer

74. The medical officer shall attend at once, or as soon as the occasion requires, on receiving from the commandant information regarding the illness of an airman under sentence.

Appeals

75. A person on whom an air-force sentence of imprisonment or detention has been passed in an air-force establishment or an overseas establishment:—

(1) who has appealed or desires to appeal to the Courts-Martial Appeal Court against his conviction or where applicable his sentence by court-martial, or

(2) whose conviction, or where applicable, sentence, or acquittal is the subject of an appeal, or of an application for leave to appeal from the decision of that Court to the House of Lords under section 1 of the Courts-Martial (Appeals) Act 1968**(a)**,

may be taken to, kept in custody at, or brought back from any place at which he is entitled or ordered by that Court or a judge thereof or that House to be present for the purposes of any proceedings of that Court or that House as follows:—

(*a*) he may be taken to, kept in custody at, and brought back from any such place as is stated above in air-force, naval or military custody;

(a) 1968 c. 20.

(*b*) he may be kept in custody at any place as is stated above in such manner as may be directed by the said Court or a judge thereof or the said House or in the absence of any such direction in:—

(i) an air-force, naval or military establishment, or

(ii) an civil prison, or

(iii) an police station, or

(iv) the case of a person on whom an air-force sentence of detention has been passed, an air-force, naval or military prison for a period not exceeding seven days;

Provided that he shall not be kept in a civil prison or in a police station for periods exceeding seven days at any one time.

Facilities for airmen under sentence who wish to petition or appeal

76.—(1) The commandant of an air-force establishment shall bring to the notice of airmen under sentence their rights to petition or appeal. In addition to any other means chosen by the commandant for this purpose, a notice shall be exhibited in every air-force establishment in a form prescribed from time to time by the Defence Council or an officer authorised by them to notify the airman of his rights to petition or appeal. Such notices shall be exhibited in places where they can be seen by all airmen under sentence.

(2) The commandant of an air-force establishment shall permit an airman under sentence who intends to petition or appeal, or whose appeal is pending, for the purpose of that petition or appeal to—

(*a*) receive visitors;

(*b*) be provided with reasonable quantities of writing materials;

(*c*) write and receive letters;

(*d*) prepare and hand personally or send by post to his legal adviser confidential written communication as instructions in connection with the petition or appeal. Any such confidential written communication shall be exempt from censorship unless the commandant has reason to believe that it contains material unrelated to the purposes of the petition or appeal, when it may be subject to censorship under these Rules.

(3) For the purposes of a petition or appeal an airman under sentence may receive a visit from a medical adviser, being a registered medical practitioner, selected by him, or by his relatives or friends on his behalf.

(4) Despite the fact that an airman intends to apply or has applied for leave to appeal against his conviction by court-martial, he shall, subject to any direction to the contrary made by the Courts-Martial Appeal Court or a judge, continue to serve his sentence and to be subject to these Rules pending the determination or abandonment of his appeal.

Complaints

77.—(1) An airman under sentence who considers himself wronged in any matter may complain to the commandant of the air-force establishment in which he is serving his sentence, to a visiting officer on the occasion of his visit or to the Independent Board of Visitors on the occasion of that Board's visit.

(2) Where there is an officer in charge of a wing or section of the air-force establishment an airman under sentence shall forward any complaint he wishes to make to the commandant through that officer.

(3) The commandant of an air-force establishment shall investigate any complaint made to him under this Rule and he shall take any steps he considers necessary for redressing the matter.

(4) An airman under sentence may complain to his commanding officer under section 181 of the Act and it shall be the duty of the commandant to forward that complaint to the commanding officer of the airman.

(5) In addition to and without affecting the rights of an airman under sentence to make a complaint under the previous paragraphs of this Rule an airman under sentence may complain to the visiting officer or the Independent Board of Visitors if he considers he has not received redress for any complaint made by him to the commandant or under section 181 of the Act, provided that in the case of a complaint to the Independent Board of Visitors it shall only refer to the establishment in which the airman is serving his sentence. The visiting officer or Independent Board of Visitors shall deal with any complaint made to them in accordance with these Rules.

(6) In applying this Rule to a person under a military sentence of imprisonment or detention, for the references to sections of the Act there shall be substituted references to the corresponding sections of the Army Act 1955(**a**).

(7) In applying this Rule to a person under sentence of imprisonment or detention by virtue of the Naval Discipline Act 1957(**b**) those provisions of this Rule which refer to sections of the Act shall not apply. Such a person may, however, in addition to his rights to complain to the commandant under this Rule, complain to his commanding officer in any manner in which he is authorised to make complaints apart from these Rules.

Searching airmen under sentence

78.—(1) On admission to an air-force establishment an airman under sentence shall be searched in accordance with Rule 79.

(2) The commandant of an air-force establishment may order that an airman under sentence shall be searched at any time while serving his sentence.

Method of searching

79. For the searching of any person in an air-force establishment in accordance with these Rules the following conditions shall apply:—

(*a*) every search shall be carried out in the presence of at least two members of the staff;

(*b*) no person shall be present at any search except the commandant or members of the staff of the air-force establishment. In particular, no airman under sentence shall be present at the search of any other airman under sentence;

(*c*) no person shall be searched by or in the presence of a person of the opposite sex other than a medical officer.

Escapes

80.—(1) Any member of the staff of an air-force establishment who discovers that an airman under sentence has escaped shall immediately report the fact to the commandant.

(**a**) 1955 c. 18. (**b**) 1957 c. 53.

(2) If a person under sentence in an air-force establishment escapes the commandant shall immediately inform the authorities or persons specified below as the case may be:—

(*a*) in the case of a person serving an air-force sentence of imprisonment or detention—

(i) the Chief Officer of Police in the area in which the air-force establishment is situated (if in the United Kingdom) or the local area police (if overseas);

(ii) the nearest unit or detachment of the Royal Air Force Provost and Security Services;

(iii) the local commander;

(iv) the commanding officer of the person who has escaped;

(v) the officer in charge of the Personnel Management Centre Royal Air Force;

(vi) an Inspector of Air-force Establishments.

(*b*) in the case of a person serving a military sentence of imprisonment or detention—

(i) the Chief Officer of Police in the area in which the air-force establishment is situated (if in the United Kingdom) or the local area police if overseas);

(ii) the nearest unit or detachment of the Royal Air Force Provost and Security Services;

(iii) the nearest unit or detachment of the Corps of Royal Military Police;

(iv) the local commander;

(v) the officer in charge of records of the arm or branch of the service to which the soldier belongs;

(vi) the regimental paymaster of the arm or branch of the service to which the soldier belongs;

(vii) an Inspector of Air-Force Establishments.

(*c*) in the case of a person serving a naval sentence of imprisonment or detention—

(i) the Chief Officer of Police in the area in which the air-force establishment is situated (if in the United Kingdom) or the local area police (if overseas);

(ii) the nearest unit or detachment of the Royal Air Force Provost and Security Services;

(iii) a naval provost marshal;

(iv) the local commander;

(v) Commodore, HMS Nelson, Portsmouth;

(vi) an Inspector of Air-Force Establishments.

Duration of sentences of persons who escape

81. For the purposes of the proviso to section 119(2) of the Act, the following shall be the authorities specified in these Rules:—

(*a*) in the case of a person on whom an air-force sentence of imprisonment or detention was passed by a court-martial, the reviewing authority or the reconsidering authority;

(*b*) in the case of a person to whom an air-force sentence of detention has been awarded by his commanding officer, that officer.

Deaths in air-force establishments

82.—(1) If a person under sentence in an air-force establishment dies, the commandant shall:—

(*a*) if the death occurs in the United Kingdom, immediately report the fact to the coroner having jurisdiction in the place where the air-force establishment is situated;

(*b*) if the death occurs outside the United Kingdom, report the fact either—

(i) to any local civil authority which is authorised or required to inquire into the cause of death or, if there is no such authority—

(ii) to a higher air-force authority, requesting that a Board of Inquiry may be convened under the Board of Inquiry (Air Force) Rules 1956(**a**) to inquire into the death.

(2) Nothing in this Rule shall affect the duty of the commandant, or any other air-force authority, to record or report the death to meet the requirements of any other rules, regulations or instructions.

Offences against discipline by airmen under sentence

83. An airman under sentence commits an offence against these Rules if he—

(1) commits an offence of a nature which might be dealt with summarily by the commanding officer of an airman of the regular air-force;

(2) treats with disrespect any member of the staff of an air-force establishment, any visitor to the establishment or any person employed in it;

(3) is lazy, negligent or careless;

(4) uses any abusive, insolent, threatening or improper language;

(5) is indecent in any act or gesture;

(6) leaves his room or place of work or other appointed place without permission;

(7) has in his room or possession any unauthorised article or attempts to obtain such an article;

(8) gives to or receives from any person any unauthorised article;

(9) makes repeated and groundless complaints;

(10) fails to observe or comply with the conditions as to parole;

(11) attempts to commit any of the offences in sub-paragraphs (2) (5) (6) (7) and (8) of this Rule.

