

PRISON (AMENDMENT) (NORTHERN IRELAND) ORDER 2004

S.I. 2004 704

EXPLANATORY MEMORANDUM

THE MAIN PROVISIONS OF THE ORDER

Testing prisoners for alcohol and drugs

Articles 5 & 6 create new sections in the Prison Act (Northern Ireland) 1953 providing enabling powers for mandatory alcohol testing and drugs testing of prisoners, which is a development objective of the Northern Ireland Prison Service's drugs strategy. The Articles provide that, in circumstances where the Secretary of State has authorised the commencement of mandatory alcohol or drugs testing of prisoners, any designated person - appointed under section 2 (2) of that Act – and authorised by the Governor to do so, may require a prisoner to provide a sample of urine for testing. The Articles also provide that any other non-intimate sample material may be required for the purposes of testing either instead of, or in addition to, a sample of urine.