



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 4

PRISONERS ETC.

Custody and temporary detention

24 Legal custody

- (1) In section 13 of the 1989 Act (legal custody of prisoners)—
- (a) for the words “A person shall be deemed to be” there is substituted “ Without prejudice to section 295 of the Criminal Procedure (Scotland) Act 1995 (c. 46) (legal custody of persons generally), a prisoner is ”; and
 - (b) in paragraph (b), at the end there is added “ , a constable (“constable” having the same meaning as it has, by virtue of paragraph 17(1) and (2) of Schedule 1 to the Crime (Sentences) Act 1997 (c. 43), in section 40(1) of this Act) or a police custody and security officer ”.
- (2) In section 295 of the 1995 Act (legal custody of persons generally)—
- (a) at the beginning there is inserted “ Without prejudice to section 13 of the Prisons (Scotland) Act 1989 (c. 45) (legal custody of prisoners), ”;
 - (b) for the word “shall” there is substituted “ is ”; and
 - (c) the words “be deemed to be” are repealed.

Status:

Point in time view as at 30/09/2017.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 2003, Section 24.