
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 94

**The Prisons and Young Offenders
Institutions (Scotland) Rules 2006**

PART 8

COMMUNICATIONS

Current affairs

55.—(1) Subject to paragraph (2), every prisoner may keep informed of current affairs by means of—

- (a) books, newspapers, periodicals or a radio; and
- (b) any other medium the Governor may allow.

(2) The Governor may restrict, or impose conditions as to, the exercise of the entitlement referred to in paragraph (1) where the Governor considers it is necessary to do so—

- (a) to protect the prisoner from self-injury; or
- (b) to prevent the prisoner from injuring others.

Prisoners' correspondence

56. Subject to rules 57 to 61, a prisoner may send and receive letters and packages by means of the postal service or otherwise.

Opening and reading of correspondence from and to courts

57.—(1) This rule applies only to letters and packages which—

- (a) are addressed to a court and which a prisoner gives to an officer for the purpose of posting to that court; or
- (b) are sent to a prisoner at the prison by a court.

(2) A prisoner who wishes to send a letter or package to a court shall mark prominently on the outer face of the envelope or packaging the words “Legal Correspondence” as well as their own name.

(3) Any letter or package to which this rule applies shall not be opened by an officer except where paragraph (5) applies.

(4) The contents of any letter or package to which this rule applies shall not be read by an officer.

(5) Any letter or package which a prisoner wishes to send to a court may only be opened where—

- (a) the officer has cause to believe that it contains a prohibited article;
- (b) the officer has explained to the prisoner concerned the reason for that belief; and
- (c) the prisoner concerned is present.

(6) Where a letter or package to which this rule applies is found to contain any prohibited article the Governor shall seize and detain that article.

(7) For the purposes of this rule, “court” includes the European Court of Justice, the European Court of Human Rights, the European Commission of Human Rights, the Principal Reporter, the Scottish Criminal Cases Review Commission and the Parole Board for Scotland.

Opening and reading of correspondence from and to legal advisers

58.—(1) This rule applies only to letters and packages which—

- (a) are addressed to a legal adviser and which a prisoner gives to an officer for the purpose of posting to that legal adviser; or
- (b) are sent to a prisoner at the prison by a legal adviser.

(2) A prisoner who wishes to send a letter or package to a legal adviser shall mark prominently on the outer face of the envelope or packaging the words “Legal Correspondence” as well as their own name.

(3) Any letter or package to which this rule applies shall not be opened by an officer except where paragraph (5) applies.

(4) The contents of any letter or package to which this rule applies shall not be read by an officer except where paragraph (6) applies.

(5) Any letter or package to which this rule applies may only be opened by an officer where—

- (a) the officer has cause to believe that it contains a prohibited article;
- (b) the officer has explained to the prisoner concerned the reason for that belief; and
- (c) the prisoner concerned is present.

(6) The contents of any letter or package to which this rule applies may only be read by an officer in exceptional circumstances where the Governor has reasonable cause to believe that the contents of the letter endanger the security of the prison or the safety of any person, or relate to a criminal activity.

(7) Where the Governor is of the opinion that the contents of any letter or package to which this rule applies may be read in terms of paragraph (6)—

- (a) the prisoner shall be informed that the letter or written material shall be read and the reasons why; and
- (b) the letter or written material shall be read by the Governor or an officer specially authorised by the Governor for the purpose.

(8) Where a letter or package to which this rule applies is found to contain a prohibited article or any article which the prisoner is not authorised to possess or keep in terms of these Rules, the Governor shall deal with the article in terms of rule 95 or 96, whichever is appropriate.

Opening and reading of other correspondence

59.—(1) Any letter or package, other than one to which rule 57 or 58 applies, which a prisoner wishes to send or which is addressed to the prisoner may be opened by an officer.

(2) The contents of any such letter or package may only be read by an officer where the officer considers that they may be, or may contain anything, in contravention of the restrictions specified in any direction by the Scottish Ministers made for the purposes mentioned in rule 60(2).

(3) Where a letter or package is found to contain anything in contravention of such restrictions, or which the prisoner may not be permitted to receive by virtue of those restrictions, an officer may—

- (a) prevent the letter or package, or anything contained in it, being sent or, as the case may be, received by the prisoner; and
- (b) deal with the letter or package, or anything contained in it, in accordance with such arrangements as may be specified in a direction by the Scottish Ministers for these purposes.

