



# Prisons (Scotland) Act 1989

## 1989 CHAPTER 45

### *Confinement and treatment of prisoners*

#### **11 Removal of prisoners for judicial and other purposes.**

- (1) Rules under section 39 of this Act may provide in what manner an appellant within the meaning of [<sup>F1</sup>section 132 of the 1995 Act], when in custody, is to be taken to, kept in custody at, and brought back from, any place at which he is entitled to be present for the purposes of that Act, or any place to which the High Court of Justiciary or any judge thereof, may order him to be taken for the purposes of any proceedings of that court.
- (2) The Secretary of State may, if he is satisfied that a person detained in Scotland in a prison requires medical or surgical treatment of any description, direct him to be taken to a hospital or other suitable place for the purpose of the treatment.
- (3) Where any person is directed under the last foregoing subsection to be taken to any place he shall, unless the Secretary of State otherwise directs, be kept in custody while being so taken, while at that place, and while being taken back to the prison in which he is required in accordance with law to be detained.
- (4) The governor or any officer of a prison may execute any warrant issued by the High Court of Justiciary for the removal of a prisoner in that prison to any other prison for the purpose of trial before that court.
- (5) The Secretary of State may make regulations as to the mode in which and the officers by whom warrants issued under the last foregoing subsection shall be executed.

#### **Textual Amendments**

**F1** Words in s. 11(1) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 75(2)**

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

**C1** S. 11(4) modified (3.2.1995) by 1994 c. 33, s. 110(3)(4); S.I. 1995/127, art. 2(1), **Sch. 1**  
S. 11(4) modified (3.2.1995) by 1994 c. 33, s. 112(3)(4)(a)(6); S.I. 1995/127, art. 2(1), **Sch. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Prisons (Scotland) Act 1989, Section 11.