



# Armed Forces Act 1971

## 1971 CHAPTER 33

### PART II

#### REVISION OF SERVICE OFFENCES AND PUNISHMENTS

##### *Offences relating to, and by, persons in custody*

#### **22 Permitting escape, resisting arrest, and escaping**

The following provisions (being provisions corresponding to sections 54 to 56 of the Army Act 1955 and the Air Force Act 1955) shall be inserted in the Naval Discipline Act 1957 immediately after section 33:—

##### *“Offences relating to, and by, persons in custody*

#### **33A Permitting escape, and unlawful release of prisoners.**

- (1) Every person subject to this Act who wilfully allows to escape any person who is committed to his charge, or whom it is his duty to guard, shall be liable to imprisonment or any less punishment authorised by this Act.
- (2) Every person subject to this Act 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 be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

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*Status: This is the original version (as it was originally enacted).*

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### **33B Resistance to arrest.**

- (1) Every person subject to this Act 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) Every person subject to this Act who strikes or otherwise uses violence to, or offers violence to, any person, whether subject to this Act 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) Every person guilty of an offence against this section shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

### **33C Escape from confinement.**

Every person subject to this Act who escapes from arrest, prison or other lawful custody (whether naval or not), shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.”