Restrictions on prisoners' correspondence

60.—(1) A prisoner's entitlement under rule 56 to send and receive letters and packages, other than letters and packages to which rule 57 or 58 applies, shall be subject to such restrictions as are mentioned in paragraph (2).

(2) The restrictions mentioned in this paragraph are such restrictions as may be specified in a direction by the Scottish Ministers for any of the following purposes:—

- (a) to prescribe in relation to the reading by an officer in terms of rule 59(2) of the contents of any letter or package—
 - (i) the circumstances when this may occur, and
 - (ii) the officers who may be authorised to do so;
- (b) to prescribe any restrictions as to the number of letters and packages which a prisoner may send;
- (c) to prescribe in relation to money (whether in the form of cash, cheques, bankers' drafts or otherwise) restrictions as to—
 - (i) the amount of money which a prisoner may send or receive; and
 - (ii) the times and frequency at which prisoners may send or receive money;
- (d) to prescribe the persons, authorities and organisations to whom a prisoner is prohibited from sending any letters and packages;
- (e) to prescribe particular restrictions and conditions which shall apply where a prisoner wishes to send letters and packages to prescribed persons, authorities and organisations whom the prisoner is not otherwise prohibited from corresponding with; and
- (f) to prescribe the nature and description of letters, written material and items of property in general which a prisoner may not send or receive.

Provision of writing materials and payment of postage

61.—(1) Subject to the following paragraphs, every prisoner shall be allowed to send one letter every week, the postage for which shall be paid for by the Scottish Ministers, and the Governor shall provide the prisoner with the necessary writing materials for this purpose.

(2) The writing materials which shall be provided by the Governor shall comprise—

- (a) a ballpoint pen;
- (b) one sheet of writing paper and a reasonable number of further sheets if the prisoner so requires; and
- (c) an envelope.

(3) The Governor may, for the purposes of paragraph (1), allow the prisoner to send more than one letter every week at the expense of the Scottish Ministers if it appears to the Governor that this is justified in the prisoner's circumstances.

Communication by telephone

62.—(1) A prisoner may have the use of a telephone subject to the provisions of paragraph (2).

(2) A prisoner's entitlement to the use of a telephone shall be subject to the provisions of any direction which the Scottish Ministers may make in relation to—

- (a) the groups or categories of prisoners who may have the use of a telephone;
- (b) the times of day and circumstances in which a telephone may be available for use;
- (c) the conditions applicable to the use of such a telephone; and
- (d) the logging, monitoring and recording by any means by an officer of telephone calls made by a prisoner.

(3) Where an officer informs a prisoner that he or she may not have the use of a telephone by virtue of the provisions of any direction as mentioned in paragraph (2), the officer shall also inform the prisoner of the reasons for that decision.

Visits by persons of a prisoner's choice

63.—(1) This rule applies to visits to a prisoner (other than an untried prisoner or a civil prisoner) by any person with whom the prisoner wishes to communicate.

(2) Subject to paragraph (3) and rules 77 and 78, the Governor shall allow a prisoner, at such times as the Governor considers reasonable, either—

- (a) not less than 30 minutes in any period of 7 consecutive days; or
- (b) not less than 2 hours in any period of 28 consecutive days,

for the purposes of receiving visits in terms of this rule.

(3) Subject to rules 77 and 78, the Governor shall allow a young prisoner (who is not also an untried prisoner), at such times as the Governor considers reasonable, not fewer than 2 visits, each of not less than 30 minutes, in any period of 7 consecutive days.

(4) The number of persons who shall be allowed to visit a prisoner at any time shall be at the discretion of the Governor.

(5) Where a prisoner receives a visit in terms of this rule—

- (a) the visit shall take place within the sight of an officer; but
- (b) except where the Governor otherwise authorises, and subject to the provisions of any direction made for the purposes of rule 77, no officer shall listen to any conversation between the prisoner and his or her visitor.

(6) Where the Scottish Ministers consider that it is not practicable to allow prisoners the minimum periods for visits specified in paragraph (2) due to the circumstances pertaining in, or facilities available at, any prison, they may by direction provide that paragraph (2) shall apply in relation to prisoners of that prison subject to such reduced minimum periods as may be specified in the direction.

(7) A prisoner shall only be entitled to receive a visit from a person who is a prisoner at another prison in exceptional circumstances and if the Governors of the respective prisons both give consent and, in the event that either or both Governors refuse consent, the prisoners concerned shall be given an explanation of the reasons for such refusal.

