1982 No. 169

YOUNG OFFENDERS CENTRES

The Young Offenders Centre Rules (Northern Ireland) 1982

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Coming into operation . . . *1st September 1982*

To be laid before Parliament

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The Secretary of State in pursuance of section 13 of the Prison Act (Northern Ireland) 1953(**a**), as extended by section 2 of the Treatment of Offenders Act (Northern Ireland) 1968(**b**), hereby makes the following rules—

(**a**) 1953 c. 18 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(**b**) 1968 c. 29 (N.I.) as modified by S.I. 1973/2163

PART I

PRELIMINARY

Citation and commencement

1. These rules may be cited as the Young Offenders Centre Rules (Northern Ireland) 1982 and shall come into operation on 1st September 1982.

Interpretation and application

2.—(1) In these rules—

"centre" means a young offenders centre provided under section 2(*a*) of the Treatment of Offenders Act (Northern Ireland) 1968;

"chaplain" means a minister of any religious denomination appointed under section 9(1) of the Act;

"chief medical officer" means the chief medical officer of the Department of Health and Social Services;

"code of discipline" means, in relation to an officer, the code of discipline approved by the Secretary of State under rule 95;

"inmate" means a person required to be detained in a centre;

"legal adviser" means, in relation to an inmate, the inmate's counsel or solicitor;

"medical officer" means the officer, being a registered medical practitioner, appointed by the Secretary of State to perform the functions of that officer;

"officer" means an officer of a centre;

"privilege" means any of the privileges under rule 6;

"the Act" means the Prison Act (Northern Ireland) 1953;

"visiting committee" means the committee appointed by the Secretary of State under section 3 of the Treatment of Offenders Act (Northern Ireland) 1968.

(2) Subject to rules 9 and 36, nothing in these rules shall apply to a prison other than a young offenders centre or to a prisoner other than an inmate.

Revocation

3. The Young Offenders Centre Rules (Northern Ireland) 1979(**a**) are revoked.

PART II

CLASSIFICATION, TRAINING AND PRIVILEGES

Application of Parts II – VIII

4. Parts II to VIII have effect subject to Parts IX and X (untried inmates and inmates committed for contempt, etc).

Classification

5.—(1) Inmates may be classified, in accordance with any directions by the Secretary of State, having regard to their age, temperament and record.

(2) The governor may transfer an inmate to another class if he considers it necessary to do so with a view to maintaining good order and discipline or to facilitate training.

(3) Nothing under this rule shall require an inmate to be deprived unduly of the society of other persons.

(a) S.R. 1979 No. 155

Privileges and earnings

6. There shall be established at every centre systems of privileges approved by the Secretary of State and appropriate to the classes of inmates there which shall include arrangements under which money earned by inmates in the centre may be spent by them within the centre.

PART III

ACCOMMODATION

Sleeping accommodation

7.—(1) Sleeping accommodation for inmates shall be such as is approved by the Secretary of State and shall be of such size and be lighted, warmed, ventilated and fitted in such a manner as is requisite for health.

(2) Such accommodation shall be provided with the means whereby inmates locked therein can communicate at any time with an officer.

(3) Sleeping accommodation shall be provided for each inmate in a separate room, but where necessary the Secretary of State may authorise the accommodating of 2 or more inmates in a room.

Beds and bedding

8. Every inmate shall be provided with a separate bed and with separate bedding adequate for warmth and health.

PART IV

RECEPTION, TRANSFER AND DISCHARGE

Initial transfer to centre

9.—(1) Where a person has been ordered to be detained in a centre he may be kept in custody in a prison other than a centre until arrangements can be made for his transfer to a centre.

(2) While in custody in such a prison an inmate shall, so far as possible, be kept separate from other prisoners.

(3) An inmate shall not be kept in prison under this rule for longer than 72 hours.

Search

10.—(1) Every inmate shall be searched by an officer on reception into a centre, and at such subsequent times as the governor may order subject to any direction of the Secretary of State.

(2) Any unauthorised article found during the search shall be taken from the inmate.

(3) An inmate shall be searched in as seemly a manner as is consistent with discovering anything concealed.

(4) An inmate shall not be stripped and searched in the sight of another inmate.

(5) An inmate shall be searched only by, and only in the presence of, officers of the same sex as the inmate.

Inmates' property

11.—(1) Property which an inmate has at a centre and which he is not allowed to retain for his own use shall, subject to paragraph (3), be taken into the governor's custody.

(2) An inventory of such property shall be kept and the inmate shall be required to sign it after having a proper opportunity to see that it is correct.

(3) Any cash which an inmate has at a centre shall be paid into an account under the control of the governor and the inmate shall be credited with the amount in the books of the centre.

(4) Any article belonging to an inmate which remains unclaimed for a period of more than one year after he leaves a centre, or dies, may be sold or otherwise disposed of subject to any direction by the Secretary of State.

Money and articles received at a centre

12.—(1) Any money or other article (other than a letter or other communication) sent to an inmate through the post office or otherwise received at a centre shall be dealt with in accordance with the provisions of this rule and the inmate shall be told how it is dealt with.

(2) Where an inmate has been committed to a centre in default of payment of a sum of money, cash received at the centre shall be applied in or towards the satisfaction of the amount due from him unless the inmate objects to it being so applied.

(3) Subject to paragraph (2) any cash shall, at the discretion of the governor, be—

(*a*) dealt with in accordance with rule 11(3); or

(*b*) returned to the sender if his name and address are known; or

(*c*) where the sender's name and address are unknown, otherwise disposed of subject to any direction by the Secretary of State.

(4) Any security for money shall, at the discretion of the governor, be—

(*a*) placed with the inmate's property at the centre; or

(*b*) returned to the sender if his name and address are known; or

(*c*) encashed and the cash dealt with in accordance with paragraph (2) or (3) as the case may be.

(5) Any other article to which this rule applies shall, at the discretion of the governor, be—

(*a*) delivered to the inmate or placed with his property at the centre; or

(*b*) returned to the sender if his name and address are known; or

(*c*) if the sender's name and address are not known or if the article is of such a nature that it would be unreasonable to return it, sold or otherwise disposed of, and the net proceeds of any sale dealt with in accordance with paragraph (2) or (3).

Record, photograph and finger-prints

13.—(1) The name, age, height, weight, distinctive marks and any measurements or other particulars which may be required in regard to an inmate shall, on his reception or subsequently as necessary, be taken and recorded in such a way as the Secretary of State may direct.

(2) A convicted inmate may be photographed, palm-printed and finger-printed on reception and at subsequent times as may be necessary.

(3) No copy of a photograph of an inmate shall be given to any person not authorised to receive it.

Baths

14. Every inmate on his reception shall have a hot bath or shower as directed by the governor or medical officer unless exempted by either from doing so.

Medical examination on reception

15.—(1) Subject to paragraph (2) the medical officer shall separately examine every inmate as early as possible on the day of his reception and shall record his state of health.

