



# Immigration and Asylum Act 1999

## 1999 CHAPTER 33

### PART VIII

#### DETENTION CENTRES AND DETAINED PERSONS

##### *Custody and movement of detained persons*

#### **156 Arrangements for the provision of escorts and custody**

- (1) The Secretary of State may make arrangements for—
  - (a) the delivery of detained persons to premises in which they may lawfully be detained;
  - (b) the delivery of persons from any such premises for the purposes of their removal from the United Kingdom in accordance with directions given under the 1971 Act or this Act;
  - (c) the custody of detained persons who are temporarily outside such premises;
  - (d) the custody of detained persons held on the premises of any court.
- (2) Escort arrangements may provide for functions under the arrangements to be performed, in such cases as may be determined by or under the arrangements, by detainee custody officers.
- (3) “Court” includes—
  - (a) adjudicators;
  - (b) the Immigration Appeal Tribunal;
  - (c) the Commission.
- (4) Escort arrangements may include entering into contracts with other persons for the provision by them of—
  - (a) detainee custody officers; or
  - (b) prisoner custody officers who are certified under section 89 of the Criminal Justice Act 1991, or section 114 or 122 of the Criminal Justice and Public Order Act 1994, to perform escort functions.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Schedule 13 makes further provision about escort arrangements.
- (6) A person responsible for performing a function of a kind mentioned in subsection (1), in accordance with a transfer direction, complies with the direction if he does all that he reasonably can to secure that the function is performed by a person acting in accordance with escort arrangements.
- (7) “Transfer direction” means a transfer direction given under—
  - (a) section 48 of the Mental Health Act 1983 or section 71 of the Mental Health (Scotland) Act 1984 (removal to hospital of, among others, persons detained under the 1971 Act); or
  - (b) in Northern Ireland, article 54 of the Mental Health (Northern Ireland) Order 1986 (provision corresponding to section 48 of the 1983 Act).