

# **PRISON (AMENDMENT) (NORTHERN IRELAND) ORDER 2004**

**S.I. 2004 704**

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## **EXPLANATORY MEMORANDUM**

### **COMPARISONS WITH GREAT BRITAIN**

4. Enabling powers for the mandatory drug and alcohol testing of prisoners were taken in England & Wales and Scotland in 1994 (drug testing) and 1997 (alcohol testing). Their introduction in Northern Ireland will provide the Northern Ireland Prison Service with the same powers as its counterparts in Great Britain and will facilitate the implementation of mandatory testing - a future development objective of the Northern Ireland Prison Service's drugs strategy - at an appropriate juncture. The detailed operational requirements relating to mandatory testing will be provided for in Prison Rules at the appropriate time.
5. The declaratory provision on the lawful temporary detention of prisoners in police custody replicates similar provisions in force in England & Wales since 1980.