(2) If an inmate is received too late to be examined on the day of his reception he shall be examined as soon as possible on the next day or where that is not possible within 48 hours of his reception.

(3) If any inmate is found to have any infectious disease or to be in a verminous condition, the medical officer shall report the matter to the governor and the chief medical officer and steps shall at once be taken to treat the condition and as far as possible to prevent it from spreading to other inmates.

Interview with governor after reception

16. The governor shall interview every inmate as soon as possible after his reception.

Information to inmates

17.—(1) Every inmate shall be provided with information in writing as to those provisions of these rules and any other matters which it is necessary that he should know for an understanding of his duties and rights including the proper methods of making complaints and of petitioning the Secretary of State.

(2) The governor shall ensure that every inmate has as soon as possible after his reception into a centre, and in any case within 24 hours, read the information so provided or, in the case of an inmate who cannot read or has difficulty in understanding, had it so explained to him that he can understand his rights and duties.

(3) A copy of these rules shall be shown to any inmate on request.

Transfer

18.—(1) Subject to paragraphs (2) and (4) an inmate who is directed by any court or by the Secretary of State to be taken to any place shall be kept in the custody of the officers ordered by the governor to take him to that place.

(2) An inmate who is directed to be brought before a court of summary jurisdiction may be kept in the custody of police officers outside the centre.

(3) When an inmate is being transferred to or from the centre, he shall be exposed to public view as little as possible.

(4) An inmate having been removed from the centre and detained in hospital shall remain under the control of the governor of that centre and may be kept in the custody of an officer, a police officer or any other person to whose custody he may temporarily be committed with the approval of the governor.

Temporary release

19.—(1) An inmate to whom this rule applies may be temporarily released for any period or periods and subject to any conditions.

(2) An inmate may be temporarily released under this rule for any special purpose or to enable him to engage in employment, to receive instruction or training or to assist him in his transition from the centre to outside life.

(3) An inmate released under this rule may be recalled to a centre at any time whether the conditions of his release have been broken or not.

(4) This rule applies to inmates other than persons—

(*a*) remanded in custody by any court; or

(*b*) committed in custody for trial; or

(*c*) committed to be sentenced or otherwise dealt with before or by the Crown Court.

Final interview with governor

20. Every inmate shall be interviewed by the governor before discharge and, where practicable, before transfer.

Final interview with medical officer

21.—(1) The medical officer shall examine every inmate as short a time as is practicable before his discharge or transfer to another centre.

(2) An inmate shall not be so transferred unless the medical officer certifies that he is fit for such transfer.

Return of clothes and other property

22.—(1) On the discharge of an inmate his own clothes and other property shall, subject to paragraph (2), be returned to him.

(2) If on the authority of the governor, an inmate's clothes have been destroyed or otherwise disposed of because of their filthy, infected or dilapidated condition, suitable clothing shall be provided for him.

Application of gratuity on discharge

23. Any gratuity which is due to an inmate on his discharge shall be paid in such a way and under such conditions as the Secretary of State may direct to prevent its being misapplied.

Death or serious illness of inmate

24.—(1) If an inmate dies, becomes seriously ill, sustains any severe injury or is removed to hospital, the governor shall, if he knows his address, at once inform the inmate's spouse or next of kin, and also any person whom the inmate may reasonably have asked should be informed.

(2) If an inmate dies, the governor shall immediately notify the coroner having jurisdiction, the visiting committee and the Secretary of State.

(3) If an inmate dies, the medical officer shall record and report to the governor and the chief medical officer—

(*a*) when the deceased was injured or taken ill;

(*b*) the time at which he was first told of the injury or illness;

(*c*) the nature of the injury or disease;

(*d*) when the inmate died;

and in cases where a post-mortem examination is made, the medical officer shall report on its findings and make any observations which he considers appropriate.

PART V

DISCIPLINE AND CONTROL

General principles

25.—(1) Order and discipline shall be maintained with firmness, but with no more restriction than is required for safe custody and well-ordered community life.

(2) In the control of inmates, officers shall, so far as possible, seek to influence them through their own example and leadership and to enlist their willing co-operation.

(3) At all times the treatment of inmates shall be such as to encourage their self-respect and a sense of personal responsibility.

(4) An inmate shall not be employed in any disciplinary capacity, but inmates selected as suitable by the governor may be given positions of responsibility.

Removal from association

26.—(1) Where it appears desirable for the maintenance of good order or discipline, or in his own interests that an inmate should not associate with other inmates, either generally or for particular purposes, the governor may arrange for the inmate's removal from association accordingly.

(2) An inmate shall not be removed under this rule for a period of more than 24 hours without the authority of a member of the visiting committee or of the Secretary of State.

(3) An authority given under paragraph (2) shall be for a period not exceeding 14 days, but may be renewed fortnightly.

(4) The governor may arrange at his discretion for such an inmate as aforesaid to resume association with other inmates and shall do so if in any case the medical officer so advises on medical grounds.

Remission and discharge

27.—(1) An inmate serving an actual term of detention of more than 5 days may, on the ground of his good conduct, be granted remission in accordance with the provisions of this rule, but this rule shall not permit the reduction of the actual term to less than 5 days.

(2) The remission granted shall not exceed half the total of the actual term and any period spent in custody which is taken into account under section 26(2) of the Treatment of Offenders Act (Northern Ireland) 1968 (which relates to the duration of orders for detention).

(3) The foregoing provisions of this rule shall have effect subject to any disciplinary award of loss of remission.

(4) An inmate who would otherwise be discharged on any of the following days, that is to say—

(*a*) a Sunday, Christmas Day, Good Friday;

(*b*) a day which is a bank or public holiday in Northern Ireland;

(*c*) in the case of a person who is serving a term (as pronounced) of more than 5 days, a Saturday,

may be discharged on the next preceding day which is not one of those days.

(5) In this rule "actual term" means the term of detention as reduced by section 26(2) of the Treatment of Offenders Act (Northern Ireland) 1968 and, in the case of a sentence pronounced outside Northern Ireland any reference to the said section 26(2) includes a reference to any corresponding provision having effect where the sentence was pronounced.

(6) For the purposes of this rule—

(*a*) consecutive terms of detention shall be treated as a single term;

(*b*) a person committed to a centre in default of payment of a sum of money adjudged to be paid by a conviction shall be treated as serving a term of detention;

(*c*) a person ordered to be returned to a centre under article 3 of the Treatment of Offenders (Northern Ireland) Order 1976(**a**) shall be treated as serving a term of detention.

Unauthorised articles

28. The governor may deprive an inmate of any unauthorised article found in his possession after reception into a centre or found concealed or deposited anywhere within a centre.

(**a**) S.I. 1976/226 (N.I. 4)

Prohibited articles

29.—(1) Except with the authority of the governor, no person may bring or throw into or deposit in a centre, or bring or throw out of a centre, or bring to an inmate, or deposit in any place with intent that it shall come into an inmate's possession, any money, clothing, food, drink, tobacco, letter, paper, book, tool or other article whatever.

