

Status: Point in time view as at 27/05/2020.

Changes to legislation: Criminal Justice and Public Order Act 1994, Cross Heading: Suspension of certificate is up to date with all changes known to be in force on or before 28 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 6

CERTIFICATION OF PRISONER CUSTODY OFFICERS: SCOTLAND

Suspension of certificate

- 3 (1) This paragraph applies where at any time—
- (a) in the case of a prisoner custody officer acting in pursuance of prisoner escort arrangements, it appears to the prisoner escort monitor for the area concerned that the officer is not a fit and proper person to perform escort functions;
 - (b) in the case of a prisoner custody officer performing custodial duties at a contracted out prison, it appears to the controller of that prison that the officer is not a fit and proper person to perform custodial duties; or
 - (c) in the case of a prisoner custody officer performing contracted out functions at a directly managed prison, it appears to the governor of that prison that the officer is not a fit and proper person to perform custodial duties.
- (2) The prisoner escort monitor, controller or governor may—
- (a) refer the matter to the Secretary of State for a decision under paragraph 4 below; and
 - (b) in such circumstances as may be prescribed by prison rules, suspend the officer's certificate so far as it authorises the performance of escort functions or, as the case may be, custodial duties pending that decision.

Modifications etc. (not altering text)

- C1** Sch. 6 para. 3 applied (with modifications) (temp.) (27.5.2020) by [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), [sch. 2 para. 3\(2\)\(d\)](#) (with s. 9) (which affecting provision expires (1.10.2022) by virtue of [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 9(1))
- C2** Sch. 6 paras. 3, 4 modified (temp.) (27.5.2020) by [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), [sch. 2 para. 3\(3\)](#) (with s. 9) (which affecting provision expires (1.10.2022) by virtue of [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 9(1))

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