

**2008 No. 452**

**PRISONS**

**TREATMENT OF OFFENDERS**

**The Prison and Young Offenders Centre (Amendment) Rules  
(Northern Ireland) 2008**

*Made* - - - - - *17th November 2008*

*Coming into operation* *19th December 2008*

*To be laid before Parliament* *26th November 2008*

The Secretary of State, in exercise of the powers conferred by sections 13(1) and 34(6) 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:

**Citation, commencement and interpretation**

**1.**—(1) These Rules may be cited as the Prison and Young Offenders Centre (Amendment) Rules (Northern Ireland) 2008 and shall come into operation on 19th December 2008.

(2) In these Rules any reference to a rule by number is a reference to that rule so numbered in the Prison and Young Offenders Centre Rules (Northern Ireland) 1995(c).

**Rule 34 (Prohibited articles)**

**2.**—(1) In rule 34(1) for the words from “Secretary” to “items,” substitute “governor” and omit the words “weapon, money, clothing, food, drink, drug, tobacco, letter, parcel, package, paper, book, implement, or other”.

(2) In rule 34(2) for “item introduced” substitute “article conveyed, removed or deposited”.

**List C articles**

**3.** After rule 34 insert—

**“List C articles**

**34A.** A List C article is any article or substance in the following list—

- (a) tobacco;
- (b) money;
- (c) clothing;

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(a) 1953 c. 18 (N.I.). Section 34 was substituted by Article 77 of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I.1)).

(b) 1968 c. 29 (N.I.).

(c) S.R. 1995 No. 8 to which there are amendments not relevant to these Rules.

- (d) food;
- (e) drink;
- (f) letters;
- (g) paper;
- (h) books;
- (i) tools;
- (j) information technology equipment.”.

Northern Ireland Office  
Date 17th November 2008

*Paul Goggins*  
Minister of State

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Prison and Young Offenders Centre Rules (Northern Ireland) 1995 (“the principal rules”).

Rule 2 amends rule 34(1) of the principal rules to remove the illustrative list of prohibited articles which may be confiscated by the governor and clarifies when articles can be confiscated by the governor under rule 34(2).

Article 77 of the Criminal Justice (Northern Ireland) Order 2008 inserted sections 34 to 34B into the Prison Act (Northern Ireland) 1953 (“the 1953 Act”). In consequence, rule 3 inserts a new rule 34A into the principal rules which lists for the purpose of section 34 of the 1953 Act the List C articles which it is an offence to bring, or attempt to bring into a prison intending to give to a prisoner, or intending to come into a prisoner’s possession, or to take out of a prison on a prisoner’s behalf.

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