(2) The governor may confiscate anything so brought, thrown or deposited and shall dispose of anything so confiscated in such manner as the Secretary of State may direct.

(3) An inmate shall not be given or allowed to have any intoxicating liquor unless the medical officer so orders in writing, specifying the quantity to be given and the name of the inmate for whose use it is ordered.

(4) An inmate shall not be allowed to smoke or have in his possession any tobacco except in accordance with such orders as may be given by the governor with the approval of the Secretary of State.

Disciplinary charges

30.—(1) Where an inmate is to be charged with an offence against discipline, the charge shall be laid as soon as possible.

(2) An inmate who is to be charged with an offence against discipline may be kept apart from other inmates pending adjudication.

(3) Every charge against an inmate shall be dealt with by the governor or, in a centre where a deputy governor has been appointed, by the deputy governor; but where neither the governor nor the deputy governor is available, the governor may authorise another officer to deal with the charge.

(4) A reference to a governor in paragraph (5) and rules 31, 33 and 34 shall include a reference to a deputy governor or other officer authorised to deal with the charge.

(5) The governor shall inquire into any charge not later, save in exceptional circumstances, than the next day unless that day is a Sunday or public holiday.

Rights of inmates charged

31.—(1) Where an inmate is charged with an offence against discipline, he shall be told about the charge as soon as possible and, in any case, before the time when it is inquired into by the governor.

(2) At any inquiry into a charge against an inmate, he shall be given a full opportunity of hearing what is alleged against him and of presenting his own case.

Offences against discipline

32. An inmate shall be guilty of an offence against discipline, if he—

(1) mutinies or incites another inmate to mutiny;

(2) does gross personal violence to an officer;

(3) does gross personal violence to any person not being an officer;

(4) commits an offence under the Act;

(5) commits any assault;

(6) absents himself without permission from any place in which he is required to be, whether within or outside a centre;

(7) gives to or receives from any person, or has in his room or possession any unauthorised article;

(8) sells or delivers to any other person, without permission, anything he is allowed to have only for his own use;

(9) takes improperly, or is in unauthorised possession of any article belonging to another person or to a centre;

(10) wilfully disfigures or damages any part of the centre or any property which is not his own;

(11) loses or damages by neglect property belonging to the centre;

(12) makes any false and malicious allegation against an officer;

(13) treats with disrespect any officer or any person visiting the centre;

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

(15) is indecent in language, act or gesture;

(16) makes repeated and groundless complaints;

(17) is idle, careless or negligent at work, or being required to work, refuses to do so;

(18) disobeys any lawful order or refuses or neglects to conform to any rule or regulation of the centre;

(19) in any way offends against security or good order and discipline;

(20) does not return to the centre when he should have returned after being temporarily released from the centre under rule 19 of these rules, or does not comply with any condition upon which he was released;

(21) attempts to do any of the foregoing things.

Governor's awards

33.—(1) The governor may, subject to rules 34 and 35, make one or more of the following awards for an offence against discipline—

(*a*) caution;

(*b*) loss of remission for a period not exceeding 14 days;

(*c*) stoppage of earnings for a period not exceeding 14 days;

(*d*) stoppage of any or all privileges other than earnings, for a period not exceeding 28 days or 60 days in the case of evening association;

(*e*) exclusion from associated work for a period not exceeding 14 days;

(*f*) confinement to room for a period not exceeding 3 days.

(2) An inmate found guilty of an offence against discipline under rule 32(10) or (11) may, in addition to or in lieu of an award of stoppage of earnings under paragraph (1)(*c*), be required to pay a sum out of earnings thereafter made by him.

(3) Such a sum shall not exceed 10 times the amount of the inmate's earnings for the week in which the offence was committed, and the rate of deduction from earnings shall not exceed one half of the inmate's earnings in any one week.

More serious offences – inquiry and awards by the Secretary of State or visiting committee

34.—(1) Where an inmate is charged with any of the following offences—

(*a*) mutiny or incitement to mutiny;

(*b*) an offence under the Act;

(*c*) gross personal violence to an officer;

(*d*) gross personal violence to any person not being an officer;

(*e*) any serious or repeated offence against discipline for which in the view of the governor it may be desirable to award a more severe punishment than is provided in rule 33;

the governor, unless he dismisses the charge, may, and in the case of an offence under (*b*) shall, refer the charge to the Secretary of State.

(2) The Secretary of State shall thereupon inquire into the charge and, if he is satisfied that the offence has been committed, may make one or more of the following awards—

(*a*) caution;

(*b*) loss of remission for a period not exceeding 120 days;

(*c*) stoppage of earnings for a period not exceeding 28 days;

(*d*) stoppage of any or all privileges other than earnings, for any specified period;

(*e*) exclusion from associated work for a period not exceeding 28 days;

(*f*) confinement to room for a period not exceeding 14 days or, where the inmate is found guilty of mutiny or incitement to mutiny or of gross personal violence to an officer, not exceeding 28 days.

(3) An inmate found guilty of an offence against discipline under rule 32(10) or (11) may, in addition to or in lieu of an award of stoppage of earnings under paragraph (2)(*c*), be required to pay a sum out of earnings thereafter made by him.

(4) Such a sum shall not exceed 10 times the amount of the inmate's earnings for the week in which the offence was committed, and the rate of deduction from earnings shall not exceed one half of the inmate's earnings in any one week.

(5) The Secretary of State may delegate his powers under this rule to the visiting committee in any particular case.

Provisions in relation to particular awards

35.—(1) An award of stoppage of earnings may, instead of forfeiting all an inmate's earnings for a specified period not exceeding 14 days, or as the case may be 28 days, be expressed so as to forfeit a proportion (not being less than one half) of his earnings for a specified period not exceeding a correspondingly greater number of days.

(2) No award of confinement to room shall be given effect unless the medical officer has certified that the inmate is in a fit state of health to undergo it.

(3) The governor shall visit every inmate undergoing confinement to a room at least once a day, and an officer appointed for the purpose shall visit such an inmate at intervals of not more than 3 hours during the day.

Prospective loss of remission

36.—(1) In the case of an offence against discipline committed by an inmate who is detained only on remand or to await trial or sentence, an award of loss of remission may be made as provided in rules 33 and 34 notwithstanding that the inmate has not (or had not at the time of the offence) been sentenced to imprisonment or ordered to be detained in a young offenders centre.

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

Suspended awards

37.—(1) Subject to any directions by the Secretary of State, the power to make a disciplinary award (other than a caution) shall include power to direct that the award is not to take effect unless, during a period specified in the direction (not being more than 6 months from the date of the direction), the inmate commits another offence against discipline and a direction is given under paragraph (2).

(2) Where an inmate commits an offence against discipline during the period specified in a direction given under paragraph (1) the authority dealing with that offence may—

(*a*) direct that the suspended award shall take effect; or

(*b*) reduce the period or amount of the suspended award and direct that it shall take effect as so reduced; or

(*c*) vary the original direction by substituting for the period specified therein a period expiring not later than 6 months from the period of variation; or

(*d*) give no direction in respect of the suspended award.

