



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART VIII

#### PRISON SERVICES AND THE PRISON SERVICE

#### CHAPTER II

#### SCOTLAND

#### *Supplemental*

#### **115 Wrongful disclosure of information.**

(1) A person who—

- (a) is or has been employed (whether as a prisoner custody officer or otherwise) in pursuance of prisoner escort arrangements, or at a contracted out prison; or
- (b) is or has been employed to perform contracted out functions at a directly managed prison,

shall be guilty of an offence if he discloses, otherwise than in the course of his duty or as authorised by the [<sup>F1</sup>Scottish Ministers], any information which he acquired in the course of his employment and which relates to a particular prisoner.

(2) A person guilty of an offence under subsection (1) above shall be liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
- (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.

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*Status: Point in time view as at 27/05/2020. This version of this provision has been superseded.*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 115 is up to date with all changes known to be in force on or before 11 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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#### **Textual Amendments**

- F1** Words in s. 115(1) substituted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 115(9)**; S.I. 1998/3178, **art. 2**
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#### **Modifications etc. (not altering text)**

- C1** S. 115 applied (with modifications) (temp.) (27.5.2020) by **Coronavirus (Scotland) (No.2) Act 2020 (asp 10)**, s. 16(1), **sch. 2 para. 3(2)(e)** (with s. 9) (which affecting provision expires (1.10.2022) by virtue of **Coronavirus (Scotland) (No.2) Act 2020 (asp 10)**, **s. 9(1)**)

**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Point in time view as at 27/05/2020. This version of this provision has been superseded.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 115 is up to date with all changes known to be in force on or before 11 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.