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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 331**

**The Prisons and Young Offenders  
Institutions (Scotland) Rules 2011**

**PART 4**

**ACCOMMODATION, CLOTHING, HYGIENE AND FOOD**

**Accommodation of prisoners**

**28.**—(1) The Governor may require a prisoner to be accommodated in single accommodation or shared accommodation with other prisoners, subject to paragraphs (2) to (4).

(2) The Governor may require two or more prisoners to share accommodation where—

- (a) the nature of the accommodation in the prison, or the circumstances pertaining in that or any other prison to which these Rules apply, make such sharing necessary; or
- (b) the Governor receives advice from a healthcare professional that shared accommodation is appropriate in order to protect the health of the relevant prisoners or any of them.

(3) The Governor must not require a prisoner to share accommodation if the Governor receives a recommendation from a healthcare professional that, in order to protect the health of any prisoner, the prisoner should not share accommodation with another prisoner.

(4) Before two or more prisoners are required to share accommodation the Governor must consider whether the prisoners are suitable to associate with each other in that accommodation.

(5) Any consideration by the Governor in terms of paragraph (4) must include a risk assessment as to whether, if the prisoners were required to share the accommodation they would be likely to—

- (a) cause injury or harm to each other;
- (b) cause damage to property; or
- (c) otherwise prejudice the good order and running of the prison.

**Changes to legislation:**

There are currently no known outstanding effects for the The Prisons and Young Offenders Institutions (Scotland) Rules 2011, Section 28.