Remission and mitigation of awards

38.—(1) The Secretary of State may remit any award or mitigate it.

(2) Subject to any directions of the Secretary of State, the governor may remit or mitigate any award made by a governor and the visiting committee may remit or mitigate any award by a visiting committee.

(3) In this rule "mitigate" means reducing the award or substituting another award which is in the opinion of the Secretary of State, the governor or, as the case may be the visiting committee, less severe.

Use of force

39.—(1) An officer in dealing with an inmate shall not use force unnecessarily and, when the application of force is necessary, no more force than is necessary shall be used.

(2) An officer shall not deliberately act in a manner calculated to provoke an inmate.

Temporary confinement

40.—(1) For the purpose of preventing disturbance, damage or injury, a refractory or violent inmate may be temporarily confined in a special room or protected room approved for the purpose by the Secretary of State; but an inmate shall not be confined in such a room as a punishment or after he has ceased to be refractory or violent.

(2) The governor shall inform the medical officer of the intended removal of any inmate to a special room or protected room, but where this is not possible the medical officer shall be informed as soon as possible thereafter.

(3) Notwithstanding the provisions of paragraphs (1) and (2) the medical officer may, for the purpose of preventing an inmate from causing injury to himself or to others, order that he may be temporarily confined in a protected room and to be confined there for as long as the medical officer considers necessary.

(4) The governor and the Secretary of State shall be informed of any inmate who is so confined.

(5) Every inmate who is temporarily confined in a special room or protected room shall be visited at least once a day by the governor and by the medical officer.

(6) Every inmate so confined shall be observed at least once every 15 minutes during the night as well as during the day by an officer detailed by the governor for the purpose, and a record shall be kept of such observations.

Restraints

41.—(1) Where it is necessary to prevent an inmate from injuring himself or others, damaging property, or creating a disturbance, the governor may order him to be put under restraint.

(2) Before making such an order the governor shall consult the medical officer but where this is impracticable he shall inform the medical officer as soon as possible.

(3) Notice of any such restraint shall forthwith be given to a member of the visiting committee.

(4) Except as provided by this rule no inmate shall be put under restraint otherwise than for safe custody during transfer or on medical grounds by order of the medical officer.

(5) No inmate shall be put under restraint as a punishment.

(6) No inmate shall be kept under restraint longer than is necessary and in no case for longer than 24 hours without an order in writing given by a member of the visiting committee.

(7) Such an order shall state the grounds for the restraint and the time during which it may continue.

(8) The governor shall forthwith record particulars of every case of restraint.

(9) Any means of restraint shall be of a pattern authorised by the Secretary of State and shall be used in such manner and under such conditions as he may direct.

Complaints by inmates

42.—(1) Every request by an inmate to see the governor, an officer of the Secretary of State visiting the centre or a member of the visiting committee shall be recorded by the officer to whom it is made and reported without delay to the governor.

(2) The governor shall, at a convenient hour on every day other than Saturdays, Sundays and public holidays, see all inmates who have made a request to see him.

(3) On the occasion of each visit to the centre by an officer of the Secretary of State or a member of the visiting committee, the governor shall inform such an officer or member of all outstanding requests by inmates to see him.

General control of admission to the centre

43.—(1) No person may enter the centre without the governor's permission, unless he is entitled to do so.

(2) Any person or vehicle entering or leaving the centre may be stopped, examined and searched.

(3) Such person shall be searched only by, and only in the presence of, officers of the same sex as that person.

(4) The governor may direct the removal from the centre of any person who does not leave on being required to do so.

Visitors viewing the centre

44.—(1) Except as provided by statute or directed by the Secretary of State, the governor shall not allow any person to view the centre.

(2) The governor shall ensure that no person authorised to view the centre makes a sketch, or takes a photograph, or makes a film or sound recording, or communicates with an inmate unless authorised to do so by statute or by the Secretary of State.

(3) In paragraph (2) "film" includes any record however made of a sequence of visual images which is a record capable of being used as a means of showing that sequence as a moving picture.

Custody and supervision of female inmates

45. Female inmates shall in all cases be in the custody of female officers and, if working under a male instructor, shall be supervised by a female officer.

Pregnancy, confinement and babies

46.—(1) Where a female inmate is pregnant on committal and her confinement is expected to take place before the end of her period of detention, she shall, if possible, be temporarily removed from the centre to a suitable hospital for the confinement and for any period following delivery which the medical officer considers necessary.

(2) The Secretary of State shall be notified of any such impending confinement and may thereupon direct removal of the inmate under such conditions, if any, as he thinks fit.

(3) The Secretary of State may, subject to any conditions he thinks fit, permit a female inmate to have her baby with her in the centre and everything necessary for the baby's maintenance and care may be provided there.

PART VI

WORK, EDUCATION AND RECREATION

Work

47.—(1) Unless excused by the medical officer on medical grounds or by the governor as receiving education under rule 48(3), every inmate shall be required to engage in useful work for not more than 10 hours a day.

(2) No inmate shall be employed on any class of work unless the medical officer has certified him as fit for that class of work.

(3) As far as practicable, work for inmates shall be provided outside their rooms and in association with other inmates.

(4) No inmate shall be employed except on work authorised by the Secretary of State.

(5) Except with the authority of the Secretary of State, no inmate shall be employed in the service of any other inmate or of any officer or for the private benefit of any person.

(6) Arrangements shall be made so as not to require inmates of the Christian religion to do any unnecessary work on Sunday, Christmas Day, Good Friday or 17th March, or inmates of other religions on their recognised days of religious observance.

(7) For the purpose of these rules "work" includes employment in the ordinary service of the centre, in centre industries and participation in vocational training.

Education

48.—(1) Every inmate able to profit from the educational facilities provided at a centre shall be encouraged to do so.

(2) Programmes of educational classes shall be arranged at every centre and, subject to any direction by the Secretary of State, reasonable facilities shall be afforded to inmates who wish in their spare time to improve their education by correspondence courses or private study, or to practise handicrafts.

(3) Inmates whom the governor considers able and willing to profit from further education, and inmates who because of illiteracy require remedial education, may have provided for them special classes or facilities for private study; these classes or facilities may, if the governor approves, be provided in the hours normally allotted to work.

Libraries and books

49.—(1) A library shall be provided in every centre and, subject to such conditions as the Secretary of State may determine, every inmate shall be allowed to have library books and to exchange them as often as practicable.

(2) Inmates may receive books, periodicals or newspapers from outside the centre under such conditions as the Secretary of State may determine.

(3) Subject to the Secretary of State's approval, the governor may make arrangements with the librarian of any public or private library for the loan of books to be used in the centre library and for periodical revision of the library contents.

Recreation

50.—(1) Subject to paragraph (2) inmates shall regularly be given such physical recreation, training and exercise as are required to promote health and physical well-being.

