



# Crime and Punishment (Scotland) Act 1997

## 1997 CHAPTER 48

### PART III

#### PRISONERS

### CHAPTER II

#### TREATMENT OF PRISONERS

#### **44 Unlawful disclosure of information.**

(1) After section 41B of the 1989 Act there shall be inserted the following section—

**“41D Unlawful disclosure of information by medical officer.**

- (1) This section applies to—
- (a) a registered medical practitioner appointed under paragraph (a) of section 107(6) of the <sup>M1</sup>Criminal Justice and Public Order Act 1994 (medical services in contracted out prisons);
  - (b) a registered medical practitioner providing appropriate medical services under an arrangement entered into under section 3A(2)(b) of this Act or paragraph (b) of the said section 107(6); and
  - (c) any person acting under the supervision of such a practitioner.
- (2) Any person to whom this section applies who discloses, otherwise than in the course of his duty or as authorised by the Secretary of State, any information relating to a particular prisoner which he has acquired in the course of carrying out his duties shall be guilty of an offence.
- (3) A person guilty of an offence under subsection (2) above shall be liable—

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**Changes to legislation:** There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 44. (See end of Document for details)

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- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both;
- (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.”.

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**Marginal Citations**

**M1** 1994 c.33.

**Changes to legislation:**

There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 44.