Jurisdiction of the commandant and of an officer under his command

84.—(1) The commandant of an air-force establishment shall have jurisdiction to punish an airman under sentence who commits an offence against these Rules.

(2) The commandant of an air-force establishment may delegate jurisdiction to an officer under his command to punish an airman under sentence who commits an offence against these Rules.

(**a**) S.I. 1956/579.

Procedure for dealing with offences

85.—(1) An airman who, while under sentence, commits any offence against the Act, the Army Act 1955, the Naval Discipline Act 1957, or these Rules shall be dealt with in accordance with the following provisions of this Rule.

(2) When it is reported to the commandant that an airman under sentence has committed an offence as is described in paragraph (1) of this Rule, the commandant shall deal with it as follows:—

(*a*) if the alleged offence is one which the commandant has no jurisdiction to punish or, even if he did have jurisdiction, he considers the punishment he might award would be inadequate, he shall report the case to the local commander. Such report shall contain a request that the airman be dealt with either by a Visiting Disciplinary Board under Rule 88 or under air-force, naval or military law, as the case may be; and

(*b*) in all other cases the procedure laid down in paragraph (3) of this Rule shall be observed.

(3) The commandant shall ensure that the airman is informed of the offence or offences he is alleged to have committed against these Rules, and the airman shall then be brought before him. The evidence in support of the allegations shall be given by each witness in person in the presence of the airman, save that where the airman has been supplied in advance with a written statement of the evidence of a witness and does not dispute any of its contents the evidence of that witness need not be given in person provided the airman agrees and the statement is read aloud in his presence. The airman shall then be given an opportunity to question the evidence against him and to present his own case, and the commandant shall finally inform the airman whether he finds him guilty or not guilty of each offence alleged.

Punishments which may be awarded by a commandant

86.—(1) The commandant of an air-force establishment may award any one or more of the punishments set out in paragraph (2) of this Rule to an airman under sentence who has been found by him to have committed an offence against these Rules.

(2) The punishments referred to in paragraph (1) of this Rule are:—

(*a*) close confinement for a period not exceeding three days;

(*b*) deprivation of mattress for a period not exceeding three days;

(*c*) forfeiture of remission of sentence for a period not exceeding fourteen days;

(*d*) forfeiture of earnings;

(*e*) extra air-force instruction;

(*f*) admonition.

(3) In the case of an airman under sentence who is classified as being in Stage II or Stage III in an air-force corrective training centre, the commandant may, in addition to the punishments listed in paragraph (2) of this Rule, award relegation from a higher to a lower Stage.

Punishments which may be awarded under the delegated authority of the commandant of an air-force establishment

87. The commandant of an air-force establishment may delegate to an officer under his command, provided he is a member of the staff of an air-force

establishment, jurisdiction to award any one or more of the following maximum punishments to an airman under sentence who has been found by that officer to have committed an offence against these Rules:—

(*a*) forfeiture of remission of sentence for a period not exceeding three days;

(*b*) extra air-force instruction not exceeding three periods of forty-five minutes each;

(*c*) admonition;

(*d*) in the case of an airman under sentence in Stage II while in an air-force corrective training centre, relegation to Stage I.

Visiting Disciplinary Board

88.—(1) The local commander may from time to time appoint a Visiting Disciplinary Board to exercise disciplinary powers at any air-force establishment within his area of command.

(2) A Visiting Disciplinary Board shall consist of three officers above the rank of flight lieutenant (or corresponding rank) one of whom shall not be below the rank of wing commander (or corresponding rank) unless the exigencies of the service make it impracticable. In such a case the Board may consist of only two officers above the rank of flight lieutenant (or officers of corresponding rank), one of whom shall not be below the rank of wing commander (or corresponding rank).

(3) A Visiting Disciplinary Board shall have the same jurisdiction as a commandant and may award the punishments which may be awarded by a commandant subject to the following modifications:—

(*a*) the maximum period of close confinement which the Board may award shall be fourteen days;

(*b*) the maximum period of forfeiture of remission which the Board may award shall be the whole period of remission. If, however, the Board awards forfeiture of remission exceeding twenty-eight days, the commandant shall report the matter to the reviewing authority who may mitigate or remit the award.

(4) A Visiting Disciplinary Board shall investigate and deal with every charge brought against an airman under sentence which they are required and have jurisdiction to hear and determine under these Rules. When the Board are satisfied that the airman under sentence has had the charges sufficiently explained to him, that all the oral evidence has been heard in his presence, that he has had an opportunity of reading and questioning any documentary evidence and that he has had a proper opportunity of presenting his case and questioning any witnesses, they may:—

(*a*) dismiss any charge which they find not to have been proved;

(*b*) record a finding of guilty and award any punishment which they are authorised by these Rules to award for any charge which they find to have been proved.

Corporal punishment prohibited

89. The commandant and members of the staff of an air-force establishment shall not inflict, or cause or allow to be inflicted, corporal punishment upon any airman under sentence.

Close confinement

90.—(1) No airman under sentence shall be placed in close confinement unless he has been certified by the medical officer as fit to undergo that punishment.

(2) An airman under sentence in close confinement shall not be permitted to attend Divine Service.

(3) An airman under sentence in close confinement shall not be permitted any exercise except on the recommendations of the medical officer.

(4) An airman under sentence who is in close confinement shall not be deprived of his room furniture or books nor be subjected to any form of discipline which has not been lawfully ordered under these Rules.

(5) An airman under sentence who is in close confinement shall be visited at least once every day by the commandant or his deputy and the medical officer. In addition, he shall be visited at least once every three hours by a member of the staff of the air-force establishment.

Mechanical restraint

91.—(1) Airmen under sentence may be put under mechanical restraint in the circumstances and under the conditions authorised by these Rules.

(2) An airman under sentence may be placed in handcuffs for the purpose of safe custody during removal from one place or establishment to another.

(3) An airman under sentence in an air-force establishment shall not be subjected to any form of mechanical restraint as a punishment.

Authorisation of mechanical restraint

92.—(1) If the commandant of an air-force establishment considers that an airman under sentence ought to be placed under mechanical restraint to prevent him from injuring himself or others, damaging property or creating a disturbance, he may issue a written order that mechanical restraint is to be applied to the airman under sentence. Such order shall be in the form provided for by Part I to Schedule 3 to these Rules and shall specify the date and hour when the restraint is to be applied and the period, not exceeding twenty-four hours, during which it shall be applied. Immediately after making the order the commandant shall notify the local commander and the medical officer that he has made such an order and the terms it contains.

(2) On receiving such notification the medical officer shall examine the airman under sentence and inform the commandant if he considers there is any objection on medical grounds to the application of the mechanical restraint which has been ordered. If such objection is made the commandant shall revoke or modify the order in accordance with the recommendations of the medical officer.

(3) The commandant shall ensure that an airman is not kept under mechanical restraint longer than is necessary and in any case for any period exceeding twenty-four hours, provided that the local commander may order that such period of mechanical restraint be extended for a further period or periods, each such period not to exceed forty-eight hours and to be the subject of a separate order in writing.

(4) No type of mechanical restraint is to be used except one authorised by these Rules.

(5) Whenever mechanical restraint is applied or removed an officer or a senior member of the staff of the air-force establishment shall be present. The name of the officer or member of the staff present on each occasion shall be recorded in a form completed in accordance with Part II or Part III of Schedule 3 to these Rules.

Types of mechanical restraints

93.—(1) The articles referred to in sub-paragraphs (*a*), (*b*) and (*c*) of this Rule, which shall conform with patterns approved by the Secretary of State, may be used as instruments of mechanical restraint:

(*a*) handcuffs—swivel or curb chain, not exceeding six hundred and twenty-four grams in weight for the pair;

(*b*) strait waistcoat—stout white duck lined with swansdown, fastened at the back by lacing with strong webbing tapes through eleven eyelets on each side, the sleeves to cover the entire arms and hands and to be secured by strong webbing tapes laced through three eyelets on each side of the cuffs, the upper parts of the arms to be tied round with three sets of strong webbing tapes sewn into the back of the sleeves;

(*c*) body belt—double leather sewn together, fastened by a lock at the waist, with steel wristlets at equal distances at the sides into which the wrists may be locked, the whole belt not to exceed one point eight kilograms in weight.