(2) The medical officer may, on medical grounds, modify physical recreation, training or exercise, or exempt an inmate from any or all of these.

PART VII

RELIGION, SOCIAL RELATIONS, LETTERS AND VISITS

Religious denomination

51.—(1) On reception each inmate shall be required to state his religious denomination, if any, and the governor shall record the denomination so stated.

(2) An inmate shall be treated as a member of that denomination unless and until he satisfies the visiting committee that he should be treated as a member of another denomination.

Chaplains

52.—(1) A chaplain shall conform to the rules and regulations concerning the maintenance of order and discipline and the conduct of persons in the centre as well as to the rules relating to chaplains.

(2) It shall be a chaplain's duty to support the governor in the proper enforcement of such rules and regulations.

Duties of chaplains

53.—(1) A chaplain shall interview individually every inmate who is recorded as belonging to his denomination and is willing to be interviewed—

(*a*) as soon as possible after his reception;

(*b*) from time to time as often as practicable during his detention; and

(*c*) a short time before his discharge.

(2) A chaplain shall give such religious instruction as may be practicable to any inmate of his denomination wishing it.

(3) A chaplain shall conduct divine service for inmates of his denomination at such times as may be arranged.

(4) A chaplain shall, as often as possible, visit all inmates of his denomination who are sick, under restraint or confined to room.

(5) A chaplain shall, if no other arrangements are made, read the burial service at the funeral of any inmate of his denomination who dies in the centre.

(6) A chaplain shall, as soon as possible after 31st December in any year, report to the Secretary of State on the carrying out of his year's duties as a chaplain.

Substitute for chaplain

54.—(1) A person or persons, not exceeding 3 in number, approved by the Secretary of State may act for the chaplain in his absence, and any such person or persons shall be subject to the rules and regulations of the centre in like manner as a chaplain.

(2) Any person or persons approved by the Secretary of State may assist the chaplain in the carrying out of religious services or in such other duties as may be approved.

(3) The Secretary of State may withdraw any such approval so granted.

Visits by chaplains of other denominations

55.—(1) As far as is practicable access to a chaplain of any religious denomination shall not be refused to any inmate.

(2) Any request by an inmate to see a chaplain of a denomination other than that of his recorded denomination shall be passed to the chaplain concerned but the chaplain of the inmate's denomination shall be informed.

(3) If an inmate objects to the visit of any religious representative, he shall not be compelled to receive the visit.

Visits by other ministers

56.—(1) Where an inmate belongs to a denomination for which no chaplain has been appointed the governor shall do what he reasonably can, if so requested by the inmate, to arrange for him to be visited regularly by a minister of that denomination.

(2) Without prejudice to paragraph (1), any other request by an inmate to see a minister of any denomination may be permitted at the governor's discretion and the chaplain of the inmate's denomination shall be informed.

(3) Any minister as referred to in paragraphs (1) and (2) shall be subject to the rules and regulations of the centre in like manner as a chaplain.

Religious books

57.—(1) Every inmate shall be provided with a Bible and, where appropriate, a Prayer Book approved by his denomination.

(2) There shall, as far as reasonably practicable, be available for every inmate's personal use such other religious books as his denomination recognises.

(3) So far as is practicable, every inmate shall be allowed to satisfy the needs of his religious, spiritual and moral life by having in his possession any other necessary books not provided under paragraphs (1) and (2).

Family relationships, welfare and after-care

58.—(1) Special attention shall be paid to the maintenance of such relations between an inmate and his family as are desirable in the best interests of both.

(2) So far as is practicable, an inmate shall be encouraged and assisted to establish and maintain such relations with persons and agencies outside the centre as may, in the opinion of the governor, best promote the interests of his family and his own social rehabilitation.

(3) The governor may at any time communicate to an inmate, or to his family or friends, any matter of importance to the inmate.

(4) From the beginning of an inmate's detention consideration shall be given, in consultation with the welfare officer and any appropriate agency, to the inmate's future and to the assistance which he may be given while in the centre and on and after discharge.

Letters and visits

59.—(1) The Secretary of State may, with a view to securing discipline and good order or the prevention of crime or in the interests of any persons, impose restrictions, either generally or in a particular case, on the communications to be permitted between an inmate and other persons.

(2) The governor may at any time, having regard to circumstances obtaining or expected to obtain in the centre, suspend all or any visits for such period as the Secretary of State may approve.

(3) Except as provided by statute or in these rules, an inmate shall not be permitted to communicate with any outside person, or that person with him, without the authority of the Secretary of State.

(4) Except as provided in these rules, every letter or communication to or from an inmate may be read or examined by the governor who may, at his discretion, stop any such letter or communication on the grounds that its contents are objectionable.

(5) Every visit to an inmate shall take place within the sight of an officer, unless the Secretary of State otherwise directs.

(6) Except as provided by these rules, every visit to an inmate shall take place within the hearing of an officer, unless the Secretary of State otherwise directs.

(7) The Secretary of State may give directions, generally or in relation to any visit or class of visits, concerning the days and times when an inmate may be visited and the duration of such visits.

(8) Except in an emergency, visits to an inmate shall not take place on a Sunday.

Personal letters and visits

60.—(1) An inmate shall be entitled—

(*a*) to send and to receive a letter on his reception and thereafter once a week; and

(*b*) to receive a visit once in 4 weeks.

(2) The Secretary of State may allow additional letters or visits for any class of inmate.

(3) The governor may allow additional letters or visits in any particular case.

(4) The governor may allow an inmate entitled to a visit to send and to receive a letter instead.

(5) The governor may defer the right of an inmate to a visit until the expiration of any period of confinement to room.

(6) An inmate shall not be entitled under this rule to communicate with any person in connection with any legal or other business, except with the Secretary of State's permission.

(7) Any letter or visit under the succeeding provisions of these rules shall not be counted as a letter or visit for the purposes of this rule.

Police interviews

61. A police officer may, on production of an order issued by or on behalf of the Chief Constable of the Royal Ulster Constabulary, interview any inmate willing to see him.

Securing release

62.—(1) A person detained in a centre in default of finding a surety, or of payment of a sum of money, may communicate with, and be visited at any reasonable time on a weekday by, any relative or friend to arrange for a surety or payment in order to secure his release from the centre.

(2) Every inmate detained as specified in paragraph (1) shall be told of this rule on his reception.

Facilities in connection with legal proceedings

63.—(1) Reasonable facilities shall be allowed for the legal adviser of an inmate who is party to legal proceedings, civil or criminal, to interview the inmate in connection with those proceedings in the sight but not in the hearing of an officer.

(2) An inmate's legal adviser may, with the Secretary of State's permission, interview the inmate in connection with any other legal business in the sight but not in the hearing of an officer.

(3) An inmate who is a party to any legal proceedings may correspond with his legal adviser in connection with the proceedings and, unless the governor has reason

to suppose that any such correspondence contains matter not relating to the proceedings, it shall not be read or stopped under rule 59(4).

