



Prisons (Scotland) Act 1877

1877 CHAPTER 53

ADMINISTRATION OF PRISONS

Visiting Committee

14 Appointment of visiting committee of prisons

A visiting committee shall annually be appointed for every ordinary prison under this Act, consisting of such number of persons being commissioners of supply or justices of the peace of counties, and magistrates of burghs, to be appointed in such manner, and to be chosen at such time as the Secretary of State, having regard to the locality of the prison, to the prison authority heretofore having jurisdiction over such prison, and to the class of prisoners to be confined in such prison, may from time to time by any general or special rule prescribe.

The commissioners of supply of any county shall appoint members of a visiting committee when assembled at such general or special meeting as may be prescribed by the Secretary of State.

The magistrates of a burgh shall hold a special meeting at such time as may be prescribed by the Secretary of State, for the purpose of appointing any members of a visiting committee they may be required to appoint.

Nothing in this Act, or in any rules to be made under this Act, shall restrict any member of the visiting committee for any prison from visiting the prison at any time, and any such member shall at all times have free access to every part of the prison, and to every prisoner therein.

15 Duties of visiting committee

The Secretary of State shall, on or before the commencement of this Act, make and publish, and may hereafter from time to time repeal, alter, or add to, rules with respect to the duties of a visiting committee, and such committee shall conform to any rules so made, but, subject as aforesaid, the members of such committee shall from time to time and at frequent intervals visit the prison for which they are appointed, and hear

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any complaints which may be made to them by the prisoners, and if asked privately. They shall report on any abuses within the prison, and also on any repairs which may be urgently required in the prison, and shall further take cognizance of any matters of pressing necessity, and do such acts and perform such duties in relation to a prison as they may be required to do or perform by the Secretary of State.

The visiting committee shall report to the Secretary of State any matters with respect to which they may consider it expedient, and shall report to the Secretary of State as soon as may be, and in such manner as he may direct, any matter respecting which they may be required by the Secretary of State to report.

16 Visit to prison by any sheriff or justice

Any sheriff or justice of the peace, having jurisdiction in the place in which a prison is situate, or having jurisdiction in the place where the offence in respect of which any prisoner may be confined in prison was committed, may, when he thinks fit, enter into and examine the condition of such prison, and of the prisoners therein, and he may enter any observations he may think fit to make in reference to the condition of the prison, or abuses therein, in the visitors book to be kept by the governor; and it shall be the duty of the governor to draw the attention of the visiting committee, at their next visit to the prison, to any entries made in the said book; but he shall not be entitled, in pursuance of this section, to visit any prisoner under sentence of death, or to communicate with any prisoner, except in reference to the treatment in prison of such prisoner, or to some complaint that such prisoner may make as to such treatment.