(2) Nothing in this Rule shall preclude the use of special clothing for those cases where it is authorised by Rule 97.

Use of handcuffs

94. The commandant of an air-force establishment who orders the use of handcuffs on an airman under sentence shall state in the written order authorising their use whether they are to be placed with the hands to the front of or to the rear of the body. When handcuffs are placed to the rear of the body they shall be moved to the front during meals and for sleeping.

Use of the strait waistcoat

95.—(1) The strait waistcoat shall not be used except under the direction of a medical officer. It may only be used when restraint is necessary to prevent an airman under sentence from injuring himself or others, or from damaging clothing or other articles.

(2) The medical officer shall visit every airman restrained in a strait waistcoat at least once in every twenty-four hours and more often if he considers it necessary. He shall record in his journal all such visits, the periods of restraint and the reason for its application.

(3) The commandant shall visit every airman restrained in a strait waistcoat at least once every twenty-four hours.

(4) A strait waistcoat shall never be applied for more than twenty-four hours consecutively. If at the end of that period the medical officer considers that the use of the strait waistcoat is still necessary he shall order it for a further period but the restraint shall not be applied until the airman under sentence has been free of any form of restraint for at least one hour.

(5) The medical officer shall inform the commandant in writing when the restraint is discontinued and when making a further order under paragraph (4) of this Rule.

Use of the body belt

96.—(1) The body belt may only be used for restraining an airman under sentence who is of violent conduct and for whom no other means of restraint is appropriate.

(2) Subject to paragraph (1) of this Rule, the provisions of Rule 95 as to the use of a strait waistcoat shall apply to the use of a body belt.

Use of special clothing

97.—(1) When an airman under sentence destroys, or attempts to destroy, his clothing or refuses to wear uniform, the commandant of an air-force establishment may order him to wear special clothing of a type approved by the Secretary of State.

(2) The commandant shall report to the visiting officer and the Independent Board of Visitors, on the occasion of every visit by such officer or Board, any order in force which was made by him under paragraph (1) of this Rule and he shall arrange for the visiting officer or Independent Board of Visitors to see every airman who is wearing the clothing authorised by that paragraph.

PART VIII

Service Detention Rooms

Application of the rules to service detention rooms

98.—(1) This Part of these Rules shall apply only to service detention rooms. All these Rules, however, apply to service detention rooms except those listed in paragraph (2) of this Rule and those which are modified by paragraph (3) of this Rule.

(2) The following Rules shall not apply to service detention rooms:—

Rules 33 to 42—(special rules for air-force corrective training centres);

Rules 43 to 46—(which relate to visiting officers);

Rules 47 to 50—(which relate to the Independent Board of Visitors);

Rule 57—(which relates to miscellaneous accommodation in air-force establishments);

Rule 63—(which relates to reimbursement allowance);

Rule 66(1)—(which relates to letter writing in an air-force corrective training centre);

Rules 73 and 74—(which relate to the functions and attendance of the medical officer);

Rule 84(2)—(which relates to the delegation of jurisdiction to punish an airman under sentence);

Rules 86(2)(*d*) and 86(3)—(which relate to punishments in other air-force establishments);

Rule 87—(which relates to the delegation of jurisdiction to award certain punishments);

Rule 88—(which relates to the Visiting Disciplinary Board);

Rules 93(1)(*b*), 93(1)(*c*), 95 and 96—(which relate to the description and use of the strait waistcoat and body belt);

Rules 105 and 106—(which relate to education and welfare in other air-force establishments);

Rules 111 to 113—(which relate to staff of other air-force establishments);

Rule 114—(which relates to the earnings scheme in certain designated air-force establishments).

(3) The provisions of the Rules specified below shall apply to service detention rooms but subject to the respective modifications stated:—

(*a*) Rule 59 paragraph (1)—(which relates to work and training of airmen under sentence)—the reference in this paragraph of this Rule to work or training for a period of not more than nine hours each day, and not less than six hours, shall apply to service detention rooms set apart for members of the women's forces as if it were a reference to work or training for a period of not more than eight hours each day, and not less than six hours;

(*b*) Rule 59 paragraph (2)—to this paragraph of this Rule there shall be added the following sentence "Training in service detention rooms shall so far as may be practicable be of the same nature and be carried out in a similar manner";

(*c*) Rule 65(2)—the reference to airmen in an air-force corrective training centre and to reimbursement allowance shall not apply to service detention rooms;

(*d*) Rule 77—(which relates to complaints)—the references in this Rule to an officer in charge of a wing or section of an air-force establishment, a visiting officer or an Independent Board of Visitors shall not apply to service detention rooms;

(*e*) Rule 86 paragraph (2)—(which relates to punishments under these Rules)—sub-paragraph (*b*) of this Rule (which relates to deprivation of mattress) shall not apply to service detention rooms set apart for members of the women's forces;

(*f*) Rules 91 to 97 inclusive—(which relate to the use of mechanical restraint and special clothing)—

(i) shall not apply to service detention rooms set apart for members of the women's forces; and

(ii) shall apply to service detention rooms (other than those set apart for members of the women's forces) only where reference is made to mechanical restraint by means of handcuffs.

Setting up service detention rooms

99. Service detention rooms shall be under the control of the commanding officer of the air-force station for which they are provided in accordance with these Rules.

Segregation in service detention rooms

100. Airmen under sentence in service detention rooms shall be segregated from any airmen confined in such rooms awaiting trial by court-martial, disposal by a commanding officer or appropriate superior authority, or awaiting promulgation of sentence.

PART IX

RELIGION, EDUCATION AND WELFARE

Books of religious instruction

101. As far as is practicable the commandant shall make available for the use of every airman under sentence such books of religious observation or instruction as are recognised for the use of his denomination and are approved by the Secretary of State.

Chaplains

102.—(1) When chaplains are present in an air-force establishment for the purposes of their duties, they shall abide by these Rules and the standing or other orders made for the running of the establishment and they shall consult the commandant concerning their duties.

(2) The commandant shall afford facilities to chaplains to have access to airmen under sentence at times approved by him for the purpose of visiting or giving them religious instruction.

Duties of chaplains

103.—(1) Wherever possible a chaplain of the same denomination as an airman under sentence shall visit him as soon as is practicable after the airman's admission to an air-force establishment, and thereafter at reasonable times and shortly before his release.

(2) Where there is no chaplain of the same denomination as an airman under sentence, the commandant shall arrange for the airman to be visited by a minister of his own denomination provided the airman so wishes and it is practicable to make the arrangements. In such cases the airman under sentence shall be informed of this Rule as soon as possible after admission.

(3) The commandant shall make available to chaplains on the occasion of their visit a list of airmen under sentence who are sick or undergoing punishment under these Rules and he shall afford facilities for them to be visited, if requested either by a chaplain or by an airman.

(4) A chaplain shall officiate as appropriate at the burial of an airman under sentence who dies in an air-force establishment.

Divine Services

104.—(1) Whenever possible chaplains shall conduct Divine Services in air-force establishments on Sundays, other customary days and on such other convenient occasions approved by the commandant as the chaplains may decide.

(2) An airman under sentence shall be allowed to attend the Divine Service of his denomination as often as he wishes. Any airman undergoing punishment under these Rules may attend Divine Service unless he is in close confinement or is excluded from attending because of his disorderly conduct or because it is considered his conduct would be disorderly.

Education of airmen under sentence

105. The commandant of an air-force establishment shall—

(*a*) provide educational training at such times as are available and in accordance with any syllabus laid down by the Defence Council or an officer authorised by them;

(*b*) where accommodation is available, provide an information room in which airmen under sentence, other than those in close confinement, may study current world affairs, read books, pamphlets and newspapers, and consult maps and books of reference. At the commandant's discretion airmen in close confinement may be allowed to use the information room at such times and under such conditions as he may decide;

(*c*) where radios, television sets or loudspeakers are provided, make use of them as he considers fit for broadcasting news and educational matters to airmen under sentence;

(*d*) encourage airmen under sentence to assist in the education of other airmen under sentence;

(*e*) take a special interest in providing the rudiments of education to any illiterate airmen under sentence;

(*f*) encourage other educational activities when circumstances permit;

(*g*) encourage airmen under sentence to study any special subjects in which they are interested and, at his discretion, allow them to be provided with any necessary text-books or reference books.

Welfare

106.—(1) A welfare officer shall be appointed in each air-force establishment, other than service detention rooms, and the commandant shall afford facilities to airmen under sentence to consult the welfare officer as is required.

