



Offender Management Act 2007

2007 CHAPTER 21

PART 2

PRISONS

Contracted out prisons and secure training centres

18 Powers of authorised persons to perform custodial duties and search prisoners

- (1) The Criminal Justice Act 1991 (c. 53) is amended as follows.
- (2) After section 86A (as inserted by section 17 above) there is inserted—

“86B Powers of authorised persons to perform custodial duties

- (1) In this section—
 - “restricted activity” means an activity which is (apart from this section) required by section 85(1) to be carried out by an officer of a contracted-out prison who is—
 - (a) a prisoner custody officer authorised to perform custodial duties; or
 - (b) a prison officer temporarily attached to the prison; and
 - “worker”, in relation to a contracted out prison, means a person who works at the prison, other than an officer mentioned above.
- (2) The Secretary of State may by order specify descriptions of restricted activity that may be the subject of authorisations under subsection (3) given to workers at a contracted-out prison.
- (3) A worker at a contracted-out prison may carry out any activity of a description specified under subsection (2), but only if and to the extent that he is for the time being authorised to do so by the director of the prison.
- (4) The director may give such authorisation—

Status: This is the original version (as it was originally enacted).

- (a) in general or specific terms, subject to any limitations or conditions he considers appropriate; and
 - (b) to one or more particular workers or to any worker who is (or comes to be) within a specified description of workers at the prison.
 - (5) Nothing in an order or authorisation under this section is to be taken as authorising the use of force.
 - (6) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (3) In section 85(1) (officers of contracted out prisons), after “shall”, in the words following paragraph (b), there is inserted “(subject to section 86B)”.