



Prison Act 1952

1952 CHAPTER 52 15 and 16 Geo 6 and 1 Eliz 2

Confinement and treatment of prisoners

13 Legal custody of prisoner. **E+W**

- (1) Every prisoner shall be deemed to be in the legal custody of the governor of the prison.
- (2) A prisoner shall be deemed to be in legal custody while he is confined in, or is being taken to or from, any prison and while he is working, or is for any other reason, outside the prison in the custody or under the control of an officer of the prison [^{F1}and while he is being taken to any place to which he is required or authorised by or under this Act [^{F2}or section 95, 98, 99 or 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000] to be taken, or is kept in custody in pursuance of any such requirement or authorisation].

Textual Amendments

- F1** Words added by [Criminal Justice Act 1961 \(c. 39\)](#), [Sch. 4](#)
F2 Words in [s. 13\(2\)](#) substituted (25.8.2000) by [2000 c. 6](#), ss. 165(1), 168(1), Sch. 9 para. 4

Modifications etc. (not altering text)

- C1** [S. 13\(1\)](#) modified (31.10.1991) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), [s. 87\(4\)](#); S.I. 1991/2208, art. 2(4), [Sch. 3](#)
C2 [S. 13\(2\)](#) modified (31.10.1991) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), [s. 87\(6\)](#); S.I. 1991/2208, art. 2(4), [Sch. 3](#)
[S. 13\(2\)](#) modified (3.11.1994) by [1994 c. 33](#), [ss. 11\(3\)\(4\)](#), 172(4)
[S. 13\(2\)](#) modified (3.11.1994) by [1991 c. 53](#), [s. 88A](#) (as inserted (3.11.1994) by [1994 c. 33](#), [ss. 99](#), 172(4))

Status:

Point in time view as at 26/01/2004. This version of this provision has been superseded.

Changes to legislation:

Prison Act 1952, Section 13 is up to date with all changes known to be in force on or before 06 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.