(8) A Governor shall only permit a visit in terms of this rule by a friend or relative of a prisoner who is, or has previously carried on the profession or vocation of, a journalist, author or media representative if—

- (a) the person is visiting on a personal basis and not for professional or vocational purposes; and
- (b) before being admitted to the prison the person gives a written undertaking to the effect that any material obtained during the visit—

- (i) will not be used for professional or vocational purposes and in particular for publication or broadcast or use on, or transmission by, any form of electronic medium; and
- (ii) will not be disclosed to any other person for use by that person or anyone else for the purposes of journalism, broadcasting or publishing.

(9) This rule does not apply to visits which a prisoner may receive by virtue of rules 44 to 46 and 66 to 76, and the entitlement of a prisoner to receive visits in terms of this rule is separate from any entitlement under those rules.

Visits to untried and civil prisoners by persons of a prisoner's choice

64.—(1) This rule applies to visits to an untried prisoner or a civil prisoner by any person with whom the prisoner wishes to communicate.

(2) An untried prisoner or a civil prisoner—

- (a) shall be allowed to receive (other than on 1st January or 25th December in any year)—
 - (i) a visit of at least 30 minutes' duration in terms of this rule on any day of the week other than a Saturday or Sunday; and
 - (ii) where the prisoner has not received a visit on every day of the preceding Monday to Friday, a visit of at least 30 minutes' duration on a Saturday or a Sunday; and
- (b) at the discretion of the Governor may receive a visit of such duration as he or she thinks fit on a Saturday or a Sunday or on 1st January or 25th December in any year.

(3) For the purposes of this rule—

- (a) a visit may take place during such hours and, subject to the other provisions of this rule, under such conditions as the Governor may specify;
- (b) the number of persons who shall be allowed to visit a prisoner at any time shall be at the discretion of the Governor.

(4) Where an untried prisoner or a civil prisoner receives a visit in terms of this rule—

- (a) the visit shall take place within the sight of an officer; but
- (b) no officer shall listen to any conversation between the prisoner and his or her visitor except where the Governor otherwise directs.

(5) Where the Scottish Ministers consider that it is not practicable to allow untried prisoners or civil prisoners the minimum period for visits specified in paragraph (2) due to circumstances pertaining in, or facilities available at, any prison, they may by direction provide that paragraph (2) shall apply in relation to untried prisoners or civil prisoners in that prison subject to such reduced minimum period as may be specified in the direction.

(6) Paragraph (8) of rule 63 shall apply to visits to an untried prisoner or a civil prisoner in terms of this rule as it applies to other prisoners.

(7) This rule does not apply to visits which a prisoner may receive by virtue of rules 44 to 46 and 66 to 76, and the entitlement of a prisoner to receive visits in terms of this rule is separate from any entitlement under those rules.

Entitlement to accumulated visits

65.—(1) This rule applies to a prisoner who—

- (a) is a life prisoner or is serving a sentence of imprisonment for a term of more than 12 months and has served at least 6 months of that sentence;

- (b) is moved from a prison to any other prison, whether or not for the purpose of enabling the prisoner to use any accumulated unused allowance of visits; and
- (c) has accumulated an unused allowance of visits in terms of rule 63 at the prison from which he or she is moved which is not less than the amount of visits which the prisoner would have been entitled to receive at that prison in terms of that rule in a period of 6 months.

(2) Subject to paragraph (3), a prisoner to whom this rule applies shall be entitled to carry forward the accumulated period of unused allowance and to use that accumulated allowance at the prison to which the prisoner is moved in addition to the allowance in terms of rule 63 at that prison.

(3) The exercise by a prisoner of his or her entitlement under paragraph (2) shall be subject to any direction by the Scottish Ministers in relation to—

- (a) the circumstances in which a prisoner who is moved from a prison to any other prison may not be allowed to carry forward, or may be restricted from carrying forward, any accumulated allowance of visits; and
- (b) the conditions which may be imposed (including conditions as to the period in which an accumulated allowance must be used) by the Governor where a prisoner is entitled to carry forward such an allowance.

(4) In the application of this rule to a young offender any reference to a prison shall be construed as a reference to a young offenders institution or a prison.

Visits by legal advisers

66.—(1) A prisoner shall be entitled to receive a visit from his or her legal adviser at any reasonable time for the purposes of consulting about any legal matter in which the prisoner is or may be directly interested.

(2) Where a prisoner receives a visit by a legal adviser in terms of this rule the visit—

- (a) may take place within the sight of an officer; but
- (b) shall take place outwith the hearing of any officer.