(4) An inmate shall on request be provided with any writing materials necessary for the purpose of paragraph (3).

(5) Subject to any directions of the Secretary of State, an inmate may correspond with a solicitor for the purpose of obtaining legal advice concerning any cause of action in relation to which the inmate may become a party to civil proceedings, or for the purpose of instructing the solicitor to issue such proceedings.

(6) Subject to any directions given in the particular case by the Secretary of State, a registered medical practitioner selected by or on behalf of an inmate to whom paragraph (1) applies shall be afforded reasonable facilities for examining him in connection with the proceedings and may do so out of hearing but in the sight of an officer.

Control of visitors to inmates

64.—(1) The governor may demand the name and address of any visitor to an inmate and may require the visitor to be searched; if the visitor refuses to be searched the governor may deny him admission and shall record his grounds for refusing admission as well as full details of any such incident.

(2) No search shall be made in the presence of any inmate or another visitor or by, or in the presence of, an officer of the other sex.

(3) If there are reasonable grounds for suspecting that anyone visiting an inmate is bringing in or taking out any article for an improper purpose, or contrary to the rules and regulations of the centre, or that his conduct may tend to subvert discipline or good order, the governor may suspend his visit and remove him from the centre.

(4) Where a visit is suspended under paragraph (3) the fact shall be recorded and reported to the Secretary of State.

(5) A copy of the law regarding the introduction of prohibited articles into the centre shall be displayed in the visiting area and, before the inmate is brought into that area, the visitor's attention shall be drawn to it.

PART VIII

PHYSICAL WELFARE

Medical provision

65. At every centre either a separate hospital building or a suitable part of the centre shall be equipped and furnished in a way suited to the medical care and treatment of sick inmates and be staffed by suitably trained officers.

Hygiene

66.—(1) Every inmate shall be provided with toilet articles necessary for his health and cleanliness which shall be replaced as necessary.

(2) Every inmate shall be required to wash at proper times and to have a hot bath or shower at least once a week.

(3) Every male inmate may, unless excused or excepted by the governor or the medical officer, be required to shave or be shaved daily and to have his hair cut as necessary but not closer than may be required for health and cleanliness.

(4) A female inmate's hair shall not be cut without her consent unless the medical officer considers it necessary for the sake of health and cleanliness.

(5) Every inmate shall keep his room, utensils, books and other articles issued for his use, and his clothing and bedding, clean and neatly arranged.

(6) Every inmate shall clean and sweep the yards, passages and other parts of the centre as may be directed.

Food

67.—(1) Every inmate shall be supplied with food which is wholesome, nutritious and well-prepared, sufficient in quantity and in accordance with any dietary scale authorised by the Secretary of State.

(2) Subject to any direction by the Secretary of State, no inmate shall be allowed, except as authorised by the medical officer, to have any food other than that ordinarily provided.

(3) After consulting the medical officer, the governor may reduce the diet of any inmate who persistently and needlessly wastes his food.

(4) An inmate who has any complaint to make about the food supplied to him must make it as soon as possible after he has received the food.

(5) The medical officer shall frequently inspect the food both before and after it is cooked and shall report to the governor on the condition and quality of the food.

(6) In this rule "food" includes drink.

Clothing

68.—(1) An inmate shall wear clothing adequate for warmth and health in accordance with a scale approved by the Secretary of State (including any special clothing which the governor considers is required for any particular work or activity), and shall be provided with such clothing except to the extent that he provides his own clothing under paragraph (2).

(2) An inmate may provide his own clothing except to the extent that—

(*a*) his own clothing is required for the purposes of justice; or

(*b*) his own clothing is prohibited under paragraph (3); or

(*c*) the governor considers that special clothing is required for any particular work or activity.

(3) The governor may prohibit clothing of any particular description or any particular item of clothing if he considers that the wearing of that clothing or item would be prejudicial to security, good order or discipline.

(4) Where such clothing as is provided under paragraph (1) is worn by an inmate who is required to be taken in custody to court, it shall be such as does not indicate that he is an inmate.

Medical officer

69.—(1) The medical officer of a centre shall have the general care of inmates' health.

(2) In the absence of the medical officer, his duties shall be performed by a registered medical practitioner approved by the chief medical officer and the Secretary of State.

Duties of a medical officer

70.—(1) The medical officer shall conform to the rules and regulations of the centre and shall support the governor in the maintenance of discipline and order and the safe custody of inmates.

(2) The medical officer shall report to the chief medical officer on, and inform the governor of, anything in the centre or the treatment of its inmates which appears to him to require consideration on medical grounds.

(3) The medical officer shall oversee, and shall advise the governor on, the

hygiene of the centre and its inmates, including arrangements for cleanliness, sanitation, heating, lighting and ventilation.

(4) The medical officer shall every day see those inmates who complain of illness and he shall report to the governor in writing on their fitness for work.

(5) The medical officer shall attend at once when he is told of the serious illness of any inmate.

(6) The medical officer shall give written directions for separating from other inmates any inmate whose health makes such separation advisable in his own interest or that of other inmates.

(7) The medical officer shall at least once every day visit every inmate under restraint or confined to a room, or any other inmate to whom his attention is specifically directed.

(8) The medical officer shall not apply any painful tests to an inmate for the purpose of detecting malingering or for any other purpose except with the permission of the visiting committee.

Medical records and statistics

71.—(1) The medical officer shall record the condition of every sick inmate, the nature of his disease, the medicines and the diet provided and any other treatment which he may order.

(2) The medical officer shall keep such statistical records and provide such statistical returns as the Secretary of State may direct relevant to his duties as a medical officer.

(3) The medical officer shall, as soon as possible after 31st December in each year, submit a report to the Secretary of State concerning such matters relative to his duties during the year as the Secretary of State may direct.

(4) The medical officer shall notify the governor of any distinctive physical characteristic which he may discover in relation to any inmate which might usefully be noted on the record made under rule 13 to assist in his future identification.

Special medical reports

72.—(1) When the medical officer believes that an inmate's health is likely to be injuriously affected by continued detention, or any conditions of detention, he shall report the circumstances to the governor and to the chief medical officer for the information of the Secretary of State and in doing so he shall state whether he wishes any special or additional advice.

(2) The medical officer shall pay special attention to any inmate whose mental condition appears to require it, and make any special arrangements which appear necessary for his supervision or care.

(3) The medical officer shall inform the governor and the chief medical officer if he suspects that any inmate is dangerously ill or has suicidal intentions, and the inmate shall be placed under special observation.

(4) The medical officer may, with the approval of the chief medical officer, call another member of the medical profession or a member of an associated profession into consultation.

Operations

73. Except in very urgent circumstances no serious surgical operation shall be performed in the centre.

PART IX

UNTRIED INMATES

General

74. This Part shall apply to any person (in these rules referred to as "an untried inmate") committed to a centre for safe custody in any of the following circumstances—

(*a*) on his committal for trial for any indictable offence;

(*b*) pending the preliminary investigation or inquiry into an indictable offence by a magistrates' court or pending the hearing of a complaint;

(*c*) awaiting sentence or pending inquiries after a conviction; or

(*d*) being held in lawful custody other than on conviction or where rule 85 applies.

