



# Prisons (Scotland) Act 1877

## 1877 CHAPTER 53

### PART II

#### SUPPLEMENTAL PROVISIONS

##### *As to Classification and Commitment of Prisoners*

#### **30 Secretary of State may legalise police cells as places of detention for short periods**

In any county or burgh in which there are police cells or other premises in the possession of the police authority of such county or burgh, the Secretary of State may from time to time, on the application of such police authority, by any general or special rule, declare that such cells or any number of them, or such other premises or any part of them, shall be a legal prison for the detention of prisoners before or during or after trial, for any period not exceeding fourteen days; and any person charged with or convicted of any crime or any offence committed within such county or burgh, as the case may be, who might, if this Act had not passed, have been lawfully confined in a prison situate within the area of such county or burgh, may be lawfully confined in such police cells or other premises for such period : Provided always, the police authorities shall, in all cases, and at all times, have a prior claim to the use of such cells, and shall in no case be interfered with in their use thereof.

The maintenance of prisoners confined in such police cells or other premises shall be deemed to be the maintenance of prisoners in terms of this Act, and the expense incurred in respect thereof shall be defrayed out of moneys provided by Parliament, subject to this proviso, that the police authority shall not be entitled to make any claim in respect of the use of the police cells or other premises, or of the personal services rendered by any of their officers in detaining or removing the prisoners therein confined.

For the purposes of this section the police authority of any county or burgh, and all persons in their employment, shall be subject to the provisions of this Act, and of any rules made in pursuance thereof.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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" Police authority " shall mean the body having the charge or management of the police of a county or burgh under the provisions of any general or local Act of Parliament.