(2) The welfare officer shall keep written records of the matters on which he is consulted by airmen under sentence. If he has not completed any action or correspondence in connection with such matters before an airman under sentence is released from the air-force establishment to return to his unit, he shall send to that airman's commanding officer a report on those matters and any relevant correspondence or papers.

PART X

Miscellaneous Rules and Offences Relating to Air-Force Establishments

Unlawful conveyance of spirits or tobacco into an air-force establishment

107. Without the authority of the commandant of an air-force establishment, no person shall bring or attempt to bring into any air-force establishment or to any airman under sentence any spirituous or fermented liquor or any tobacco. No person shall place such liquor or tobacco outside an air-force establishment with intent for it to come into the possession of an airman under sentence. No member of the staff of an air-force establishment shall allow any such liquor or tobacco to be sold or used in the air-force establishment.

Unlawful introduction of other articles

108. No person shall without lawful authority convey or attempt to convey any letter or other thing into or out of an air-force establishment or to an airman under sentence. No person shall place such an article anywhere outside the air-force establishment with intent that it shall come into the possession of an airman under sentence.

Offences in relation to air-force establishments and persons under sentence

109.—(1) The provisions of sections 39 to 42 of the Prison Act 1952(**a**) and section 22(2) of the Criminal Justice Act 1961(**b**) shall apply in relation to air-force establishments and persons under sentence, subject to the following modifications:—

For references to:	there shall be substituted:
"officer"	"any member of the staff of an air-force establishment"
"prison"	"air-force establishment"
"regulations of a prison"	"Imprisonment and Detention (Air-Force) Rules"
"the Prison Commissioners"	"the commandant or other officer in charge of an air-force establishment"

and in section 22(2) of the Criminal Justice Act 1961 for the words from "or other institutions" to "or detention" there shall be substituted the words "or who, being a person under air-force sentence of imprisonment or detention".

In the said enactments as so applied the expressions "air-force establishment" and "air-force sentence of imprisonment or detention" shall have the same meanings as they have in the Act.

(2) Sections 39 to 42 of the Prison Act 1952 and subsection (2) of section 22 of the Criminal Justice Act 1961, as modified by paragraph (1) of this Rule, are set out in Schedule 4 to these Rules.

Admission of visitors and others to air-force establishments

110.—(1) No unauthorised person shall enter an air-force establishment, make any sketch, take any photograph, or communicate with any person in it under sentence. No such person shall remain in an establishment after being requested to leave by the commandant or other person acting under his authority. In deciding whether to grant permission, grant permission subject to certain conditions, or refuse permission to enter an air-force establishment, the commandant shall have regard to the orders of any court of competent jurisdiction, the provisions of these Rules and the directions or instructions of any higher air-force authority.

(2) The commandant of an air-force establishment may grant permission to any person to enter an air-force establishment subject to any conditions and he may make it a condition of granting permission to a person to enter or do anything within an air-force establishment that such person agrees to being examined or searched if so requested.

(3) The commandant may order the removal from an air-force establishment of any person who, without authority, enters the air-force establishment, makes any sketch, takes any photograph, refuses to be examined or searched or fails to comply with any condition imposed by the commandant under this Rule.

(**a**) 1952 c. 52. (**b**) 1961 c. 39.

(4) If any member of the staff of an air-force establishment suspects that any visitor or other person has committed an offence against sections 39 to 42 inclusive of the Prison Act 1952, as modified by these Rules, or against these Rules or of being in improper possession of any property used or intended for use in the air-force establishment, he shall stop that person and immediately inform the commandant, who may, if he thinks fit, order that person to be examined and searched.

PART XI

Staff of Air-Force Establishments

Appointment of commandant and staff

111.—(1) The commandant, officers and other members of the staff of air-force establishments in the United Kingdom (other than service detention rooms) shall be appointed by or under the directions of the Secretary of State.

(2) The commandant, officers and other members of the staff of any air-force establishment outside the United Kingdom (other than service detention rooms) shall be appointed either by the Secretary of State or by or under the directions of the local commander.

Duties of the commandant of an air-force establishment

112. The commandant of an air-force establishment shall:—

(*a*) exercise a close and constant supervision of the air-force establishment and, if practicable, visit and inspect daily all parts of the establishment in which airmen under sentence are working or training. He shall also visit the establishment during the night at least once a week. He shall make frequent inspections of the rooms occupied or used by airmen under sentence and shall satisfy himself that the food intended for them is properly stored, cooked and served;

(*b*) supervise and control the duties of the officers and other members of the staff of the air-force establishment and satisfy himself that the details and rosters of duties are prepared and maintained in accordance with any directions of the Secretary of State and in a manner to ensure the efficiency of the establishment;

(*c*) maintain discipline amongst the officers and airmen who are appointed to serve under his command as members of the staff of the air-force establishment. He is to carry out the responsibilities of a commanding officer in respect of the members of the staff;

(*d*) issue from time to time standing orders for the staff and examine such orders periodically so that they may be revised and maintained in line with current requirements;

(*e*) instruct the officers and staff of the air-force establishment to maintain discipline with firmness but without more repression or restriction than is required for the safe custody of airmen under sentence in a well-ordered community;

(*f*) encourage members of the staff to enlist the willing cooperation of airmen under sentence by leadership and example;

(*g*) interview every airman under sentence as soon as possible after his admission to the air-force establishment and shortly before his release;

(*h*) arrange for any airman under sentence who is to be dismissed from Her Majesty's forces or discharged to be interviewed shortly before his release from an air-force establishment in the United Kingdom by an official of the Manpower Services Commission with reference to his future civil employment;

(*i*) provide an airman under sentence who is to be dismissed from Her Majesty's forces or discharged with the following on his release from an air-force establishment in the United Kingdom—

(i) a cash payment in respect of subsistence of a sum as decided by the Secretary of State from time to time;

(ii) travel at public expense to a place of residence in the United Kingdom or the Republic of Ireland selected by the airman under sentence;

(iii) civilian clothing, on terms that the airman under sentence will repay the cost, except where provision is made for a free issue of civilian clothing or the airman can arrange for civilian clothing to be sent to him.

Duties of members of the staff of an air-force establishment

113. Members of the staff of an air-force establishment shall:—

(*a*) carry out their duties in accordance with these Rules, the standing orders of the establishment and the orders of the commandant;

(*b*) preserve an attitude of firmness tempered with understanding towards airmen under sentence and avoid any form of harsh treatment; set an example of integrity and fairness; try to create a feeling of respect and confidence among the airmen in their charge, studying their characteristics to bring out the best in them;

(*c*) draw the attention of the commandant to any airman under sentence who may appear not to be in good health, even though he may not complain, or whose mental state warrants special notice so that such an airman can be sent to the medical officer for examination;

(*d*) prevent prohibited articles from being hidden for the purpose of being conveyed to airmen under sentence and immediately report any such occurrence;

(*e*) ensure no ladders, planks, ropes, chains, clothing or articles of any kind likely to facilitate escape are left in any place where they would be accessible to airmen under sentence;

(*f*) take the utmost care to guard against fires and report any danger of fire; not carry any naked light around within the establishment;

(*g*) call attention to any defect in the sanitation or ventilation which they may notice;

(*h*) when on night duty, satisfy themselves as to the correctness of the number of airmen in their charge and that the rooms are securely locked for the night;

(*i*) periodically examine the state of the rooms, bedding, locks and bolts under their charge and report when any action is required;

(*j*) seize all prohibited articles and hand them over immediately to the commandant;

(*k*) when on night watch, patrol the air-force establishment during their tour of duty and record their patrols as required;

(*l*) when on gate duty, record the name of every person passing through the gate and list all stores that pass through the gate; examine all articles brought into or taken out of the establishment and stop any person suspected of bringing in or attempting to bring in any prohibited article, or of carrying out or attempting to carry out any property intended to remain in the establishment.

PART XII

RULES WHICH APPLY TO AIR-FORCE PRISONS OR DETENTION BARRACKS

Earnings scheme

114.—(1) In air-force establishments where productive work is done, an airman under sentence shall be credited with sums of money related to the period of sentence which he has completed. Such sums of money shall not be paid in cash until the airman's release from the establishment but during his sentence he may be provided with cigarettes, tobacco, sweets or other articles from the establishment's canteen up to the retail value of the credit earned by him.

(2) During the interval between his admission and the accrual of his first earnings he may be provided with goods from the canteen as an advanced credit subject to any conditions the commandant may decide.

(3) The amount of the earnings and the periods of completed sentence to which they relate shall be decided by the Secretary of State from time to time.

(4) No airman under sentence shall be entitled to be credited with earnings under this scheme unless he is of good conduct and does the work assigned to him to the satisfaction of the commandant. He may also be deprived of earnings under this Rule as a punishment under these Rules.

