
STATUTORY INSTRUMENTS

2001 No. 238

The Detention Centre Rules 2001

PART III

MAINTENANCE OF SECURITY AND SAFETY

Temporary confinement

42.—(1) The Secretary of State (in the case of a contracted-out detention centre) or the manager (in the case of a directly managed detention centre) may order a refractory or violent detained person to be confined temporarily in special accommodation, but a detained person shall not be so confined as a punishment, or after he has ceased to be refractory or violent.

(2) In cases of urgency, the manager of a contracted-out detention centre may assume the responsibility of the Secretary of State under paragraph (1) above but shall notify the Secretary of State as soon as possible after giving the relevant order.

(3) A detained person shall not be confined in special accommodation for longer than 24 hours without a direction in writing given by an officer of the Secretary of State (not being an officer of a detention centre).

(4) The direction shall state the grounds for the confinement and the time during which it may continue (not exceeding 3 days).

(5) A copy of the direction shall be given to the detained person before the 27th hour of the confinement.

(6) Notice of the direction shall be given without delay to a member of the visiting committee, the medical practitioner and the manager of religious affairs.

(7) Particulars of every case of temporary confinement shall be recorded by the manager in a manner to be directed by the Secretary of State.

(8) The manager, the medical practitioner and (at a contracted-out detention centre) an officer of the Secretary of State shall visit all detained persons in temporary confinement at least once each day for as long as they remain so confined.