



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART VIII

PRISON SERVICES AND THE PRISON SERVICE

CHAPTER III

NORTHERN IRELAND

Prisoner escorts

VALID FROM 10/04/1995

120 Powers and duties of prisoner custody officers acting in pursuance of such arrangements.

- (1) A prisoner custody officer acting in pursuance of prisoner escort arrangements shall have the following powers, namely—
 - (a) to search in accordance with rules made by the Secretary of State any prisoner for whose delivery or custody he is responsible in accordance with the arrangements; and
 - (b) to search any other person who is in or is seeking to enter any place where any such prisoner is or is to be held and any article in the possession of such a person.
- (2) The powers conferred by subsection (1)(b) above to search a person shall not be construed as authorising a prisoner custody officer to require a person to remove any of his clothing other than an outer coat, hat, jacket or gloves.

Status: Point in time view as at 03/11/1994. This version of this provision is not valid for this point in time.

Changes to legislation: Criminal Justice and Public Order Act 1994, Section 120 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(3) A prisoner custody officer shall have the following duties as respects prisoners for whose delivery or custody he is responsible in pursuance of prisoner escort arrangements, namely—

- (a) to prevent their escape from lawful custody;
- (b) to prevent, or detect and report on, the commission or attempted commission by them of other unlawful acts;
- (c) to ensure good order and discipline on their part;
- (d) to attend to their wellbeing; and
- (e) to give effect to any directions as to their treatment which are given by a court,

and the Secretary of State may make rules with respect to the performance by prisoner custody officers of their duty under paragraph (d) above.

(4) Where a prisoner custody officer acting in pursuance of prisoner escort arrangements is on any premises in which a magistrates' court is sitting, it shall be his duty to give effect to any order of that court made under Article 110 of the ^{M1}Magistrates' Courts (Northern Ireland) Order 1981 (application of funds found upon defaulter).

(5) The powers conferred by subsection (1) above and the powers arising by virtue of subsections (3) and (4) above shall include power to use reasonable force where necessary.

(6) The power to make rules under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Extent Information

E1 S. 120 extends to Northern Ireland and British Islands see s. 172(14)

Marginal Citations

M1 S.I. 1981/1675 (N.I.26).

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