(5) This Rule shall only apply to air-force establishments especially designated by the Secretary of State as establishments to which the earnings scheme shall apply.

PART XIII

MISCELLANEOUS

Revocations

115. The Rules specified in Schedule 5 to these Rules are hereby revoked.

Francis Pym,
One of Her Majesty's Principal Secretaries of State.

Dated this 13th day of December 1980.

Rule 23

SCHEDULE 1

PART I

FORM 1

Order for the committal of an airman to an air-force, naval or military establishment on an award of detention by his Commanding Officer

To the Commandant or other person in charge of.....

.....(*a*)

Whereas No.....Rank .....

Name.....of Royal Air Force Station .....

was on the.....day of.....19... awarded detention

for a period of.....days by his/her commanding officer for the

offence(s) of .....

.....

.....(*b*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to receive the said person into your custody and to retain him/her to undergo his/her sentence according to law and for so doing this shall be your warrant.

Signed at.....this.....day of .....19...

(Signature) .....(*c*)

Rank and Appointment .....

(*a*) Insert the name of the establishment.

(*b*) Set out the statement (not the particulars) of the offence and the relevant sections of the Air Force Act 1955. If there is more than one offence, the statement of each one must be set out.

(*c*) This form must be signed personally by the commanding officer of the person named in it.

FORM 2

Order for the committal of a person sentenced to imprisonment or detention by a court-martial to a civil prison, an overseas establishment or an air-force, naval or military establishment

To the Governor, Commandant or other person in charge of

.....(*a*)

Whereas No.....Rank .....

Name.....of Royal Air Force Station. .....

was by a.....(*b*) court-martial held at.....

.....convicted of the offence(s) of:

.....

.....

.....(*c*)

and by a sentence passed on the.....day of.....19...,
sentenced to [imprisonment/detention for a term of.....
.....(*e*) commencing on the said day, which sentence has been duly confirmed in accordance with the provisions of the Air Force Act 1955.....(*d*)](*e*);

(*f*) And whereas on the.....day of.....19...
the said sentence was suspended under section 120 of the Air Force Act 1955,
[after a period of.....years and
.....days of the sentence had been undergone](*g*)
and the suspension of the sentence was determined under the said section 120
on the.....day of.....19...
by an order committing the said person to imprisonment/detention [and it was ordered that the sentence should run concurrently/consecutively with a sentence of.....passed on the.....day of.....19...](*h*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to receive the said person into your custody and to retain him/her to undergo his/her sentence according to law and for so doing this shall be your warrant.

Signed at .....this.....day

of.....19...

(Signature) .....(*i*)

Rank and Appointment .....

(*a*) Insert the name and address of the prison or other establishment. A person sentenced to detention must not be committed to a prison.

(*b*) Insert "General", "District" or "Field General" as the case may be.

(*c*) Here set out the statement (not the particulars) of the offence and the relevant sections of the Air Force Act 1955. If there is more than one offence, the statement of each one must be set out.

(*d*) If any part of the sentence has been remitted on confirmation insert here "with a remission of....."

(*e*) Where the original sentence was death and has been commuted to imprisonment or detention, for the words in brackets substitute the words "to suffer death which sentence has been duly confirmed in accordance with the provisions of the Air Force Act 1955 but has been commuted into imprisonment/detention for a term of....." where the original sentence was imprisonment and it has been commuted to one of detention substitute the words "to imprisonment for a term of ....., which sentence has been duly confirmed in accordance with the provisions of the Air Force Act 1955 but has been commuted into a sentence of detention for....."

(*f*) Delete this recital if the sentence has not been suspended.

(*g*) Delete the words in the brackets where the person has not been committed prior to the suspension of the sentence. Where the person has been committed and the sentence was subsequently suspended insert here the period of imprisonment or detention already served before the date of the suspension.

(*h*) Delete the words in the brackets where not applicable. A separate committal order is required for each sentence.

(*i*) The committal form must be signed personally by the commanding officer of the person named in it, any officer under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

FORM 3

Order for the committal of a person sentenced to imprisonment or detention by a court-martial/Standing Civilian Court held outside the United Kingdom where all or part of the sentence is to be served in a civil prison, or an air-force, naval or military establishment in the United Kingdom, or an establishment overseas

Whereas No.....Rank .....

Name .....of Royal Air Force Station.....

was by a.....(a) court-martial/

Standing Civilian Court held at.....
convicted of the offence(s) of:

.....

.....

.....(*b*)

and by a sentence passed on the.....day of.....

19..., sentenced [to $\frac{\text{imprisonment}}{\text{detention}}$ (*c*) for a term of.....

.....commencing on the said day, which sentence when one imposed by a court-martial has been duly confirmed in accordance with the provisions of the Air Force Act 1955 .....

.....(*d*)] (*e*)

(*f*) And whereas on the.....day of .....19... the said sentence was suspended under section [120 of the Air Force Act 1955,] [after a period of.....years and.....days of the sentence had been undergone] (*g*) and the suspension of the sentence was determined under the said section on the.....day of .....19..., by an order committing the said person to $\frac{\text{imprisonment}}{\text{detention}}$ (*c*) [and it was ordered that the sentence should run $\frac{\text{concurrently}}{\text{consecutively}}$ (*c*) with a sentence of..... .....passed on the.....day of .....19...] (*h*);

(*i*) And whereas the $\frac{\text{confirming officer}}{\text{reviewing authority}}$ (*c*) has [under section 127 of the Air Force Act 1955 directed that the said person shall not be removed to the United Kingdom until he has served.....years and.....days of his sentence] (*c*) [under the Imprisonment and Detention (Air Force) Rules 1980 directed that the said person shall serve.....years and.....days of his sentence in the United Kingdom] (*c*) [under the Imprisonment and Detention (Air Force) Rules 1980 directed that the said person shall serve the whole of his sentence outside the United Kingdom] (*j*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I do hereby order the Governor, Commandant or other person in charge of.....(*k*) to receive the said person into his custody and to retain him/her to undergo [..... years and.....days of] (*c*) his/her sentence according to law and for so doing this shall be sufficient warrant;

[And I do further order that the said person shall after completion of the said part of his/her sentence, or at such earlier date as may be ordered, be transferred to the United Kingdom to undergo the remainder of his/her sentence according to law in such civil prison or air-force, naval or military establishment as may be appointed on his/her arrival in the United Kingdom;](*l*)

(*m*) And whereas in accordance with the provisions of section 127 of the Air Force Act 1955, the said person is required to be removed to the United Kingdom as soon as practicable after confirmation of the sentence;

(*n*) And whereas the $\frac{\text{confirming officer}}{\text{reviewing authority}}$ (*c*) has, under the Imprisonment and Detention (Air Force) Rules 1980 directed that the sentence shall be served in the United Kingdom;

(*o*) Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I do hereby order that the said person shall be transferred to the United Kingdom in air-force custody to undergo his/her sentence according to law in such civil prison or air-force, naval or military establishment as may be appointed on his/her arrival in the United Kingdom;

(*l*) { And I do further order that the Governor, Commandant or other person in charge of any civil prison or air-force, naval or military establishment to which the said person may be brought in the United Kingdom, shall receive him/her into his custody and retain him/her to undergo his/her sentence according to law and for so doing this shall be sufficient warrant;

And I do further order that the said person shall be conveyed in air-force custody and detained in air-force or civil custody so far as appears necessary or proper for effecting of his/her transfer to the said civil prison or air-force, naval or military establishment in the United Kingdom.

Signed at .....this.....day of.....19...

(Signature) .....(*p*)

Rank and Appointment .....

In the case of a committal to any intermediate prison or air-force, naval or military establishment being necessary

For the purpose of carrying the above order into effect and in pursuance of the Air Force Act 1955, and of all other powers me enabling, I do hereby order the Governor, Commandant or other person in charge of.....(*q*) at.....(*q*) to receive the above named person into his custody and to detain him/her until he/she can be transferred in pursuance of the above order and to produce him/her when required for the purpose of transfer and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*p*)

Rank and Appointment .....

Order on arrival in the United Kingdom

In pursuance of the Air Force Act 1955, and of all other powers me enabling, I do hereby order the above-named person to be transferred to.....(*r*) at.....(*r*) to undergo [the remainder of] (*s*) his/her sentence according to law;

And I do further order the Governor, Commandant or other person in charge of the said.....to receive the said person into his custody and to retain him/her accordingly and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*p*)

Rank and Appointment .....

(*a*) Insert "General", "District" or "Field General" as the case may be. Where the sentence was passed by a court-martial delete the words Standing Civilian Court. Where the sentence was passed by a Standing Civilian Court delete the words court-martial.

