

SCHEDULES

SCHEDULE 10

CONTRACTING OUT SECURE COLLEGES

PART 3

CONTRACTING OUT FUNCTIONS AT DIRECTLY MANAGED SECURE COLLEGES

Power to contract out functions at directly managed secure college

- 20 (1) The Secretary of State may enter into a contract with another person for functions to be carried out at a directly managed secure college by secure college custody officers provided by that person.
- (2) In this Schedule, “contracted-out functions” means any functions which, by virtue of a contract under this paragraph, fall to be performed by secure college custody officers.

Powers of officers carrying out contracted-out functions

- 21 Paragraphs 6(1) and 8 to 11 apply in relation to a secure college custody officer carrying out contracted-out functions at a directly managed secure college as they apply in relation to a secure college custody officer carrying out functions at a contracted-out secure college.
- 22 In relation to a directly managed secure college, the reference to an officer of the prison in section 13(2) of the Prison Act 1952 (legal custody of prisoners), as it applies to secure colleges, includes a reference to a secure college custody officer performing custodial duties at the secure college in accordance with a contract under paragraph 20.

Obstruction etc of secure college custody officers

- 23 (1) A person who resists or wilfully obstructs a secure college custody officer performing contracted-out functions at a directly managed secure college commits an offence.
- (2) A person who commits an offence under this paragraph is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

Assault of secure college custody officers

- 24 (1) A person who assaults a secure college custody officer performing contracted-out functions at a directly managed secure college commits an offence.
- (2) A person who commits an offence under this paragraph is liable, on summary conviction, to imprisonment for a term not exceeding 51 weeks or a fine (or both).

Status: This is the original version (as it was originally enacted).

- (3) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in sub-paragraph (2) to 51 weeks is to be read as a reference to 6 months.
- (4) In relation to an offence committed before section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force, the reference in sub-paragraph (2) to a fine is to be read as a reference to a fine not exceeding level 5 on the standard scale.

Wrongful disclosure of information relating to persons in youth detention accommodation

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- (1) A person who is or has been employed to perform contracted-out functions at a directly managed secure college commits an offence if the person discloses any information—
 - (a) which the person acquired in the course of the employment, and
 - (b) which relates to a particular person detained in youth detention accommodation.
 - (2) It is not an offence under this paragraph for a person to disclose information—
 - (a) in the course of the person’s duty, or
 - (b) when authorised to do so by the Secretary of State.
 - (3) A person who commits an offence under this paragraph is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both), and
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine (or both).
 - (4) In relation to an offence committed before section 154(1) of the Criminal Justice Act 2003 comes into force, the reference in sub-paragraph (3)(b) to 12 months is to be read as a reference to 6 months.
 - (5) In relation to an offence committed before section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force, the reference in sub-paragraph (3)(b) to a fine is to be read as a reference to a fine not exceeding the statutory maximum.

Supplementary

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- The references in paragraphs 20, 21 and 22 to the carrying out of functions or the performance of custodial duties at a secure college include references to the carrying out of functions or the performance of such duties for the purposes of, or for purposes connected with, a secure college.