STATUTORY INSTRUMENTS

1994 No. 1931 (S.85)

PRISONS YOUNG OFFENDERS INSTITUTIONS, SCOTLAND

The Prisons and Young Offenders Institutions (Scotland) Rules 1994

Made - - - - 18th July 1994 Laid before Parliament 19th July 1994

Coming into force

For all purposes except those specified in rule

1(3) and (5) 1st November 1994

For the purposes

specified in rule 1(3) 1st October 1994

For the purposes

specified in rule 1(5) 1st January 1995

THE PRISONS AND YOUNG OFFENDERS INSTITUTIONS (SCOTLAND) RULES 1994

PART 1

GENERAL

- 1. Citation and commencement
- 2. Application to young offenders institutions and young offenders
- 3. Interpretation
- 4. Elimination of discrimination
- 5. Availability of Rules and directions

PART 2

RECEPTION, RECORDS, CLASSIFICATION AND ALLOCATION

- Production of warrant, order, direction or certificate
- 7. Procedure on reception of prisoners

- 8. Interview and medical examination of prisoners on reception
- 9. Information to be given to prisoners on reception
- 10. Registration and records of prisoners
- 11. Classification of prisoners
- 12. Security categories of prisoners
- 13. Allocation of prisoners
- 14. Separation of different categories of prisoners

PART 3

PHYSICAL AND PERSONAL ENVIRONMENT

- 15. Accommodation of prisoners in cells and rooms
- 16. Standard of accommodation
- 17. Provision of bedding
- 18. Entitlement of a prisoner to wear his own clothing
- 19. Provision of clothing to prisoners
- 20. Changes of clothing
- 21. Prisoners' food
- 22. Personal hygiene

PART 4

HEALTH AND WELFARE

- 23. The medical officer
- 24. Provision of medical services and facilities
- 25. General duty of the medical officer to attend prisoners
- 26. Notification to the medical officer of prisoners requiring attention
- 27. Arrangements for medical care by other medical practitioners or at outside facilities
- 28. Duty of medical officer to visit prisoners subject to cellular confinement
- 29. Duty of medical officer to notify certain matters
- 30. Notification of relatives and friends of prisoners suffering serious illness, etc
- 31. Transfer to hospital for treatment for mental disorder
- 32. Records of medical treatment
- 33. Prisoners' welfare
- 34. Visits to untried and civil prisoners by medical and dental practitioners

PART 5

RELIGION

- 35. Facilities for religious practice
- 36. Duties of members of the chaplaincy team
- 37. Visiting ministers
- 38. Religious services and visits
- 39. Religious books, items and practices

PART 6

PRIVILEGES AND PRISONERS' PROPERTY

- 40. Privileges
- 41. Smoking and possession of tobacco by untried and civil prisoners
- 42. Reception of personal property of prisoners

- 43. Storage or disposal of personal property of prisoners
- 44. Personal property of prisoners in rooms or cells
- 45. Prisoners' money
- 46. Supplies of books, newspapers, etc to prisoners

PART 7

COMMUNICATIONS

- 47. Current affairs
- 48. Prisoners' correspondence
- 49. Opening and reading of correspondence from and to courts
- 50. Opening and reading of correspondence from and to legal advisers
- 51. Opening and reading of other correspondence
- 52. Restrictions on prisoners' correspondence
- 53. Provision of writing materials and payment of postage
- 54. Communication by telephone
- 55. Visits by persons of a prisoner's choice
- 56. Visits to untried and civil prisoners by persons of a prisoner's choice
- 57. Entitlement to accumulated visits
- 58. Visits by legal advisers
- 59. Visits by procurators fiscal
- 60. Visits by police constables
- 61. Visits by representatives of diplomatic services and national or international authorities or organisations
- 62. Special visits to certain prisoners in connection with further proceedings
- 63. General conditions applicable to visits under Part 7
- 64. Closed visiting facilities
- 65. Arrangements for securing release of prisoners committed to prison in default of payments