(*b*) Here set out the statement (not the particulars) of the offence. If there is more than one offence the statement of each one must be set out.

(*c*) Delete if not applicable.

(*d*) If any part of the sentence has been remitted on confirmation insert "with a remission....."

(*e*) Where the original sentence was death and has been commuted to imprisonment or detention, for the words in brackets substitute the words "to suffer death, which sentence has been duly confirmed in accordance with the provisions of the Air Force Act 1955 but has been commuted into imprisonment/detention for a term of....." Where the original sentence was imprisonment and it has been commuted to one of detention substitute the words "to imprisonment for a term of....., which sentence has been duly confirmed in accordance with the provisions of the Air Force Act 1955 but has been commuted into a sentence of detention for....."

(*f*) Delete this recital if the sentence has not been suspended.

(*g*) Delete the words in brackets where the person had not been committed prior to the suspension of the sentence. If he has been committed and the sentence was subsequently suspended, insert the period of imprisonment or detention undergone from the date of the sentence to the date of suspension.

(*h*) Delete the words in the brackets if not applicable. A separate committal order is required for each sentence.

(*i*) These paragraphs must only be used where the whole or part of the sentence is to be served overseas before returning to the United Kingdom. Delete if not applicable.

(*j*) The words in the brackets are only to be used when an order has been made under Rule 20 of the Imprisonment and Detention (Air Force) Rules 1980 for the whole of the sentence to be served outside the United Kingdom. Delete if not applicable.

(*k*) Insert the name and location of the prison or other establishment where the whole or part of the sentence is to be served overseas.

(*l*) The words in the brackets are to be deleted only where an order has been made for the whole sentence to be served outside the United Kingdom. These words will, therefore, only be deleted when note (*j*) applies.

(*m*) This paragraph must be used where the sentence exceeds twelve months and no direction has been given for any part of it to be served outside the United Kingdom. Delete if not applicable.

(*n*) This paragraph must be used where the sentence does not exceed twelve months but a direction has been given under the Imprisonment and Detention (Air Force) Rules 1980 that it shall be wholly served in the United Kingdom. Delete if not applicable.

(*o*) This paragraph must be used in conjunction with one or other of the two preceding paragraphs ((*m*) or (*n*)) where the whole sentence is to be served in the United Kingdom. Delete if not applicable.

(*p*) This form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he/she is for the time being serving or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

(*q*) Insert here the name and location of the prison or other establishment where the person concerned is to be detained temporarily while awaiting transfer to the United Kingdom.

(*r*) Insert here the name and location of the prison or other establishment where the person concerned is to serve his/her sentence in the United Kingdom when he/she arrives there.

(*s*) Delete the words in the brackets when the whole of the sentence is to be served in the United Kingdom.

FORM 4

Order for the removal out of the United Kingdom of a person serving an air-force sentence of imprisonment or detention in the United Kingdom

To the Governor, Commandant or other person in charge of .....

.....(*a*)

Whereas No.....Rank.....

Name.....of Royal Air Force Station.....

is now in your custody undergoing an air-force sentence of $\frac{\text{imprisonment}}{\text{detention}}$ (*b*);

And whereas the $\frac{\text{confirming officer}}{\text{reviewing authority}}$ $\frac{}{\text{reconsidering authority}}$ (*b*) has ordered the said person to be removed out of the United Kingdom to.....(*c*)

being [the colony in which he was enlisted][the place where the [part of the] (*d*) unit to which he for the time being belongs is $\frac{\text{serving}}{\text{under orders to serve}}$ (*b*)] (*d*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to deliver up the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order that the said person shall be transferred to ....(*c*) in air-force custody to undergo [the remainder of] (*e*) his/her sentence according to law in such air-force, naval, military or overseas establishment as may be appointed on his/her arrival;

And I do further order that the Governor, Commandant or other person in charge of the establishment to which the said person is brought on his/her arrival in.....(*c*), shall receive him/her into his custody and retain him/her to undergo [the remainder of] (*e*) his/her sentence according to law and for so doing this shall be sufficient warrant;

And I do further order that the said person shall be conveyed in air-force custody and detained in air-force or civil custody so far as appears necessary for effecting his/her transfer.

Signed at .....this.....day of.....19...

(Signature) .....(*f*)

Rank and Appointment .....

(*a*) Insert the name of the prison or other establishment in the United Kingdom where the person is serving his sentence.

(*b*) Delete if not applicable.

(*c*) Insert the name of the colony or place to which the person is to be removed.

(*d*) Delete the words in the brackets if not applicable.

(*e*) Delete the words in the brackets if no part of the sentence has yet been served.

(*f*) This form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

FORM 5

Order for the transfer of a person undergoing an air-force sentence of imprisonment or detention from one prison or other establishment to another

To the Governor, Commandant or other person in charge of.....

.....(*a*);

Whereas No.....Rank .....

Name .....of Royal Air Force Station.....

is now in your custody undergoing an air-force sentence of $\frac{\text{imprisonment}}{\text{detention}}$ (*b*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to deliver up the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order that the said person shall be transferred in air-force custody to.....(*c*) and that the Governor, Commandant or other person in charge thereof shall receive him/her into his custody and retain him/her to undergo his/her sentence according to law and for so doing this shall be sufficient warrant;

And I do further order that the said person shall be conveyed in air-force custody and detained in air-force or civil custody so far as appears necessary or proper for effecting his/her transfer.

Signed at .....this.....day of.....19...

(Signature) .....(*d*)

Rank and Appointment .....

(*a*) Insert the name and address of the prison or other establishment where the person concerned is undergoing sentence.

(*b*) Delete as applicable.

(*c*) Insert the name and address of the prison or other establishment to which the person concerned is to be transferred.

(*d*) This form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

FORM 6

Order for the temporary removal in custody of a person undergoing an air-force sentence of imprisonment or detention

To the Governor, Commandant or other person in charge of.....

.....(*a*);

Whereas No.....Rank .....
Name .....of Royal Air Force Station.....
who is now in your custody undergoing an air-force sentence of imprisonment / detention (*b*) is required to be present at .....(*c*)

on.....(*d*) for the purpose of.....

.....(*e*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to deliver the said person to the officer, warrant officer or non-commissioned officer producing this Order;

And I do further order the said officer, warrant officer or non-commissioned officer and all other officers, warrant officers or non-commissioned officers into whose custody the said person may be delivered to keep him/her in air-force custody and bring him/her to.....
.....(*c*) on .....(*d*) for the said purpose and thereafter, unless he/she is released in due course of law, to return him/her to .....(*a*) or such other establishment as may be appointed by proper air-force authority and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*f*)

Rank and Appointment .....

If the establishment to which the person is to be returned is altered

In pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order that the above-named person shall be returned in air-force custody to.....(*g*) there to undergo the remainder of his/her sentence according to law;

And I do further order the Governor, Commandant or other person in charge of the said.....(*g*) to receive him/her into his custody and to retain him/her accordingly and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*h*)

Rank and Appointment .....

(*a*) Insert the name and address of the prison or other estabishment where the person concerned is undergoing sentence.

(*b*) Delete as applicable.

(*c*) Insert the place where the person concerned is required to attend.

(*d*) Insert the date or dates on which the attendance is required.

(*e*) Insert here the purpose for which the attendance of the person concerned is required, eg "to give evidence before a Board of Inquiry to....." or "to be present at the hearing by the Courts-Martial Appeal Court of his/her appeal" or as the case may require.

(*f*) This form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service). This form must not be used by the Governor, Commandant or other person in charge of the prison or establishment where the person concerned is serving his/her sentence.

(*g*) Insert here the name and address of the prison or other establishment to which the person concerned is to be sent.

(*h*) This part of the form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

FORM 7

Order for the temporary removal in custody of a person undergoing an air-force sentence of imprisonment or detention. (Form for the use of the Governor, Commandant or other person in charge of a prison or other establishment where the person concerned is serving his/her sentence)

To .....

Whereas No.....Rank .....

Name .....of Royal Air Force Station.....

is now in my custody undergoing a sentence of $\frac{\text{imprisonment}}{\text{detention}}$ (*a*) and is

required to be present at .....(*b*) on.....

.....(*c*) for the purpose of .....

.....(*d*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I hereby order you and every other officer, warrant officer and non-commissioned officer into whose custody the said person may be delivered to keep him/her in air-force custody and to bring him/her to .....
.....(*b*) on.....(*c*)
for the said purpose and thereafter, unless he/she is released in due course of law, to return him/her to my custody or to such other establishment as may be appointed by proper air-force authority and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*e*)

Rank and Appointment .....

