
 S T A T U T O R Y I N S T R U M E N T S

1980 No. 724

DEFENCE

The Naval Detention Quarters (Amendment) Rules 1980

<i>Made - - - -</i>	19th May 1980
<i>Laid before Parliament</i>	5th June 1980
<i>Coming into Operation</i>	1st July 1980

The Secretary of State, in exercise of the powers conferred upon him by section 82 of the Naval Discipline Act 1957(a) and of all other powers enabling him in that behalf, hereby makes the following Rules:—

Citation and commencement

1. These Rules may be cited as the Naval Detention Quarters (Amendment) Rules 1980, and shall come into operation on 1st July 1980.

Amendment

2. The Naval Detention Quarters Rules 1973(b), as amended(c), shall be further amended:—

(1) By the deletion of Rules 17 to 22 inclusive and the substitution thereof of the following new Rules—

“Appointment and composition of Independent Board of Visitors

17.—(1) The Secretary of State shall appoint an Independent Board of Visitors (hereinafter referred to as “the Independent Board”) of not more than fourteen members, at least two of whom shall be magistrates.

(2) Four members of the Independent Board shall form a quorum.

(3) Members of the Independent Board of Visitors shall hold office at the pleasure of the Secretary of State.

General Duties of the Independent Board

19.—(1) The Independent Board shall—

(a) inspect all detention quarters in accordance with Rule 20 on at least two occasions in a year;

(b) whether in the course of their inspection under subparagraph (a) above or not, inquire into any matter into which the Secretary of State directs them to inquire or into any alleged abuses or shortcomings which may come to their notice.

(2) The Independent Board shall report the results of each inspection or inquiry to the Secretary of State through the commander-in-chief.

(3) The Independent Board shall record each visit made by them to detention quarters in a journal kept at those detention quarters for that purpose, and they may note in the journal any observations they wish to make.

(a) 1957 c. 53.

(b) S.I. 1973/270.

(c) S.I. 1975/227.

Duties of the Independent Board on inspection

20.—(1) On an inspection the Independent Board shall satisfy themselves as to the state of the premises of the detention quarters, the administration of the detention quarters, and the treatment of the men under sentence.

(2) Without affecting the generality of paragraph (1) of this Rule, the Independent Board shall in particular on each inspection—

(a) see all men under sentence and hear, in private if the Board think fit, any complaints or requests which any such man may wish to make to them;

(b) inspect the food prepared and provided for the men under sentence;

(c) inspect such of the documents maintained in connection with these Rules as they think fit.

(3) The Independent Board shall, if they consider necessary, report to the Secretary of State, as specified in Rule 19(2), upon any complaint or request made to them under paragraph (2)(a) of this Rule, or upon any food which they have inspected under paragraph (2)(b) of this Rule and found to be unsatisfactory.

(4) Where the Independent Board make a report about the food under paragraph (3) of this Rule, the commanding officer is to take immediate steps to provide satisfactory food.”.

(2) In Rule 45(2) by the deletion of the expression “600 cubic feet” and by the substitution therefor of “17 cubic metres”.

Dated this 19th day of May 1980.

Francis Pym,
One of Her Majesty's Principal
Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

The Naval Detention Quarter Rules 1973 provide for the inspection of naval detention quarters by an Independent Board of Visitors. These regulations provide for increasing the membership of this Board from seven to not more than fourteen as a consequence of a merger with the Independent Board of Visitors for the Military Corrective Training Centre. The quorum will be four members. Provisions as to the functions of the Board have been redrafted with a view to harmonizing the naval provisions with analogous provisions in the Imprisonment and Detention (Army) Rules 1979. The figure prescribed in Rule 45(2) for the capacity of a room intended for the occupation by men under sentence is converted from Imperial to metric measure.