

1971 No. 2019

PRISONS

The Prison (Amendment) Rules 1971

Made - - - 9th December 1971*Laid before Parliament* 20th December 1971*Coming into Operation* 1st January 1972

In pursuance of section 47 of the Prison Act 1952(a), as amended by the Criminal Justice Act 1961(b), the Criminal Justice Act 1967(c) and the Courts Act 1971(d), I hereby make the following Rules :—

1.—(1) These Rules may be cited as the Prison (Amendment) Rules 1971 and shall come into operation on 1st January 1972.

(2) In these Rules, “the principal Rules” means the Prison Rules 1964(e), as amended (f).

2. The proviso to Rule 26(2) of the principal Rules (which relates to shaving and haircutting in the case of unconvicted prisoners) shall be amended by inserting after the word “prisoner” the words “or a convicted prisoner who has not yet been sentenced”.

3. Rule 6(4) of the principal Rules shall be amended by substituting for the words “at or by assizes or quarter sessions” the words “before or by the Crown Court”.

4. The principal Rules shall (in consequence of section 53(3) of the Courts Act 1971, which replaces visiting committees with boards of visitors) be amended as follows :—

- (a) in Rules 74(4) and 75(2) for the words “visiting committee” there shall be substituted the words “board of visitors” ;
- (b) Rules 89, 90 and 91 shall be omitted ;
- (c) in Rule 56(2) the word “committee” shall be omitted ;
- (d) the words “visiting committee or” and “committee or” shall be omitted wherever they occur in Rules 8(1), 10(2), 19(2), 25, 34(6), 41(1), 43(2), 46(2) and (4), 51, 52, 88, 93, 94, 95, 96 and 97 ;
- (e) in Rule 96, the words “in the case of a visiting committee, each week, and, in the case of a board of visitors,” shall be omitted ; and
- (f) in Rule 99(1), the definition of “local prison” shall be omitted.

(a) 1952 c. 52.

(c) 1967 c. 80.

(e) S.I. 1964/388 (1964 I, p. 591).

(b) 1961 c. 39.

(d) 1971 c. 23.

(f) S.I. 1968/440 (1968 I, p. 1149).

5. Any charge referred to a visiting committee under Rule 51 or 52 of the principal Rules which is still pending on 1st January 1972 shall be treated as having been referred to the corresponding board of visitors.

R. Maudling,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
9th December 1971.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

Rule 26 of the Prison Rules 1964 provides that an unconvicted prisoner shall not be required to have his hair cut or any beard or moustache usually worn by him shaved off except where the medical officer directs this to be done for the sake of health or cleanliness. These Rules extend this provision to convicted prisoners who have not yet been sentenced.

These Rules also amend the Rules of 1964 to take account of the establishment of the Crown Court and the substitution, by the Courts Act 1971, of boards of visitors for prison visiting committees.

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