



ST HELENA



PRISONS ORDINANCE 1960

PRISONS (AMENDMENT) RULES 2025

In exercise of the powers conferred by section 6(1) of the Prisons Ordinance 1960, the Governor on the advice of the Executive Council makes the following Rules:

Citation

1. These Rules may be cited as the Prisons (Amendment) Rules 2025.

Amendment of the Prisons Rules 1999

2. (1) The Prisons Rules 1999 are amended as follows.
 - (2) After rule 11(5) insert—

“(5A) Upon receipt of a report under rule 11(5) the Governor may take any action as appears to the Governor to be appropriate to the circumstances set out in the report. Such actions may include, but are not limited to—

 - (a) requesting further information relating to the subject of the report;
 - (b) directing that the Superintendent comply with any or all recommendations in the report, whether wholly or in part;
 - (c) directing that the prison make any other arrangements as the Governor considers appropriate;
 - (d) releasing the prisoner on compassionate grounds in accordance with Rule 11A.”
 - (3) After Rule 11 insert—

“Power to release prisoners on compassionate grounds etc.

- 11A.** (1) The Governor may at any time release a prisoner on licence if he is satisfied that exceptional circumstances exist which justify such a step on compassionate grounds.
- (2) Any person released on licence under this rule must comply with any conditions from time to time specified in the licence.
- (3) A licence granted to a prisoner under this rule may be made subject to any conditions that appear to the Governor to be desirable either generally or in any particular case, and any such conditions may be varied from time to time or cancelled.
- (4) Before imposing, varying or cancelling any conditions, unless doing so upon the recommendation of the Committee, the Governor must consult the Committee.

- (5) In considering the conditions that are to be included in the licence, the Governor must have particular regard to—
- (a) the nature of the offence for which the sentence is being served,
 - (b) the total length of the sentence,
 - (c) the length of the sentence that will have been served in prison,
 - (d) any potential risk posed by the prisoner, and
 - (c) the specific circumstances of the compassionate grounds.”

Dated this 26th day of March 2025.

Nigel Phillips CBE
Governor

EXPLANATORY NOTE
(This note is not part of the Notice)

These Rules amend the Prisons Rules 1999 to provide that the Governor may, on compassionate grounds, release a prisoner on licence. The Rules also clarify that the Governor may take any appropriate steps in response to a report made under rule 11(5).