



Jersey

PRISON (TEMPORARY AMENDMENT – COVID-19) (JERSEY) RULES 2020

*Made**21st April 2020**Coming into force**22nd April 2020*

THE MINISTER FOR HOME AFFAIRS makes these Rules under Article 29 of the Prison (Jersey) Law 1957¹ –

1 Prison (Jersey) Rules 2007 amended

After Rule 64 (temporary release) of the Prison (Jersey) Rules 2007² there is inserted –

“64A Recall of certain prisoners temporarily released

- (1) Without prejudice to the generality of Rule 64(2), the Minister may in writing order the recall of a person to whom this Rule applies (as specified in paragraph (7)), if the Minister is satisfied that it is reasonable in all the circumstances to do so, having regard in particular to –
 - (a) the circumstances in which the person’s temporary release was approved;
 - (b) the conditions on which the person was released, and the person’s compliance, or lack of compliance, with those conditions;
 - (c) any evidence that the person has, during the period of his or her release, committed an offence or is likely to do so;
 - (d) any other factors appearing to the Minister to be relevant.
- (2) A person returning to custody or taken into custody under this Rule –
 - (a) must be advised of his or her right under paragraph (3) to request a review of the Minister’s order; and
 - (b) is entitled to such assistance in making the request, from an officer appointed by the Governor for the purpose, as is reasonable in all the circumstances.
- (3) A person in relation to whom an order is made under paragraph (1) may, no later than the end of the period of 5 days beginning with the

date of the person's return into custody, request a review of the order, by making a written application to the Governor.

- (4) A review of an application under paragraph (3) must be carried out by a panel of no fewer than 2 members of the Monitoring Board, as soon as reasonably practicable, and a report of the panel's review, including any recommendations, must be communicated in writing to the applicant, the Governor, and the Minister.
- (5) The Minister must, no later than 14 days after having received the panel's report, and having regard to any recommendations, reconsider the order in relation to the applicant.
- (6) The Minister must inform the applicant and the Governor, in writing, of –
 - (a) the result of the reconsideration under paragraph (5);
 - (b) what action, if any, the Minister has decided to take following the reconsideration; and
 - (c) the reasons for that decision.
- (7) This Rule applies to a person temporarily released at any time before 30th September 2020, including a person so released, but not recalled, before the commencement of this Rule.”.

2 Citation and commencement

These Rules may be cited as the Prison (Temporary Amendment – Covid-19) (Jersey) Rules 2020 and come into effect on the day after the day on which they are made.

CONNÉTABLE L. NORMAN OF ST. CLEMENT

Minister for Home Affairs

ENDNOTES

Table of Endnote References

<i>1</i>	<i>chapter 23.775</i>
<i>2</i>	<i>chapter 23.775.30</i>