

**Custody (Amendment) Bill 2013 –
Third Reading approved**

The President: Do you wish to move to the Third Reading, sir?

Mr Coleman: Thank you, Madam President.

I am grateful to Hon. Members for supporting the suspension of Standing Orders, so all the stages of the Bill could be taken in Council today.

I think all issues have been addressed and hope Members can support the Third Reading of this Bill so it may pass today.

Madam President, I beg to move that the Custody (Amendment) Bill 2013 be read a third time and do pass.

Mr Butt: I beg to second, Madam President, and reserve my remarks.

The President: The Hon. Member, Mr Downie.

Mr Downie: Thank you, Madam President.

In supporting the Third Reading of the Bill, I would just like to say that obviously the Department identified that there was a problem, they sought advice on this, and in fairness to them, they have moved as quickly as they can possibly do to redress the issue. I think that is a great testament to them and the way that they deal with things. They could have, I suppose, bluffed it through and hoped to keep it under the radar, but we do not work like that in the Isle of Man. If we see a problem, we like to identify it and we like to deal with it, and I think that is one of the main reasons why I am here supporting the Custody (Amendment) Bill today.

The President: The Hon. Member, Mr Butt.

Mr Butt: Thank you, Madam President.

I also support the Third Reading of this Bill. Obviously, an oversight was made in 2001 when the new clause was inserted into the 1995 Act, and that has now been rectified.

I would also like to congratulate the mover of the Bill in his maiden moving of legislation, (**Members:** Hear, hear.) It is very unusual to have a Bill of this nature as your first effort and he has probably broken the world record for getting a Bill through – (*Laughter*)

The President: Through the Council, certainly!

Mr Butt: Through the Council. So I congratulate the mover on his handling of the Readings today.

Mr Coleman: Thank you.

The President: The Hon. Member, Mr Downie.

Mr Downie: I have said my bit.

The President: Oh sorry, Mr Crowe. (*Laughter*)

Mr Crowe: Thank you, Madam President.

Yes, I too would congratulate Mr Coleman on moving this Bill through. I am fully supportive of everything the Department is trying to achieve. As a previous Member, with Mr Quirk and Mr

Watterson, I know fully the work going on in the Prison and the Department, so by them being here reflects the importance of this legislation. So I thank them for being here.

I thank Mr Coleman for his clear presentation and I think one or two of the points raised might be helpful just for purposes of *Hansard* and future clarification.

Thank you again.

The President: The Hon. Member, Mr Wild.

Mr Wild: Thank you, Madam President.

Just to give the Third Reading my full support. In my view, this is robust, practical and needed legislation which has required, I think, speedy action. I congratulate my hon. colleague, Mr Coleman on delivering that speedy response.

The President: The Hon. Member, Mr Corkish.

Mr Corkish: Thank you, Madam President.

I wish to concur with all that has been said before, too, and also I think it might be worth pointing out, perhaps, that the action taken today will also add to the safety of the Prison staff and also other prisoners within the care of Her Majesty's Prison.

The President: The mover to reply.

Mr Coleman: I would like to thank the Hon. Members for their very kind comments – personal comments – and their appreciation of just the urgency that this really needed. I think it is obvious from the speed it has gone through both Houses really – hopefully through this one.

I am very grateful for the comments and I think that very wise words have been spoken about the safety of the prisoners. I think they are in our care and even though they may not realise it, we are there to try and look after them to the best of our ability. I think that this Bill certainly gives us the legal tool, to be able to provide one level of safety in that institution.

The President: The motion is, Hon. Members, that the Bill be read a third time and do pass. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Can I also add my congratulations to you, sir, on taking your first Bill through.

Mr Coleman: Thank you, Madam President.

The President: I am sure it will not be the last! A nice one to start on – two clauses! *(Laughter)*

Mr Braidwood: Wait till you get to the Company Bill!

The President: Can I just comment that it is perhaps straying from the contemporary practice of having a third clause to remove it after promulgation as an amendment Bill. Perhaps the Department can ponder on that, when they bring something else forward.

That concludes our business, Hon. Members. Unless any Questions are tabled we have no business ahead of us and so we will adjourn until Tuesday, 5th November – as I said, unless any Questions appear.

Can I just advise members that Mr Barton's funeral will take place next Tuesday at one o'clock at St George's.

Thank you, Hon. Members.