



# Prisons (Scotland) Act 1989

## 1989 CHAPTER 45

### *Detention and transfer of young offenders*

#### **[<sup>F1</sup>20A Transfer of young offenders to prison or remand centre.**

- (1) Subject to section 21 of this Act, an offender sentenced to detention in a young offenders institution shall be detained in such an institution unless a direction under subsection (2) below is in force in relation to him.
- (2) The Secretary of State may from time to time direct that an offender sentenced to detention in a young offenders institution shall be detained in a prison or remand centre instead of in a young offenders institution, but if the offender is under 18 years of age at the time of the direction, only for a temporary purpose.
- (3) Where an offender is detained in a prison or remand centre by virtue of subsection (2) above, any rules under section 39 of this Act which apply in relation to persons detained in that place shall apply to that offender; but subject to the foregoing and to subsection (4) below, the provisions of the [<sup>F1</sup>1975 Act], the Prisoners and Criminal Proceedings (Scotland) Act 1993 and this Act relating to the treatment and supervision of persons sentenced to detention in a young offenders institution shall continue to apply to the offender.
- (4) Where an offender referred to in subsection (3) above attains the age of 21 years, subsection (3) of section 21 of this Act shall apply to him as if he had been transferred to prison under that section.]

#### **Textual Amendments**

- F1** S. 20A inserted (1.10.1993) by 1993 c. 9, s.23 (with ss. 5(1), 6(1), 10, 27 and 47(2), Sch. 6 paras. 1, 2, 6 and 7); S.I. 1993/2050, art. 3(4).  
By 1995 c. 40, ss. 5, 7(2), Sch. 4 para. 86(2) it is provided (1.4.1996) that for the words “1975 Act” where they occur in 1993 c. 9 there shall be substituted “1995 Act”;

**Changes to legislation:**

There are currently no known outstanding effects for the Prisons (Scotland) Act 1989, Section 20A.