



Prison Act 1952

1952 CHAPTER 52

Miscellaneous

49 Persons unlawfully at large

- (1) Any person who, having been sentenced to imprisonment, corrective training, preventive detention or Borstal training or ordered to be detained in a detention centre, or having been committed to a prison or remand centre, is unlawfully at large, may be arrested by a constable without warrant and taken to the place in which he is required in accordance with law to be detained.
- (2) Where any person sentenced to imprisonment, corrective training, preventive detention or Borstal training, or ordered to be detained in a remand home or detention centre, is unlawfully at large at any time during the period for which he is liable to be detained in pursuance of the sentence or order, then, unless the Secretary of State otherwise directs, no account shall be taken, in calculating the period for which he is liable to be so detained, of any time during which he is absent from the prison, Borstal institution, remand home, or detention centre, as the case may be:

Provided that—

- (a) this subsection shall not apply to any period during which any such person as aforesaid is detained in pursuance of the sentence or order or in pursuance of any other sentence of any court in a prison, Borstal institution, remand home or detention centre ;
 - (b) this subsection shall not apply to a person who is unlawfully at large from a Borstal institution by reason only that he has been recalled thereto under section forty-five of this Act; and
 - (c) nothing in this subsection shall be construed as extending the period during which a person sentenced to Borstal training is liable to supervision under that section.
- (3) The provisions of the last preceding subsection shall apply to a person who is detained in custody in default of payment of any sum of money as if he were sentenced to imprisonment.

Status: This is the original version (as it was originally enacted).

- (4) For the purposes of this section a person who, after being temporarily released in pursuance of rules made under subsection (5) of section forty-seven of this Act, is at large at any time during the period for which he is liable to be detained in pursuance of his sentence shall be deemed to be unlawfully at large if the period for which he was temporarily released has expired or if an order recalling him has been made by the Prison Commissioners in pursuance of the rules.