
STATUTORY INSTRUMENTS

1994 No. 1931

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

PART 5

RELIGION

Facilities for religious practice

35.—(1) Every prisoner shall be allowed to observe the requirements of his religious and moral beliefs subject to and in accordance with the provisions of the Act, these Rules and of any direction made for the purposes of these Rules.

(2) The Governor shall ensure that every prisoner is informed of the facilities or arrangements which exist or may be made for the purposes of paragraph (1).

Duties of members of the chaplaincy team

36.—(1) Each member of the chaplaincy team shall, for the purposes of prisoners of his respective religious denomination,—

- (a) visit each such prisoner as soon as practicable after his reception into prison and at such other times thereafter as the prisoner and the member may agree;
- (b) conduct religious services or meetings at such times as the member after consultation with the Governor considers appropriate;
- (c) with the approval of the Governor, make any other arrangements which the member considers necessary for the provision of religious ministrations to such prisoners.

(2) Subject to the approval of the Governor, any person may—

- (a) act on behalf of the member of the chaplaincy team in his absence; or
- (b) assist the member,

for the purposes of carrying out any of the duties specified in paragraph (1).

(3) A member of the chaplaincy team may make arrangements, with the approval of the Governor, for the purpose of enabling a prisoner to be visited by a minister of any religious denomination or his authorised representative.

Visiting ministers

37. Where a visiting minister is allowed to visit prisoners, the Governor shall make arrangements, so far as practicable, to enable the minister—

- (a) to conduct religious services or meetings for such prisoners; and
- (b) to make any other arrangements which the minister considers necessary for the provision of religious ministrations to such prisoners,

in accordance with such guidance as the Governor may give.

Religious services and visits

38.—(1) Subject to paragraph (2), every prisoner who belongs to a religious denomination may attend such services or meetings of his denomination as may, with the consent of the Governor, be arranged by the chaplain or minister concerned.

(2) The Governor may prevent a prisoner from attending any service or meeting of his religious denomination if, in exceptional circumstances, he considers it is necessary to do so in the interests of good order.

(3) The Governor shall notify the chaplain or the appropriate prison minister as soon as practicable following receipt of any request by a prisoner to receive a visit by the chaplain or, as the case may be, the prison minister.

(4) Any visit to a prisoner by a member of the chaplaincy team shall be held outwith the sight and hearing of an officer except where—

- (a) the member concerned requests otherwise; or
- (b) the Governor considers it would be prejudicial to the interests of security or to the safety of the member for an officer not to be present.

Religious books, items and practices

39.—(1) The Governor shall provide such literature and other materials as he considers appropriate for prisoners' religious needs.

(2) Every prisoner shall, so far as reasonably practicable, be allowed—

- (a) to have in his possession and for his personal use, religious books, items and materials appropriate to his religious denomination; and
- (b) to engage in the practices of his religious denomination.