



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART VIII

PRISON SERVICES AND THE PRISON SERVICE

CHAPTER III

NORTHERN IRELAND

Supplemental

122 Certification of custody officers

- (1) In this Chapter “prisoner custody officer” means a person in respect of whom a certificate is for the time being in force certifying—
 - (a) that he has been approved by the Secretary of State for the purpose of performing escort functions; and
 - (b) that he is accordingly authorised to perform them.
- (2) Schedule 7 to this Act shall have effect with respect to the certification of prisoner custody officers.
- (3) In this section and Schedule 7 to this Act “escort functions” means the functions specified in section 118(1) above.

123 Protection of prisoner custody officers

- (1) Any person who assaults a prisoner custody officer acting in pursuance of prisoner escort arrangements shall be liable on summary conviction to a fine not exceeding

level 5 on the standard scale or to imprisonment for a term not exceeding six months or to both.

- (2) Article 18(2) of the Firearms (Northern Ireland) Order 1981 (additional penalty for possession of firearms when committing certain offences) shall apply to offences under subsection (1) above.
- (3) Any person who resists or wilfully obstructs a prisoner custody officer acting in pursuance of prisoner escort arrangements shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) For the purposes of this section, a prisoner custody officer shall not be regarded as acting in pursuance of prisoner escort arrangements at any time when he is not readily identifiable as such an officer (whether by means of a uniform or badge which he is wearing or otherwise).

124 Wrongful disclosure of information

- (1) A person who is or has been employed (whether as a prisoner custody officer or otherwise) in pursuance of prisoner escort arrangements shall be guilty of an offence if he discloses, otherwise than in the course of his duty or as authorised by the Secretary of State, any information which he acquired in the course of his employment and which relates to a particular prisoner.
- (2) A person guilty of an offence under subsection (1) above shall be liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.

125 Interpretation of Chapter III

- (1) In this Chapter—
 - “prison” includes a young offenders centre or remand centre;
 - “prisoner custody officer” has the meaning given by section 122(1) above;
 - “prison rules” means rules made under section 13 of the Prison Act (Northern Ireland) 1953;
 - “prisoner” means any person for the time being detained in lawful custody as the result of a requirement imposed by a court or otherwise that he be so detained;
 - “prisoner escort arrangements” has the meaning given by section 118(3) above.
- (2) Sections 118, 119(1) and (2)(a), 120 and 122 to 124 above, subsection (1) above and Schedule 7 to this Act shall have effect as if—
 - (a) any reference in section 118(1), 119(1), 120 or 124 above to prisoners included a reference to persons remanded or committed to custody in certain premises under section 51, 74 or 75 of the Children and Young Persons Act (Northern Ireland) 1968 or ordered to be sent to a training school under section 74 or 78 of that Act; and
 - (b) any reference in section 118(1)(c) or (d) or (2) above to a prison included a reference to such premises or training school.

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

- (3) In sections 118, 120 and 121 above, “prison”—
- (a) so far as relating to the delivery of prisoners to or from a prison situated in England and Wales, includes a remand centre or young offender institution; and
 - (b) so far as relating to the delivery of prisoners to or from a prison situated in Scotland, includes a remand centre or young offenders institution within the meaning of section 19 of the Prisons (Scotland) Act 1989.