



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART VIII

#### PRISON SERVICES AND THE PRISON SERVICE

### CHAPTER II

#### SCOTLAND

##### *Prisoner escorts*

#### **105 Breaches of discipline by prisoners under escort.**

- (1) Where a prisoner for whose transfer or custody a prisoner custody officer has been responsible in pursuance of prisoner escort arrangements is delivered to a prison, he shall be deemed, for the purposes of such prison rules as relate to breaches of discipline, to have been—
  - (a) in the custody of the governor of the prison; or
  - (b) in the case of a contracted out prison, in the custody of its director,at all times during the period for which that officer was so responsible, and that officer may bring a charge of breach of such rules as so relate against the prisoner in respect of any such time.
- (2) Nothing in subsection (1) above shall render a prisoner liable to be punished under prison rules for any act or omission of his for which he has already been punished by a court.
- (3) In this section “prison rules”, in relation to a prison situated in a part of the British Islands outside Scotland, means rules made under any provision of the law of that part which corresponds to section 39 of the 1989 Act.

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*Status: Point in time view as at 27/05/2020. This version of this provision has been superseded.*

*Changes to legislation: Criminal Justice and Public Order Act 1994, Section 105 is up to date with all changes known to be in force on or before 14 July 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)*

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#### **Extent Information**

**E1** S. 105 extends to Scotland and the British Islands see s. 172(12)

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#### **Modifications etc. (not altering text)**

**C1** S. 105 applied (with modifications) (temp.) (S.) (27.5.2020) by [Coronavirus \(Scotland\) \(No.2\) Act 2020 \(asp 10\)](#), s. 16(1), **sch. 2 para. 3(2)(c)** (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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