Photographing and measuring

75. An untried inmate shall not be photographed or measured while in a centre except with the authority of the Secretary of State.

Separation from each other

76.—(1) Untried inmates shall be kept out of contact with other inmates as far as this can reasonably be done.

(2) Nothing in this rule shall require an inmate to be deprived unduly of the society of other persons.

Application of inmates' money

77. Any money which an untried inmate has at a centre may be applied to the purpose of making special provision for him in cases where the inmate is, by these rules, required to make any payment in respect of such special provision.

Food

78. Subject to any directions of the Secretary of State, an untried inmate may be supplied with food or other necessaries at his own expense or that of his friends.

Prohibition of sale

79. An untried inmate shall not sell or transfer to any other person any article whatsoever allowed to be introduced for his use; and any inmate offending against this rule may be prohibited from procuring any such article for such a period as the Secretary of State considers proper.

Appearance; cleanliness; health

80.—(1) An untried inmate shall, so far as practicable, maintain his external appearance as on committal and shall shave or be shaved as necessary for this purpose.

(2) Notwithstanding the provisions of paragraph (1), the medical officer may direct that an untried inmate's hair be cut for the sake of health and cleanliness.

(3) If an untried inmate desires the attendance of a registered medical practitioner or dentist, and will pay any expense incurred, the governor shall, if he is satisfied that there are reasonable grounds for the request and unless the Secretary of State otherwise directs, allow him to be visited and treated by that practitioner or dentist in consultation with the medical officer.

Books, etc.

81.—(1) Subject to any directions of the Secretary of State an untried inmate may, at the discretion of the governor, have supplied to him at his own expense books, newspapers, writing materials and other means of occupation.

(2) If the privilege allowed by this rule is abused at any time it may be withdrawn by the governor.

Private property

82. The governor may, on the application of an untried inmate, allow him, so far as is consistent with discipline and the good order of the centre, to have in his room any articles which were in his possession at the time of arrest and are not required for the purposes of justice or reasonably suspected of forming part of property improperly acquired by him.

Work

83. An untried inmate shall not be required to work under rule 47(1) but shall be permitted to work in accordance with the provisions of that rule if he wishes.

Letters and visits

84.—(1) An untried inmate may send and receive as many letters and may receive as many visits as he wishes within such limits and subject to such conditions as the Secretary of State may direct, either generally or in a particular case.

(2) A confidential written communication prepared as instructions for the legal adviser of an untried inmate may be delivered with seal unbroken to a messenger authorised, in writing, by the legal adviser to receive it, unless the governor has reason to suppose that it contains matters not relating to such instructions.

(3) Subject to the provisions of paragraphs (1) and (2), an untried inmate shall be treated as any other inmate for the purposes of receiving letters and visits.

PART X

INMATES COMMITTED FOR CONTEMPT, ETC.

Letters and visits

85. Rule 84 shall have effect in relation to an inmate committed or attached for contempt of court, or for failing to do or abstain from doing anything required to be done or left undone, as it has effect in relation to an untried inmate.

Association

86. Such inmates shall be treated as a separate class for the purposes of rule 5 but inmates may be permitted to associate with any other class of inmates if they are willing to do so.

Remission

87. A person detained in a centre for a stated term of more than 5 days on committal or attachment for contempt of court shall, for the purposes of rule 27, be treated as serving a term of detention for a like period.

PART XI

GENERAL RULES RELATING TO OFFICERS

General duties of officers

88.—(1) Every officer shall conform to these rules and whatever rules and regulations may be in force in the centre and shall assist and support the governor in maintaining them.

(2) An officer shall obey the lawful instructions of the governor.

(3) An officer shall inform the governor promptly of any breach of these rules or any abuse or impropriety which comes to his knowledge.

Medical welfare of inmates

89. An officer shall inform the governor of any inmate who appears to be unwell or whose state of mind appears to require attention.

Contact with inmates

90.—(1) An officer shall ensure that in his dealings with inmates his conduct is correct and proper at all times.

(2) Except with the permission of the governor, an officer shall not discuss his duties or any matters of discipline or centre arrangements within the hearing of an inmate.

(3) No officer shall take part in any business or pecuniary transaction with, or on behalf of, an inmate without the permission of the Secretary of State.

(4) Except with the permission of the governor, no officer shall bring in or take out, or attempt to bring in or take out, or knowingly allow to be brought in or taken out, to or for an inmate, or deposit in any place with intent that it shall come into the possession of an inmate, any article whatsoever.

Contact with ex-inmates

91. No officer shall, without the permission of the governor, communicate with any person whom he knows to be a former inmate or a relative or friend of an inmate or former inmate.

Gratuities

92. An officer shall not receive any unauthorised fee, gratuity or other consideration in connection with his office.

Contracts

93. Except with the permission of the Secretary of State, an officer shall not, directly or indirectly, have any interest in any contract or tender connected with the centre or receive any fee, gratuity or other consideration from any contractor, or from any person tendering, or any other person whatever in connection with any such contract or tender.

Communications to press, etc.

94.—(1) Except with the permission of the Secretary of State, an officer shall not directly or indirectly communicate to a representative of the press, television or radio or any other person matters which he has come to know in the course of his official duties.

(2) An officer shall not, without the permission of the Secretary of State, publish any matter or make any public pronouncement relating to the administration of any centre or to any of its inmates.

Code of discipline

95. The Secretary of State may approve a code of discipline to have effect in relation to officers, or such classes of officers as it may specify, setting out offences by officers against discipline, the awards which may be made in respect of them, and the procedure for dealing with charges.

PART XII

SPECIAL RULES RELATING TO GOVERNORS

Status of governor

96.—(1) The governor shall be in command of the centre.

(2) The governor shall be responsible for the safe custody of all inmates until they are discharged from his custody by the expiration of their term of detention or by order of a court or by Royal Warrant or by order of the Secretary of State.

(3) The governor shall be responsible for inmates' treatment according to law, for the safeguarding of their rights and for the maintenance of discipline among them.

(4) Subject to any direction from the Secretary of State, the governor shall have authority over all officers and employees on the staff of the centre.

(5) The governor shall ensure the safe custody and proper disposal or use of all monies, equipment and materials in the centre and shall keep whatever records and accounts are required by direction of the Secretary of State.

Delegation by governor

97.—(1) In the governor's absence, the centre shall be in the charge of an officer approved by the Secretary of State, and the officer so approved shall, at such a time, be competent to perform and shall perform any duty required of the governor.

(2) Subject to the Act and except for the purposes of rules 30, 31, 33 and 34, the governor may, with the approval of the Secretary of State, delegate to another officer any of his functions including any function under these rules.

Powers and duties relating to officers

98.—(1) The governor shall superintend the conduct of the officers under his authority.

