

**ORDINANCE  
OF THE STATES OF DELIBERATION**

ENTITLED

**The Criminal Justice (Attendance Centre) Ordinance, 1983**

\*

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Recueil d'Ordonnances Tome XXII, p. 550; as amended by the Criminal Justice (Attendance Centre) (Amendment) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 208).

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ARRANGEMENT OF SECTIONS

1. Application of this Ordinance.
2. Officer in Charge.
3. Attendance.
4. Admission to centre.
5. Unfitness for attendance.
6. Discipline.
7. Breach of this Ordinance.
8. Interpretation.
9. Citation.
10. Commencement.

(Made on the 7th December, 1983.)

## **The Criminal Justice (Attendance Centre) Ordinance, 1983**

**THE STATES**, in exercise of the powers conferred upon them by section three of the Criminal Justice (Attendance Centre) (Guernsey) Law, 1982<sup>a</sup>, and in pursuance of their Resolution of the twenty-sixth day of October, nineteen hundred and eighty-three hereby order: –

### **Application of this Ordinance.**

1. The provisions of this Ordinance shall apply to any attendance centre (hereinafter referred to as "**the centre**") provided by the Committee under subsection (1) of section one of the Law for the reception of male [or female] persons.

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### **NOTE**

*In section 1, the words in square brackets were inserted by the Criminal Justice (Attendance Centre) (Amendment) Ordinance, 1990, section 1, with effect from 13th December, 1990.*

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### **Officer in Charge.**

2. (1) The officer in charge shall maintain a register in which shall be recorded in respect of each person required to attend at the centre –

- (a) every attendance or failure to attend,
- (b) the duration of each attendance, and

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<sup>a</sup> Ordre en Conseil No. III of 1982.

- (c) the commission of any breach of this ordinance and the manner in which it is dealt with.

(2) Subject to the provisions of section seven of this Ordinance, it shall be the duty of the officer in charge to ensure that any person attending at the centre who has not completed the period of attendance specified in the order is, before leaving the centre, informed (both orally and in writing) of the day and time when he is next required to attend at the centre unless in any particular case it is impracticable to give this information.

**Attendance.**

3. (1) Persons required to attend at the centre shall so attend –
- (a) on the first occasion, at the time specified in the order, and
  - (b) on any subsequent occasion, at such time as may be notified to them in accordance with the provisions of subsection (2) of the last preceding section, or, if no such notification has been given, at such time as may be notified to them in writing by or on behalf of the officer in charge,

and on attending shall report to, and place themselves under the direction of, the officer in charge.

(2) The occasions of a person's attendance at the centre and the duration of each attendance shall, so far as practicable and subject to the provisions of section seven of this Ordinance, be so arranged by the officer in charge that the

duration of attendance on any occasion is not less than one hour.

**Admission to centre.**

4. A person, other than a person on an occasion when he is required to attend in pursuance of an order made under subsection (1) of section two of the Law, shall not be admitted to, or remain in, the centre except with the permission of the Committee or the officer in charge.

**Unfitness for attendance.**

5. (1) The officer in charge may at any time require a person attending at the centre to leave it if, in the opinion of the officer, that person is –

- (a) so unwell as to be unfit to remain at the centre on that occasion, or
- (b) infested with vermin or suffering from any infectious disease or otherwise in a condition likely to be detrimental to other persons attending at the centre.

(2) Where a person is required under the provisions of the last preceding subsection to leave the centre, he shall be instructed in accordance with the provision of subsection (2) of section two of this Ordinance as to his further attendance at the centre.

**Discipline.**

6. (1) The discipline of the centre shall be maintained by the personal influence of the officer in charge and members of the staff.

(2) A person shall while attending at the centre conduct himself in an orderly manner and shall obey any order given or instruction issued by the

officer in charge or any member of the staff.

**Breach of this Ordinance.**

7. (1) Any person who while attending at the centre commits a breach of this Ordinance may be required to leave the centre at any time.

(2) Where a person is required under the provisions of the last preceding subsection to leave the centre, he shall either –

- (a) be instructed in accordance with the provisions of subsection (2) of section two of this Ordinance as to his further attendance at the centre, or
- (b) be informed (both orally and in writing) that he is not required to attend at the centre again and that it is intended in respect of the said breach to take steps to bring him before a Court under subsection (5) of section two of the Law.

(3) Without prejudice to the generality of the provisions of subsections (1) and (2) of this section, the officer in charge or any member of the staff may deal with a person who while attending at the centre commits a breach of this Ordinance in either or both of the following ways, that is to say –

- (a) by separating him from other persons attending at the centre,
- (b) by giving him a less attractive form of occupation,

during the whole or any part of the period of attendance specified in the order made

under subsection (1) of section two of the Law then remaining uncompleted.

**Interpretation.**

**8.** (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"**the centre**" has the meaning assigned to it in section one of this Ordinance,

"**the Law**" means the Criminal Justice (Attendance Centre) (Guernsey) Law, 1982,

"**member of the staff**" means any person, other than the officer in charge, for the time being carrying out any instructional or supervisory duties at the centre,

and any other expressions have the same meanings as in the Law.

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

**Citation.**

**9.** This Ordinance may be cited as the Criminal Justice (Attendance Centre) Ordinance, 1983.

**Commencement.**

**10.** This Ordinance shall come into force on the first day of January,

nineteen hundred and eighty-four.