



# Prisons (Alcohol Testing) Act 1997

## 1997 CHAPTER 38

### 1 Power to test prisoners for alcohol.

After section 16A of the <sup>M1</sup>Prison Act 1952 there is inserted—

#### “16B Power to test prisoners for alcohol.

- (1) If an authorisation is in force for the prison, any prison officer may, at the prison, in accordance with prison rules, require any prisoner who is confined in the prison to provide a sample of breath for the purpose of ascertaining whether he has alcohol in his body.
- (2) If the authorisation so provides, the power conferred by subsection (1) above shall include power—
  - (a) to require a prisoner to provide a sample of urine, whether instead of or in addition to a sample of breath, and
  - (b) to require a prisoner to provide a sample of any other description specified in the authorisation, not being an intimate sample, whether instead of or in addition to a sample of breath, a sample of urine or both.
- (3) In this section—
  - “authorisation” means an authorisation by the governor;
  - “intimate sample” has the same meaning as in Part V of the <sup>M2</sup>Police and Criminal Evidence Act 1984;
  - “prison officer” includes a prisoner custody officer within the meaning of Part IV of the <sup>M3</sup>Criminal Justice Act 1991;
  - “prison rules” means rules under section 47 of this Act.”

#### Marginal Citations

- M1 1952 c. 52.  
M2 1984 c. 60.  
M3 1991 c. 53.

**Changes to legislation:**

There are currently no known outstanding effects for the Prisons (Alcohol Testing) Act 1997, Section 1.