(3) A legal adviser may use sound recording equipment to record the discussions with the prisoner during a visit in terms of this rule, subject to such conditions as the Governor may specify.

Visits by procurators fiscal

67.—(1) A procurator fiscal or any person authorised by the procurator fiscal may, for the purpose of discharging his or her public duties, visit and examine a prisoner at any reasonable time.

(2) A visit to a prisoner by a procurator fiscal or any person authorised by the procurator fiscal may take place in such area of the prison and under such conditions as the Governor may specify except that such a visit shall take place—

- (a) within the sight of an officer; but
- (b) outwith the hearing of any officer.

Visits by police constables

68.—(1) A police constable may, on production of the written authority of either a procurator fiscal or the Chief Constable,—

- (a) visit any prisoner for the purposes of interviewing that prisoner, provided the prisoner is willing to be interviewed;
- (b) see any prisoner for the purposes of identification; or
- (c) see any prisoner for the purpose of charging that prisoner with any offence.

(2) A visit to a prisoner in terms of paragraph (1)(a) may take place in such area of the prison and under such conditions as the Governor may specify except that such a visit shall take place—

- (a) within the sight of an officer; and
- (b) within the hearing of an officer.

Visits by representatives of diplomatic services and national or international authorities or organisations

69.—(1) A prisoner who is a foreign national shall be entitled to communicate with and receive a visit at any reasonable time from a diplomatic representative of the prisoner's choice.

(2) A prisoner who is a refugee or stateless person shall be entitled to communicate with and receive a visit at any reasonable time from—

- (a) a diplomatic representative of a state which the prisoner considers may look after his or her interests; or
 - (b) subject to such limit as to numbers of authorities or organisations as the Governor may reasonably impose, an authorised representative of national or international authorities or organisations whose principal purpose is to serve the interests of refugees or stateless persons or to protect the civil rights of such persons.
- (3) Where a prisoner receives a visit in terms of this rule—
- (a) the visit shall take place within the sight of an officer; but
 - (b) no officer shall listen to any conversation between the prisoner and the visitor unless either the prisoner or the visitor otherwise requests.

Special visits to certain prisoners in connection with further proceedings

70.—(1) This rule applies to a prisoner who—

- (a) is an untried prisoner;
- (b) is a civil prisoner;
- (c) is an appellant;
- (d) has been remanded in custody following conviction to await sentence or further inquiry; or
- (e) is serving a sentence of imprisonment and who is—
 - (i) subject to a further charge; or
 - (ii) the respondent in an appeal by the Lord Advocate or the prosecutor under section 108(1) or 175(3)(2) of the 1995 Act,

but shall apply to such a prisoner only for so long as the proceedings in respect of the further charge or the appeal are pending against him.

(2) A prisoner to whom this rule applies shall be allowed a visit at any reasonable time to consult a registered medical practitioner, where the Governor considers it is in the interests of justice, or any other person for the purposes of—

(1) 1995 c. 46; section 108 was substituted by the Crime and Punishment (Scotland) Act 1997 (c. 48), section 21 and was amended by the Crime and Disorder Act 1998 (c. 37) section 94 and Schedule 6, paragraph 6, and also by the Proceeds of Crime Act 2002 (c. 29) Part 3, section 115; section 108A was added by the Crime and Punishment (Scotland) Act 1997 (c. 48), section 18 and was amended by the Crime and Disorder Act 1998 (c. 37) section 119 and Schedule 8, paragraph 120.

(2) 1995 c. 46; section 175 was amended by Crime and Punishment (Scotland) Act 1997 (c. 48), section 17, section 21, section 23, by the Crime and Disorder Act 1998 (c. 37) section 119 and paragraph 123 of Schedule 8, by the Proceeds of Crime Act 2002 (c. 29) Part 3, section 115, and also by the Protection of Children (Scotland) Act 2003 (asp 5), section 16.

- (a) in the case of an untried prisoner, the proceedings in respect of which he or she is remanded in custody or complying with a condition of bail which requires the deposit of a sum of money pursuant to section 24(6) of the 1995 Act⁽³⁾;
 - (b) in the case of a civil prisoner, the proceedings in respect of which he or she is committed to prison;
 - (c) in the case of an appellant, the appeal or, as the case may be, the reference;
 - (d) in the case of a prisoner mentioned in paragraph (1)(d), preparing representations to the court which will pass sentence or otherwise dispose of his or her case; or
 - (e) in the case of a prisoner mentioned in paragraph (1)(e), the proceedings in respect of the further charge or, as the case may be, the appeal.
- (3) The number of persons who shall be allowed to visit a prisoner at any time shall be at the discretion of the Governor.
- (4) Where a prisoner receives a visit in terms of this rule—
- (a) the visit shall take place within the sight of an officer; but
 - (b) no officer shall listen to any conversation between the prisoner and the visitor—
 - (i) in the case of a visit by a registered medical practitioner, under any circumstances; and
 - (ii) in the case of any other visitor, except where the Governor otherwise directs.