If the establishment to which the person concerned is to be returned is altered

In pursuance of the Air Force Act 1955, and of all other powers me enabling I hereby order that the above-named person shall be returned in air-force custody to .....(*f*) there to undergo the remainder of his/her sentence according to law;

And I do further order the Governor, Commandant or other person in charge of the said.....(*f*) to receive the said person into his custody and to retain him/her accordingly and for so doing this shall be sufficient warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*g*)

Rank and Appointment .....

(*a*) Delete as applicable.

(*b*) Insert the place where the person concerned is required to attend.

(*c*) Insert the date or dates on which the attendance is required.

(*d*) Insert the purpose for which the attendance of the person concerned is required, eg "to give evidence at a Board of Inquiry into..... ....." or "to be present at the hearing by the Courts-Martial Appeal Court of his/her appeal", or as the case may require.

(*e*) This part of the form is for use only by the Governor, Commandant or other person in charge of the establishment where the person concerned is undergoing sentence. It must be signed by the Governor, Commandant or other person in charge of the establishment or his deputy, or the commanding officer of the person concerned.

(*f*) Insert here the name and location of the prison or establishment to which the person concerned is to be sent.

(*g*) This part of the form must be signed personally by the commanding officer of the person named in it, any officer in or under whose command he is for the time being serving, or by an administrative staff officer not below the rank of wing commander or corresponding rank (this does not include retired officers employed by the Civil Service).

FORM 8

Order for the temporary committal to air-force or civil custody of a person under air-force sentence of imprisonment or detention

To .....

..... (*a*)

Whereas No.....Rank .....

Name .....of Royal Air Force Station..... is a person in air-force custody in pursuance of an air-force sentence of $\frac{\text{imprisonment}}{\text{detention}}$ (*b*);

Now, therefore, in pursuance of section 129(2) of the Air Force Act 1955, and of all other powers me enabling, I hereby order you to keep the said person in custody for a period not exceeding seven days unless the said person is earlier discharged or delivered over in due course of law and for so doing this shall be your warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*c*)

Rank and Appointment .....

(*a*) Insert: "The Governor, H.M. Prison .....",

"The Superintendent .....Prison",

"The Officer in Charge of .....
Police Station",
"The Commandant ....." (for air-force establishments),

or as the case may require.

(*b*) Delete as applicable.

(*c*) This form must be signed personally by the commanding officer of the person named in it.

FORM 9

Order for the return to air-force custody of a person under air-force sentence of imprisonment or detention who is temporarily detained in civil custody

To .....

..... (*a*)

Whereas No.....Rank .....

Name .....of Royal Air Force Station.....
is now in your custody in pursuance of section 129(2) of the Air Force Act 1955;

Now, therefore, in pursuance of the said Act, and of all other powers me enabling, I hereby order you to deliver the said person into air-force custody

to the officer / warrant officer / non-commissioned officer (*b*) producing this Order.

Signed at .....this.....day of.....19...

(Signature).....(*c*)

Rank and Appointment .....

(*a*) Insert: "The Governor, H.M. Prison" "The Superintendent .....
.....Prison", "The Officer in Charge.....
.....Police Station",
or as the case may require

(*b*) Delete as applicable.

(*c*) This form must be signed personally by the commanding officer of the person named in it.

FORM 10

Order for the committal of a person ordered to undergo imprisonment or detention under section 57(2) of the Air Force Act 1955 for contempt of a Court-Martial

To the Governor, Commandant or other person in charge of .....

.....(*a*)

Whereas a .....(*b*) Court-Martial for the trial of .....(*c*) of which I am the President was on this day sitting at .....(*d*);

And whereas No.....Rank.....

Name .....of Royal Air Force Station.....

was guilty of .....(*e*);

And whereas the said Court-Martial did order the said person to $\frac{\text{be imprisoned}}{\text{undergo detention}}$ (*f*) for a period of.....days;

Now, therefore, in pursuance of section 57(2) of the Air Force Act 1955, and of all powers them enabling, the Court hereby order you to receive the said person into your custody to undergo $\frac{\text{imprisonment}}{\text{detention}}$ (*f*) accordingly and for so doing this shall be your warrant.

Signed at .....this.....day of.....19...

(Signature) .....(*g*)

Rank and Appointment .....

(*a*) Insert the name and address of the prison or other establishment.
(*b*) Insert "General", "District" or "Field General" as the case may be.
(*c*) Insert the rank and name of the person(s) being tried.
(*d*) Insert the place where the court-martial was sitting.
(*e*) Insert the statement (not the particulars) of the offence under section 57(1)(*a*) to (*f*) of the Air Force Act 1955.
(*f*) Delete as applicable.
(*g*) This form must be signed by the President of the court-martial.

PART II
FORM 11

Rule 24

Order for the release of a person undergoing an air-force sentence of imprisonment or detention

To the Governor, Commandant or other person in charge of .....

.....(*a*)

Whereas No.....Rank .....

Name .....of Royal Air Force Station.....

is now in your custody undergoing a sentence of $\frac{\text{imprisonment}}{\text{detention}}$(*b*)

passed by court-martial
awarded by his/her commanding officer
passed by Standing Civilian Court (*b*);

Now, therefore, in pursuance of the Air Force Act 1955, and of all other powers me enabling, I do hereby order you to release the said person from custody.

Signed at .....this.....day of.....19...

(Signature) .....(*c*)

Rank and Appointment .....

(*a*) Insert the name and address of the prison or other establishment.

(*b*) Delete as applicable.

(*c*) This form must be signed by the reviewing or reconsidering authority or an officer authorised to do so by the Defence Council. In the case of an airman serving a sentence of detention awarded by his commanding officer, only by his commanding officer.

PART III

Rule 27

FORM 14

Order for the reception in an Air Force, Naval or Military establishment under the provisions of Rule 27 of the Imprisonment and Detention (Air Force) Rules 1980 of a person subject to Air Force law

To .....

.....

.....

(*a*)

Whereas No.....Rank .....

Name .....of Royal Air Force Station..... ....
is a person (subject to air force law) (subject to Part II of the Air Force Act 1955 by virtue of s. 208A or s. 209 thereof) and (who has been remanded for trial by court-martial) (in whose case steps have been taken by higher authority in relation to a charge with a view to it being tried by Standing Civilian Court) (who has been tried and is

awaiting promulgation of the finding and sentence of a court-martial) (who is awaiting investigation and disposal of a charge against him); Now, therefore, in pursuance of Rule 27 of the Imprisonment and Detention (Air Force) Rules 1980, and of all other powers me enabling, I hereby order you to detain the said person in safe custody (in a naval establishment) (in a military establishment) until the said person is discharged or delivered over in due course of law, and for so doing this shall be your warrant.

Signed at .....this.....day of.....19...

Signature .....(*b*)

Rank and Appointment .....

Notes:

(*a*) Insert "The Commandant.....", "The Officer Commanding....." or as the case may require.

(*b*) This form must be signed by the commanding officer of the person concerned.

FORM 15

Order for the delivery over of a person subject to Air Force law who is detained in an Air Force, Naval or Military establishment under the provisions of Rule 27 of the Imprisonment and Detention (Air Force) Rules 1980

To .....

.....

..... (*a*)

Whereas No.....Rank .....
Name .....of Royal Air Force Station.....
is now in your custody under the provisions of Rule 27 of the Imprisonment and Detention (Air Force) Rules 1980, Now, therefore, in pursuance of the said Rules and of all other powers me enabling, I hereby order you to deliver over the said person in/into Air Force custody to the officer / warrant officer / non-commissioned officer (*b*)
producing this Order.

Signed at .....this.....day of.....19...

Signature .....(*c*)

Rank and Appointment .....

Notes:

(*a*) Insert "The Commandant.....", "The Officer Commanding....." or as the case may require.

(*b*) Delete as necessary.

(*c*) This form must be signed by the commanding officer of the person concerned.

SCHEDULE 2

Rule 63

Reimbursement allowance

1. Airmen under sentence in an air-force corrective training centre shall receive a daily reimbursement allowance which shall be paid to them in cash each week. The rate of such allowance shall be decided from time to time by the Secretary of State.

2. The reimbursement allowance shall be at different rates for each of the three stages through which an airman under sentence in an air-force corrective training centre progresses. The allowance shall be greater in Stage II than in Stage I and greater in Stage III than in Stage II.

3. An airman under sentence who is in a medical detention room or in a hospital shall, subject to his sentence continuing to run, continue to receive the same rate of reimbursement allowance as he was receiving immediately prior to his admission to such room or hospital.

4. If an airman under sentence escapes from an air-force corrective training centre his entitlement to any reimbursement allowance shall cease from the day of his escape.