PART 8

WORK, EDUCATION, EARNINGS AND RECREATION

- 66. Application of Part 8
- 67. Arrangements for work, education etc.
- 68. Prisoners' work
- 69. Conditions of work or activities in lieu of work
- 70. Work opportunities
- 71. Work undertaken by untried and civil prisoners
- 72. Education
- 73. Counselling
- 74. Earnings
- 75. Exercise and time in the open air
- 76. Recreation
- 77. Prohibition on prisoners' carrying on any trade, profession or vocation from prison

PART 9

SECURITY AND CONTROL

- 78. Supervision of the prison and control of prisoners
- 79. Control of prisoners
- 80. Removal from association

- 81. Prohibited articles
- 82. Unauthorised property
- 83. Orders as to the use of restraints
- 84. Conditions of use of restraints
- 85. Temporary confinement
- 86. Control of admission of visitors
- 87. Viewing of prisons
- 88. Searching of prisoners
- 89. Searching of prisoners' property and cells
- 90. Custody outside prison
- 91. Special escorted leave
- 92. Escorted exceptional day absence
- 93. Production of prisoners to court etc.

PART 10

DISCIPLINE

- 94. Conduct constituting a breach of discipline
- 95. Reports of breaches of discipline and removal from association
- 96. Disciplinary charges
- 97. Inquiry into disciplinary charges
- 98. Adjudication of charges
- 99. Breaches of discipline occurring immediately before or during transfer
- 100. Governor's punishments
- 101. Suspended punishments

PART 11

REQUESTS AND COMPLAINTS

- 102. Requests to speak to an officer of the Secretary of State, a member of the visiting committee, a sheriff or a justice of the peace
- 103. Requests and complaints to the visiting committee
- 104. Requests and complaints to the residential officer
- 105. Requests and complaints to the residential unit manager
- 106. Referral of requests and complaints to the internal complaints committee
- 107. Referral of requests and complaints to the Governor
- 108. Requests and complaints to the Governor in relation to confidential matters
- 109. Referral of requests and complaints to the Secretary of State
- 110. Requests, complaints and representations to the Secretary of State in relation to certain matters
- 111. Appeals in relation to disciplinary proceedings
- 112. Requests for restoration of forfeited remission or rescinding awards of additional days
- 113. Direction with respect to requests, complaints and appeals

PART 12

FEMALE PRISONERS

- 114. Separation of male and female prisoners
- 115. Pregnancy and confinement
- 116. Accommodation of female prisoners' babies

PART 13

TRANSFER AND DISCHARGE OF PRISONERS

117. Pre-release preparation	117.	Pre-rele	ease pre	paratio
------------------------------	------	----------	----------	---------

- 118. Medical examination prior to transfer or release
- 119. Provision of clothing and return of property on release of prisoner

PART 14

TEMPORARY RELEASE

- 120. Short home leave, Christmas and summer leave and pre-Training for Freedom leave
- 121. Long home leave
- 122. Pre-parole/pre-life licence leave
- 123. Unescorted exceptional day release of prisoners in security category D
- 124. Circumstances where prisoners are disqualified from fi consideration for temporary release
- 125. Recall of prisoners granted temporary release
- 126. Direction with respect to temporary release

PART 15

OFFICERS AND EMPLOYEES

- 127. General duty of officers and employees
- 128. Transactions with prisoners or in connection with the prison
- 129. Fees and gratuities
- 130. Searches of officers and employees
- 131. Communications to the press etc.
- 132. Code of Discipline

PART 16

VISITING COMMITTEES

- 133. Constitution of visiting committees
- 134. Proceedings of visiting committees
- 135. General duties of visiting committees and members of committees
- 136. Investigation of complaints
- 137. Visits to prisons by members of visiting committees
- 138. Inspection of prison records
- 139. Annual report
- 140. Conflicts of interest

PART 17

SUPPLEMENTARY

- 141. Remission of sentence or period of detention
- 142. Directions
- 143. Revocations
- 144. Savings and transitional provisions Signature

SCHEDULES

- 1 Modification of the Rules in their application to young offenders institutions and young offenders
- 2 Security categories
- 3 Breaches of discipline
- 4 Constitution of visiting committees
- 5 Revocations
- 6 Savings and transitional provisions

Explanatory Note