
STATUTORY INSTRUMENTS

1994 No. 1931

**The Prisons and Young Offenders
Institutions (Scotland) Rules 1994**

PART 9

SECURITY AND CONTROL

Removal from association

80.—(1) Where it appears to the Governor desirable for the purpose of—

- (a) maintaining good order or discipline;
- (b) protecting the interests of any prisoner; or
- (c) ensuring the safety of other persons,

he may order in writing that a prisoner shall be removed from association with other prisoners, either generally or during any period the prisoner is engaged or taking part in a prescribed activity.

(2) If the Governor makes an order under paragraph (1) in relation to a prescribed activity, he may specify only one prescribed activity in the order.

(3) In this rule, “prescribed activity” means—

- (a) work required to be undertaken in terms of rule 68;
- (b) educational classes undertaken in terms of rule 72;
- (c) counselling provided in terms of rule 73;
- (d) taking exercise and spending time in the open air by virtue of rule 75; or
- (e) recreational activities.

(4) If the Governor makes an order under paragraph (1), he shall—

- (a) specify in the order whether the removal from association is—
 - (i) in general; or
 - (ii) in relation to a prescribed activity;
- (b) if the removal is in relation to a prescribed activity, specify which activity the order relates to;
- (c) specify in the order the reasons why he is making it;
- (d) record in the order the date and time it is made; and
- (e) explain to the prisoner the reasons why the order is made.

(5) A prisoner who has been removed from association generally by virtue of an order made by the Governor in terms of paragraph (1) shall not be subject to such removal for a period in excess of 72 hours from the time of the order without the written authority of the Secretary of State.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) An authority granted by the Secretary of State under paragraph (5) shall have effect for a period not exceeding one month but may, on the application of the Governor, be renewed from month to month by the Secretary of State.

(7) A prisoner who has been removed from association in relation to a prescribed activity by virtue of an order under paragraph (1) shall not be subject to removal for a period in excess of 72 hours but the Governor may make a further order in relation to the same prescribed activities under paragraph (1), which shall be reviewed by him on a weekly basis thereafter.

(8) The Governor may order that a prisoner who is subject to removal from association under this rule may resume association with other prisoners and shall do so if the medical officer so advises on medical grounds.

(9) If a prisoner is moved by the Secretary of State from any prison to any other prison in terms of section 10 of the Act⁽¹⁾, any order under paragraph (1), or any authority under paragraph (5), made or granted in relation to the prisoner whilst confined in the former prison shall cease to have effect, but without prejudice to the power of the Governor of the prison to which the prisoner is moved to make a new order under paragraph (1).

⁽¹⁾ Section 10 was substituted by the 1993 Act, section 22.