Visits by Members of Parliament, members of the Scottish Parliament and representatives of the European Parliament

71.—(1) A prisoner shall be entitled to receive a visit from a member of Parliament, a member of the Scottish Parliament or a representative of the European Parliament.

(2) A visit to a prisoner by a member of Parliament, a member of the Scottish Parliament or a representative of the European Parliament may take place in such area of the prison and under such conditions as the Governor may specify except that such a visit shall take place—

- (a) within the sight of an officer; but
- (b) outwith the hearing of any officer unless the member of Parliament, member of the Scottish Parliament, representative of the European Parliament or prisoner requests otherwise or the Governor so requires for reasons of security.

(3) A member of Parliament, or the Scottish Public Services Ombudsman or any person authorised by that Ombudsman, a member of the Scottish Parliament or a representative of the European Parliament with the prisoner's consent may use sound recording equipment to record any interview held with the prisoner.

Visits by the Parliamentary Commissioner for Administration or Officers on the Commissioner's behalf

72.—(1) The Scottish Public Services Ombudsman or any person authorised by that Ombudsman, may, for the purpose of discharging his or her public duties, visit a prisoner at any reasonable time with that prisoner's consent.

(2) A visit to a prisoner by the Scottish Public Services Ombudsman or any person authorised by him or her, shall take place in such area of the prison and under such conditions as the Governor may specify except that such a visit shall take place—

(3) [1995 c. 46](#); section 24(6) amended by the [Criminal Procedure \(Amendment\) \(Scotland\) Act 2004 \(asp 5\)](#) Schedule 1, paragraph 5.

- (a) within the sight of an officer; but
- (b) outwith the hearing of any officer unless the Ombudsman or his or her representative requests otherwise or the Governor otherwise requires for reasons of security.

Visits by journalists, authors or media representatives

73.—(1) This rule applies to a person who visits, or seeks to visit, a prisoner—

- (a) as a journalist, author or media representative in a professional or vocational capacity; or
- (b) in circumstances where the person’s visit is wholly or partially connected with the purposes of journalism, broadcasting or publishing.

(2) A Governor shall permit visits to prisoners by persons to whom this rule applies only in exceptional circumstances and where satisfied that it is appropriate to permit such a visit.

(3) If the Governor intends to permit a visit to a prisoner for the purposes mentioned in paragraph (1) the Governor shall require the person, before being admitted to the prison, to give a written undertaking to the effect that—

- (a) no interview shall begin, nor shall any photographs, filming or sound recording be taken or conducted, except with the express prior consent of both the prisoner and the Governor;
- (b) any such interview, photography, filming or recording shall be conducted or taken in accordance with such other conditions as the Governor considers necessary;
- (c) the person shall not make any payment or gratuity to the prisoner or any other person in relation to the holding of the interview or any material obtained at it; and
- (d) any material obtained at the interview, or any photographs, films or recordings so taken, will not be used for professional or vocational purposes and in particular for publication or broadcast or use on, or transmission by, any form of electronic medium by the person or anyone else except in accordance with the prior written consent of the Governor and subject to and in accordance with such conditions as the Governor may impose.

(4) A visit to a prisoner in terms of this rule shall take place in such area of the prison as the Governor may specify and—

- (a) shall take place within the sight of an officer; and
- (b) within the hearing of an officer.

Visits by members of the Parole Board for Scotland

74.—(1) A prisoner may receive a visit from one or two members of the Parole Board for Scotland where the purpose of that visit is to interview the prisoner in terms of rule 15(3) of the Parole Board (Scotland) Rules 2001(4).

(2) Where a prisoner receives a visit in terms of this rule—

- (a) the visit may take place within the sight of an officer; but
- (b) shall take place outwith the hearing of any officer unless a member of the Board or the prisoner otherwise requests.

Visits by members or employees of the Scottish Criminal Cases Review Commission

75.—(1) A prisoner may receive a visit from one or two members or employees of the Scottish Criminal Cases Review Commission for the purpose of assisting the Commission in the exercise of any of its functions.