5. On release from an air-force corrective training centre on completion of his sentence the airman shall be paid in cash any balance of the reimbursement allowance standing to his credit.

SCHEDULE 3

Rule 92

ORDER FOR AN AIRMAN UNDER SENTENCE TO BE PLACED UNDER MECHANICAL RESTRAINT

PART I

Whereas No.....Rank.....Name .....

of Royal Air Force Station .....is an airman

undergoing sentence of imprisonment/detention (*a*) at .....

.....(*b*);

Now, therefore, under authority of the Imprisonment and Detention (Air Force) Rules 1980, I hereby order the said airman to be restrained in.....

.....(*c*) from.....(*d*)

on .....19...(*e*) to.....(*d*)

on .....19...(*e*).

Signed at.....this.....day of .....19...

Signature .....(*f*)

Rank and Appointment .....

PART II

The article(s) of restraint as ordered above was/were placed on the said airman under sentence at .....(*d*) on.....19...(*e*)

Signature .....(*g*)

Rank and Appointment .....

PART III

The article(s) of restraint as ordered above was/were removed from the said airman under sentence at .....(*d*) on.....

.....19...(*e*)

Signature .....(*h*)

Rank and Appointment .....

(*a*) Delete as necessary.

(*b*) Insert the particulars of the air-force establishment.

(*c*) The article(s) of restraint to be be used are described here. If handcuffs are to be used state whether they are to be in front of or behind the body.

(*d*) Time.

(*e*) Date.

(*f*) Part I of this form must be signed only by the commandant of the air-force establishment.

(*g*) To be signed by the officer, warrant officer or senior non-commissioned officer responsible for applying the article(s) of restraint.

(*h*) To be signed by the officer, warrant officer or senior non-commissioned officer responsible for removing the article(s) of restraint.

SCHEDULE 4

Rule 109

Sections 39 to 42 of the Prison Act 1952, as modified to apply in relation to air-force establishments and prisoners therein by virtue of section 122(3) of the Air Force Act 1955

Assisting prisoners to escape

39. Any person who aids any prisoner in escaping or attempting to escape from an air-force establishment or who, with intent to facilitate the escape of any prisoner, conveys any thing into an air-force establishment or to a prisoner or places any thing anywhere outside an air-force establishment with a view to its coming into the possession of a prisoner, shall be guilty of an offence and liable to imprisonment for a term not exceeding five years.

Unlawful conveyance of spirits or tobacco into an air-force establishment

40. Any person who contrary to the Imprisonment and Detention (Air Force) Rules 1980 brings or attempts to bring into an air-force establishment or to a prisoner any spirituous or fermented liquor or tobacco, or places any such liquor or any tobacco anywhere outside an air-force establishment with intent that it shall come into the possession of a prisoner, and any member of the staff of an air-force establishment who contrary to those Rules allows any such liquor or any tobacco to be sold or used in the air-force establishment, shall be liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding fifty pounds or both.

Unlawful introduction of other articles

41. Any person who contrary to the Imprisonment and Detention (Air Force) Rules 1980 conveys or attempts to convey any letter or any other thing into or out of an air-force establishment or to a prisoner or places it anywhere outside an air-force establishment with intent that it shall come into the possession of a prisoner shall, where he is not thereby guilty of an offence under either of the two last preceding sections, be liable on summary conviction to a fine not exceeding fifty pounds.

Display of notice of penalties

42. The commandant or other officer in charge of an air-force establishment shall cause to be affixed in a conspicuous place outside every air-force establishment a notice of the penalties to which persons committing offences under the three last preceding sections are liable.

Section 22(2) of the Criminal Justice Act 1961, as modified to apply in relation to air-force establishments and persons under sentence by virtue of section 122(3) of the Air Force Act 1955, and subsection (3) of the said section 22

Harbouring escaped persons

22.—(2) If any person knowingly harbours a person who has escaped from an air-force establishment, or who, being a person under air-force sentence of imprisonment or detention, is otherwise unlawfully at large, or gives to any such person any assistance with intent to prevent, hinder or interfere with his being taken into custody, he shall be liable—

(*a*) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the prescribed sum(**a**), or both;

(*b*) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both.

Rule 115

SCHEDULE 5

RULES REVOKED

Citation	Statutory Instrument
The Imprisonment and Detention (Air Force) Rules 1956	S.I. 1956/1981
The Imprisonment and Detention (Air Force) (Amendment) Rules 1961	S.I. 1961/2397
The Imprisonment and Detention (Air Force) (Second Amendment) Rules 1962	S.I. 1962/1389
The Imprisonment and Detention (Air Force) (Amendment) Rules 1965	S.I. 1965/839
The Imprisonment and Detention (Air Force) (Amendment) Rules 1968	S.I. 1968/874
The Imprisonment and Detention (Air Force) (Amendment) Rules 1970	S.I. 1970/58
The Imprisonment and Detention (Air Force) (Amendment) Rules 1976	S.I. 1976/2165
The Imprisonment and Detention (Air Force) (Amendment) Rules 1977	S.I. 1977/93

(**a**) The amount of £1,000 is the sum presently prescribed for the purposes of this section by section 28(7) of the Criminal Law Amendment Act 1977 (c. 45).

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These rules consolidate, with amendments, the Imprisonment and Detention (Air Force) Rules 1956 as amended by amendment rules in 1961, 1962, 1965, 1968, 1970, 1976 and 1977, all of which are revoked by Rule 115 and Schedule 5.

Part I (Rules 1–3) provides for commencement, interpretation and for certain of the Rules to have application also to persons detained in an air-force establishment under military and naval sentences of imprisonment or detention.

Part II (Rules 4–6) provides for the control of air-force establishments (as defined in s. 143(1) of the Air Force Act 1955) and for their inspection by Inspectors of Air Force Establishments as appointed by the Secretary of State.

Part III (Rules 7–27) provides for the classification of air-force establishments and for the places in which persons shall serve air-force sentences of imprisonment or detention (as defined in s. 143(1)), both within and outside the United Kingdom (Rules 7–19). Rules 22–27 in this Part provide for the removal of persons from one form of custody to another, and for their release from custody, including temporary release and temporary custody.

Part IV (Rules 28–32) makes provision in relation to remission of sentences and its forfeiture.

Part V (Rules 33–42) provides for air-force corrective training, its aims and stages, including parole.

Part VI (Rules 43–50) provides for visiting officers and their duties, including the investigation of complaints (Rules 44–45) and for the general duties of and the making of reports to the Secretary of State by the Independent Board of Visitors (Rules 49–50).

Part VII (Rules 51–97) provides for the treatment, employment, discipline and control of airmen under sentence. This includes provision for the accommodation of airmen under sentence (Rules 56 and 57), routine, work and training (Rules 58–62), reimbursement allowance (Rule 63), rations (Rule 64), visits (Rules 69–71), medical attention (Rules 72–74), appeals and complaints (Rules 75-77), searching, escapes, and deaths in air-force establishments (Rules 78–82), discipline and punishment and restraint (Rules 83–97).

Part VIII (Rules 98–100) provides for the application of the Rules generally to service detention rooms and for the setting up and control of the same by the Commanding Officer of a station (Rule 99).

Part IX (Rules 101–106) provides for religious instruction, divine services, education, and welfare.

Part X (Rules 107–110) provides for the application of sections 39–42 of the Prison Act 1952 and of s. 22(2) of the Criminal Justice Act 1961 to air-force establishments, and for the prohibition of the introduction of certain commodities into such establishments and for unlawful entry therein. In consequence persons introducing such materials or entering unlawfully into the establishments commit a punishable offence, as do persons assisting persons to escape or harbouring escaped prisoners.

Part XI (Rules 111–113) makes provision in relation to the staff of air-force establishments, including their duties, discipline, and supervision by the commandant of the establishment.

Part XII (Rule 114) provides for earnings schemes in air-force establishments.

Part XIII (Rule 115) makes provision with Schedule 5 for the revocation of previous Imprisonment and Detention Rules.

Schedule 1 provides for the Forms which, under Rule 23, are required for the committal to or removal from prisons and other establishments of persons.

Schedule 2 provides for the basis for reimbursement allowances under Rule 63.

Schedule 3 provides for the form of authorisation of mechanical restraint under Rule 92.

Schedule 4 sets out the modification of Rules 39–42 of the Prison Act 1952 and s. 22(2) of the Criminal Justice Act 1961 as modified by s. 122(3) of the Air Force Act 1955 (see Rule 109).

Schedule 5 specifies the previous Imprisonment and Detention (Air Force) Rules revoked by Rule 115 of these Rules.

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