



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 2

#### PREVENTION, INVESTIGATION AND PROSECUTION OF CRIME

### CHAPTER 4

#### OTHER PROVISIONS

##### *Prisoner custody officers*

#### **58 Functions of prisoner custody officers in relation to live link hearings**

- (1) The Criminal Justice Act 1991 is amended as follows.
- (2) Section 80 (arrangements for the provision of prisoner escorts) is amended in accordance with subsections (3) to (5).
- (3) In subsection (1), after paragraph (b) insert—
  - “(ba) the custody of prisoners at a police station for any purpose connected with their participation in a preliminary, sentencing or enforcement hearing through a live audio link or live video link;”.
- (4) After subsection (1A) insert—
  - “(1B) Subsection (1)(ba) applies in relation to prisoners whether the hearing is yet to take place, is taking place or has taken place.”
- (5) In subsection (4), at the appropriate place insert—

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**Changes to legislation:** There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Cross Heading: Prisoner custody officers. (See end of Document for details)

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““enforcement hearing”, “live audio link”, “live video link”, “preliminary hearing” and “sentencing hearing” each has the meaning given in section 56(1) of the Criminal Justice Act 2003;”.

(6) Section 82 (powers and duties of prisoner custody officers) is amended in accordance with subsections (7) and (8).

(7) After subsection (4) insert—

“(4A) Subsections (4B) and (4C) apply if a prisoner custody officer acting in pursuance of prisoner escort arrangements is at a police station for the purposes of exercising functions under section 80(1)(ba) (custody of prisoners in relation to live link proceedings) in relation to a prisoner.

(4B) It is the prisoner custody officer’s duty to give effect to—

- (a) any order of the Crown Court under section 142 of the Powers of Criminal Courts (Sentencing) Act 2000 in relation to the prisoner, or
- (b) any order of a magistrates’ court under section 80 of the 1980 Act in relation to the prisoner.

(4C) The fact that the prisoner custody officer is exercising, or may exercise, functions under section 80(1)(ba) in relation to the prisoner does not prevent a constable from exercising any powers in relation to the prisoner that are otherwise available to the constable.”

(8) In subsection (5) for “and (4)” substitute “, (4) and (4B)”.

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**Commencement Information**

**II** S. 58 in force at 28.6.2022, see s. 208(5)(g)

**Changes to legislation:**

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, Cross Heading: Prisoner custody officers.