
Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Cross Heading: Officers who perform custodial duties. (See end of Document for details)

SCHEDULES

SCHEDULE 10

CONTRACTING OUT SECURE COLLEGES

PART 1

CONTRACTING OUT PROVISION AND RUNNING OF SECURE COLLEGES

Officers who perform custodial duties

- 7 Every officer of a contracted-out secure college who performs custodial duties at the college must be—
- (a) a secure college custody officer, or
 - (b) an officer of a directly managed secure college who is temporarily attached to the contracted-out secure college.

Commencement Information

11 Sch. 10 para. 7 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

- 8 A secure college custody officer performing custodial duties at a contracted-out secure college has the following duties in relation to persons detained there—
- (a) to prevent their escape from lawful custody,
 - (b) to prevent, or detect and report on, the commission or attempted commission by them of other unlawful acts,
 - (c) to ensure good order and discipline on their part, and
 - (d) to attend to their well-being.

Commencement Information

12 Sch. 10 para. 8 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

- 9 (1) A secure college custody officer performing custodial duties at a contracted-out secure college may search the following in accordance with secure college rules—
- (a) a person who is detained in the secure college,
 - (b) any other person who is in the secure college or who is seeking to enter the secure college, and
 - (c) an article in the possession of a person described in paragraph (b).
- (2) The power under sub-paragraph (1)(b) does not include power to require a person to submit to an intimate search (within the meaning of section 164(5) of the Customs and Excise Management Act 1979).

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Commencement Information

I3 Sch. 10 para. 9 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

- 10 If authorised to do so by secure college rules, a secure college custody officer may use reasonable force where necessary in carrying out functions under paragraph 8 or 9.

Commencement Information

I4 Sch. 10 para. 10 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

- 11 (1) This paragraph applies where a secure college custody officer performing custodial duties at a contracted-out secure college has reason to believe that a person who is in the college or seeking to enter the college, other than a person detained there, is committing or has committed an offence under any of sections 39 to 40D of the Prison Act 1952.
- (2) The officer may require the person to wait with the officer for the arrival of a constable for such period as is necessary, except that the person may not be required to wait for longer than 2 hours.
- (3) The officer may use reasonable force to prevent the person from making off during that period.
- (4) A person who makes off during that period is guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (5) In sub-paragraph (1), the reference to an offence under any of sections 39 to 40D of the Prison Act 1952 (a “1952 Act offence”) includes—
- (a) an offence of attempting to commit a 1952 Act offence,
 - (b) an offence of conspiracy to commit a 1952 Act offence, and
 - (c) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) in relation to which a 1952 Act offence is the offence which the person intended or believed would be committed.

Commencement Information

I5 Sch. 10 para. 11 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

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