(2) The governor may suspend an officer if there is prima facie evidence of misconduct and shall, without delay, report the matter fully to the Secretary of State and shall carry out any directions given by the Secretary of State.

(3) The governor shall deal with offences against discipline as empowered by the Secretary of State under the code of discipline.

(4) The governor shall record all his orders relating to the management and discipline of the centre, and shall have such orders communicated to the proper officers.

(5) The governor shall keep such records of officers' conduct as the Secretary of State may determine.

(6) The governor shall forward without delay any report or complaint which an officer wishes to make to the Secretary of State and may add any remarks he feels appropriate.

(7) The governor shall—

(*a*) make available, as he considers appropriate, to all officers copies of the code of discipline, and to all officers and other staff circulars from the Secretary of State and other documents relating to their duties, rights and responsibilities; and

(*b*) also ensure that such officers and staff have adequate opportunity to acquaint themselves with the contents of those documents.

Duties in relation to medical officer

99. Without prejudice to his other duties under these rules the governor shall—

(*a*) without delay draw the attention of the medical officer to any inmate whose physical or mental condition appears to require attention;

(*b*) at once notify the medical officer of any inmate who is sick or any officer who is in need or urgent medical attention;

(*c*) provide the medical officer daily with a list of inmates who have reported sick;

(*d*) provide the medical officer with a list of inmates under punishment or confined in special rooms;

(*e*) support the medical officer in his care of inmates' health and to this end give as full effect as is practicable to recommendations by the medical officer.

Duties in relation to medical welfare of inmates and to inquests

100.—(1) The governor shall, without delay, report to the Secretary of State—

(*a*) any case of mental disorder or apparent mental disorder occurring among the inmates, or any case in which the medical officer believes that an inmate's mental state is becoming impaired by continued detention;

(*b*) any case in which the medical officer believes that an inmate's life will be endangered by further detention, or that an inmate will not survive his detention or is totally or permanently unfit for the discipline of the centre.

(2) The governor shall ensure that proper arrangements are made for the safe custody of sick inmates and shall visit the centre hospital daily to see all inmates who have been admitted there.

(3) The governor shall inform the appropriate chaplain when an inmate recorded as of his denomination is dangerously ill, and shall allow such an inmate to see any minister of religion whom the inmate wishes to see.

(4) The governor shall supply to the coroner holding an inquest on an inmate who has died while in his custody the name of any inmate who claims to be able and willing to give relevant evidence.

(5) The governor shall report to the Secretary of State on the findings of any inquest held into the death of an inmate in the centre.

Other duties of governor

101.—(1) To assist in the identification of inmates the governor shall, on request, provide the police with any information which it is within his power to give.

(2) The governor shall keep a journal in which he shall record, with the time thereof, any matter or occurrences of a significant or unusual nature.

(3) The governor shall provide such statistical or other information as the Secretary of State may direct, whether for the purpose of an annual report required by section 5 of the Act or otherwise.

(4) The provisions of rules 92, 93 and 94 shall have effect in relation to governors as well as to other officers.

PART XIII

POWERS AND DUTIES OF VISITING COMMITTEES

Disqualification for membership

102. Any person interested in any contract for the supply of goods or services to a centre shall not be a member of the visiting committee for that centre.

Appointment of members

103.—(1) The members of a visiting committee appointed under section 3 of the Treatment of Offenders Act (Northern Ireland) 1968 shall hold office for a period of 3 years, or such less period as the Secretary of State may direct.

(2) The first business at the first meeting of a visiting committee after appointment shall be the election of a chairman.

(3) The chairman of a visiting committee may be elected for the whole term of office of the committee, or, at the discretion of the committee, he may be elected annually.

(4) The committee may elect, for such a term of office as it decides, a deputy chairman who shall preside at any meeting at which the chairman is not present.

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

Proceedings of committees

104.—(1) The quorum at a meeting of the committee shall be 3 except as provided under rule 106(3).

(2) The powers of the committee shall not be affected by vacancies in its membership or any defect in the appointment of a member.

(3) The committee shall keep minutes of its proceedings and a copy of the minutes shall be sent to the Secretary of State as soon as is practicable after any meeting.

(4) The committee shall meet at the centre once a month to discharge its functions under these rules.

(5) At each meeting the committee shall select the members to visit the centre during the following month and the centre shall be visited by at least one member not less frequently than once in each fortnight.

(6) A member visiting a centre shall report on his visit to the committee.

General duties of committees

105.—(1) The visiting committee for a centre shall satisfy itself as to the state of the centre premises, the administration of the centre and the treatment of the inmates.

(2) The committee shall co-operate with the Secretary of State and the governor in promoting the efficiency of the centre, and shall inquire into any matter which the Secretary of State refers to it.

(3) The committee shall direct the attention of the governor to any matter which it considers calls for his attention, and shall report to the Secretary of State any matter which it considers should be reported to him.

(4) The committee shall inform the Secretary of State immediately of any abuse which comes to its knowledge in connection with the centre.

(5) In the exercise of any of its powers a committee shall satisfy itself, in consultation with the governor, that the power can be exercised without interfering with the security, good order or proper government of the centre and the inmates therein.

Adjudication procedure by committees

106.—(1) The committee shall inquire into any alleged offence against discipline where the Secretary of State has delegated to it his powers under rule 34.

(2) The committee shall record in its minutes each such case and the award made and shall report thereon to the Secretary of State.

(3) The powers of the committee under this rule shall be exercised at a special meeting consisting of not less than 2 members or more than 5 members.

Other duties

107.—(1) The visiting committee for a centre or any member of the committee shall hear any complaint or request which an inmate wishes to make to it or him.

(2) The committee shall investigate and decide on any request which an inmate may make to it to change his recorded religious denomination, having assured itself as far as possible that the request is genuine.

(3) The committee shall arrange for the inmates' food to be inspected by a member of the committee at frequent intervals.

Visits by committee members

108.—(1) The committee jointly and its members severally shall have free access at any time to all parts of the centre to which they are appointed, and to all inmates, and may, if they so desire, interview any inmate out of sight and hearing of officers.

(2) The committee may have reasonable access to any of the records of the centre and a note of any such inspection shall be made in their minutes.

Annual report

109. The committee shall, as soon as possible after 31st December in any year, report to the Secretary of State on all or any of their year's duties under these rules together with any advice or suggestions they may wish to make.

James Prior
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
3rd June 1982

EXPLANATORY NOTE

(This note is not part of the Rules.)

These rules make provision for the management of young offenders centres provided under the Treatment of Offenders Act (Northern Ireland) 1968 including the treatment of inmates, the conduct of officers of those centres and the functions of visiting committees.

The rules replace the Young Offenders Centre Rules (Northern Ireland) 1979, which are revoked. The principal changes are as follows.

Provision is made for remission on a term of detention of more than 5 days, except that a term may not be reduced by remission to less than 5 days (rule 27). Inmates committed for contempt for a stated term are made eligible for remission (rule 87). Provision is also made for the suspension of disciplinary awards (rule 37).