- (2) Where a prisoner receives a visit in terms of this rule—
 - (a) the visit shall take place within the sight of an officer; but
 - (b) shall take place outwith the hearing of an officer unless the member or employee of the Commission or the prisoner otherwise requests.

Visits by persons in connection with disciplinary proceedings

76.—(1) This rule applies to visits to a prisoner who has been charged with a breach of discipline by a person where—

- (a) the prisoner wishes to call, or consider calling, that person as a witness at the inquiry into the charge; and
- (b) the Governor holding that inquiry has agreed that the prisoner should have the opportunity to discuss with that person whether that person could give evidence which would be relevant to the defence to the charge.

(2) A prisoner to whom this rule applies shall be allowed to receive a visit at any reasonable time from that person for the purpose of discussing whether that person could give evidence which would be relevant to the defence to the charge.

(3) The number of persons who shall be allowed to visit a prisoner at any time shall be at the discretion of the Governor.

(4) Where a prisoner receives a visit in terms of this rule, it shall take place under such conditions as the Governor may specify except that—

- (a) such a visit shall take place within the sight of an officer; but
- (b) no officer shall listen to any conversation between the prisoner and the visitor except where the Governor otherwise directs.

Restrictions and conditions applicable to visits under Part 8

77.—(1) The Governor may prohibit a prisoner from receiving a visit from any person in particular in terms of this Part of these Rules where the Governor considers that it is necessary to do so in the interests of security, discipline or the prevention of disorder or crime.

(2) If in the case of any visit taking place in terms of rule 63(8), 64(6) or 73 the Governor considers that the terms of any undertaking mentioned in any of those provisions have been breached or that there has been a contravention of any restrictions or conditions specified in a direction made by virtue of paragraph (3), the Governor may terminate the visit.

(3) The entitlement of a prisoner to receive visits in terms of this Part of these Rules shall be subject to such restrictions and conditions as may be specified in a direction by the Scottish Ministers for the following purposes:—

- (a) to allow the use of video cameras and sound recording equipment for the monitoring of the visits area during visits to prisoners;
- (b) to impose a prohibition on, or restrictions in relation to, the possession and use by prisoners and their visitors of photographic equipment, sound recording equipment and writing materials;
- (c) to impose restrictions as to the introduction of, or possession or consumption of, food and drink by prisoners and their visitors during such visits;
- (d) to provide for the issuing of visitors' permits; and
- (e) to prescribe the terms of any written undertaking which may be required to be given pursuant to rule 63(8), 64(6) or 73(3).

Closed visiting facilities

78.—(1) The Governor may, for any reason specified in paragraph (2), order that any visits which a prisoner receives for the purposes of rules 44 to 46, 63, 64 and 68 to 70 shall be held in closed visiting facilities.

(2) The Governor may make an order under paragraph (1) for any of the following reasons:—

- (a) he is of the opinion that there are reasonable grounds for suspecting that the prisoner—
 - (i) has previously obtained; or
 - (ii) is likely in the future to attempt to obtain,
from any visitor any prohibited article or any property which the prisoner was not or, as the case may be, would not be authorised to possess in prison or in any particular part of the prison;
- (b) the prisoner's behaviour makes it necessary for the purposes of security and control for any visit to be received in closed visiting facilities;
- (c) any visit to the prisoner has been terminated in terms of rule 77(1) due to the conduct of the visitor;
- (d) a person who wishes to visit the prisoner has previously been refused access to the prison;
or
- (e) the Governor is of the opinion that it is necessary to ensure, in relation to a visit for the purposes of rule 70, that the visit is genuinely required for any purpose specified in rule 70(2).

(3) The Governor may make an order under paragraph (1) in relation to any particular visit received in terms of any rule mentioned in paragraph (1) or in relation to every visit received in terms of any of those rules, but any order made in relation to every such visit shall be reviewed by the Governor not less than once in every 3 months and may be revoked by the Governor at any time.

(4) No order under paragraph (1) shall be made as a punishment in respect of a breach of discipline within the meaning of Part 11 of these Rules.

Arrangements for securing release of prisoners committed to prison in default of payments

79.—(1) This rule applies to any prisoner who is committed to prison—

- (a) in default of payment of any sum which requires to be paid by virtue of any order of a court; and
- (b) in circumstances where the prisoner may be released on payment of any sum.

(2) A prisoner to whom this rule applies shall be entitled to communicate at any reasonable time with any person for the purpose of arranging payment of the sum which would secure his or her release.