



Prisons (Scotland) Act 1989

1989 CHAPTER 45

Confinement and treatment of prisoners

14 Legalised police cells

(1) The Secretary of State, on the application of a police authority, may from time to time by rules under this Act declare that any police cells or other premises in the possession of the police authority shall be a legal prison for the detention of prisoners before, during or after trial for any period not exceeding 30 days. Any such police cells or other premises are hereinafter referred to as legalised police cells.

(2) Any person charged with or convicted of any crime or offence committed within any region or islands area who might have been lawfully confined in a prison situated therein may be lawfully confined in any legalised police cells situated in that region or islands area for such period as aforesaid.

(3) The maintenance of prisoners confined in any legalised police cells shall be deemed to be the maintenance of prisoners under this Act:

Provided that the police authority shall not be entitled to any payment for the use of the legalised police cells or for services rendered by any of their officers in connection with the detention or removal of the prisoners so confined.

(4) The police authority, notwithstanding anything in this section, shall at all times have a prior claim to the uninterrupted use of any legalised police cells in their area.

(5) For the purposes of this section the police authority of any region or islands area in which there are any legalised police cells and all persons in their employment shall be subject to the provisions of this Act and any rules made thereunder.

(6) It shall be the duty of the Secretary of State to make any arrangements required for the removal of any prisoners confined in legalised police cells in the islands area of Orkney or of Shetland.

(7) In this section the expression “police authority” means the council of a region or islands area, except that where there is an amalgamation scheme in force under the Police (Scotland) Act 1967 it means a joint police committee.

Status: This is the original version (as it was originally enacted).

- (8) For the purposes of sections 8 and 39 of this Act, legalised police cells shall be deemed to be prisons.