



Air Force Act 1955

1955 CHAPTER 19 3 4 Eliz2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF AIR-FORCE OFFENCES

Offences relating to, and by, persons in custody

53 Irregular arrest and confinement

(1) Any person subject to air-force law who, when another person subject thereto is under arrest,—

(a) unnecessarily delays the taking of such steps as it is his duty to take for investigating the allegations against that other person or for having the allegations against that other person investigated by his commanding officer or the appropriate superior authority or, as the case may be, tried by court-martial; or

(b) fails to release, or effect the release of, that other person when it is his duty to do so,

shall be guilty of an offence against this section.

(2) Any person subject to air-force law who, having committed a person (hereinafter referred to as "the prisoner") to the custody of any provost officer or other officer, or any warrant officer or non-commissioned officer, fails without reasonable cause to deliver—

(a) at the time of the committal, or

(b) if it is not practicable so to do at the time of the committal, then within twenty-four hours thereafter,

to the person to whose custody the prisoner was committed a report in writing signed by himself of the offence which the prisoner is alleged to have committed, shall be guilty of an offence against this section.

(3) Where any person (hereinafter referred to as "the prisoner") is committed to the charge of a person subject to air-force law who is in command of a guard, then if

Status: This is the original version (as it was originally enacted).

without reasonable cause that person does not as soon as he is relieved from his guard and any further duty, or, if he is not sooner relieved, within twenty-four hours after the committal, give to the officer to whom it is his duty to report—

- (a) a written statement containing, so far as known to him, the prisoner's name and alleged offence and the name and rank or other description of the officer or other person by whom the prisoner is alleged to have committed the offence, and
 - (b) if he has received it, the report required by the last foregoing subsection,
- he shall be guilty of an offence against this section.
- (4) Any person guilty of an offence against this section shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

54 Permitting escape, and unlawful release of prisoners

- (1) Any person subject to air-force law who wilfully allows to escape any person who is committed to his charge, or whom it is his duty to guard, shall, on conviction by court-martial, be liable to imprisonment or any less punishment provided by this Act.
- (2) Any person subject to air-force law who—
 - (a) without proper authority releases any person who is committed to his charge, or
 - (b) without reasonable excuse allows to escape any person who is committed to his charge, or whom it is his duty to guard,shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

55 Resistance to arrest

- (1) Any person subject to air-force law who, being concerned in any quarrel or disorder, refuses to obey any officer who orders him into arrest, or strikes or otherwise uses violence to, or offers violence to, any such officer, shall be guilty of an offence against this section whether or not the officer is his superior officer.
- (2) Any person subject to air-force law who strikes or otherwise uses violence to, or offers violence to, any person, whether subject to air-force law or not, whose duty it is to apprehend him or in whose custody he is shall be guilty of an offence against this section.
- (3) Any person guilty of an offence against this section shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

56 Escape from confinement

Any person subject to air-force law who escapes from arrest, prison or other lawful custody (whether air-force or not), shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.