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SCOTTISH STATUTORY INSTRUMENTS

2011 No. 331

PRISONS

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

Made - - - - 12th September 2011
Laid before the Scottish
Parliament - - 14th September 2011
Coming into force 1st November 2011

**THE PRISONS AND YOUNG OFFENDERS
INSTITUTIONS (SCOTLAND) RULES 2011**

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- 71. Visits by Members of Parliament, members of the Scottish Parliament and representatives of the European Parliament

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72. Visits by the Parliamentary Commissioner for Administration, the Scottish Public Services Ombudsman or Officers on their behalf
73. Visits by media representatives
74. Visits by members of the Parole Board for Scotland
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84. Purposeful activities
- 84A Purposeful activities – coronavirus
85. Work undertaken by untried and civil prisoners
86. Earnings
87. Exercise and time in the open air
88. Recreation
- 88A Recreation – coronavirus
89. Prohibition on prisoners carrying on any trade, profession or vocation from prison

PART 10

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90. Supervision of the prison and control of prisoners
91. Control of prisoners
92. Searching of prisoners
93. Compulsory testing for controlled drugs
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- 102. Prohibited articles
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- 105. Admission of visitors
- 106. Searching of visitors
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- 108. Searching of specified persons
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- 111. Reporting breaches of discipline
- 111A Reporting breaches of discipline – coronavirus
- 112. Charging breaches of discipline
- 113. Disciplinary hearings
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- 116A Breaches of discipline committed in another prison or during transfer – coronavirus
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- 119. Direction with respect to the disciplinary appeals procedure

PART 12

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- 120. Requests to speak to certain persons
- 120A Requests to speak to certain persons – coronavirus
- 121. Representations and complaints to the Scottish Ministers in relation to certain matters
- 122. Complaints to the residential first line manager
- 122A Complaints to the residential first line manager - coronavirus
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- 123A Referral of complaints to the Internal Complaints Committee – coronavirus
- 124. Complaints to the Governor in relation to confidential matters
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PART 13

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- 126. Separation of male and female prisoners
- 127. Pregnancy and confinement

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- 128. Accommodation of female prisoners' babies

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- 129. Interpretation of Part 14
- 130. Pre-release preparation
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- 133. Release of fine defaulters after payment

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- 134. Eligibility of prisoners for temporary release
- 135. Applications for, and grant of, temporary release
- 136. Forms of temporary release
- 136A Extension of certain periods of temporary release
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- 141. Fees and gratuities
- 142. Searching of officers and employees
- 143. Communications with the media etc.
- 144. Code of conduct

PART 17

VISITING COMMITTEES

- 145. Application of Part 17
- 146. Constitution of visiting committees for prisons
- 147. Constitution of visiting committees for young offenders institutions
- 148. Proceedings of visiting committees
- 149. General duties of visiting committees and members of committees
- 150. Investigation of complaints
- 151. Visits to prisons by members of visiting committees
- 152. Inspection of prison records
- 153. Annual report
- 154. Conflicts of interest
- 155. Visiting committees for legalised police cells

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SUPPLEMENTARY

- 156. Directions
- 157. Revocations

158. Savings and transitional provisions
Signature

SCHEDULE 1 BREACHES OF DISCIPLINE

1. commits any assault;
2. fights with any person;
3. uses threatening words or behaviour;
4. uses abusive or insulting words or behaviour;
5. commits any indecent or obscene act;
6. intentionally endangers the health or personal safety of others;
7. recklessly endangers the health or personal safety of others.
8. fails, without reasonable excuse, to open his or her mouth...
9. is absent from a place where he or she is...
10. is disrespectful to any person, other than a prisoner, who...
11. intentionally fails to work properly or, on being required to...
12. disobeys any lawful order;
13. disobeys or fails to comply with any rule, direction or...
14. intentionally obstructs any person, other than a prisoner, in the...
15. detains any person against his or her will;
16. denies access to any part of the prison to any...
17. destroys or damages any part of a prison or any...
18. intentionally or recklessly sets fire to any part of a...
19. takes improperly any article belonging to another person or to...
20. has in his or her possession, or concealed about his...
21. has in his or her possession whilst in a particular...
22. has in his or her possession, or concealed about his...
23. sells or delivers to any person any article which he...
24. sells or, without permission, delivers to any person any article...
25. consumes, takes, injects, ingests, conceals inside a body orifice, inhales...
26. uses a nicotine vapour product in an area of the...
27. administers a controlled drug to himself or herself or fails...
28. escapes or absconds from prison or from legal custody;
29. fails to return to prison when he or she should...
30. fails to comply with any condition upon which he or...
31. attempts to commit, incites another prisoner to commit, or assists...

- SCHEDULE 2 CONSTITUTION OF VISITING COMMITTEES
SCHEDULE 3 CONSTITUTION OF VISITING COMMITTEES FOR
LEGALISED POLICE CELLS
SCHEDULE 4 REVOCATIONS
SCHEDULE 5 SAVINGS AND TRANSITIONAL PROVISIONS

1. Where, immediately prior to 1st November 2011, any of the matters...
2. The matters referred to in paragraph 1 are—
3. Subject to paragraphs 4 to 13, insofar as any matter...
4. Where, immediately prior to 1st November 2011— (a) a prisoner had...
5. Where, immediately prior to 1st November 2011, an order under rule 94(1)...
6. Where the Scottish Ministers have granted an authority under rule 94(5)...
7. Where the Scottish Ministers have, under rule 94(6) of the 2006...
8. Where a report of a breach of discipline which was...
9. Part 11 and rules 130 and 131 of the 2006...

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10. For the purposes of rule 120 of the 2006 Rules,...
11. Rules 123 to 128 of the 2006 Rules shall remain...
12. Part 15 of the 2006 Rules shall remain in force...
13. The Scottish Prison Service Employee Code of Conduct and Standards...
Explanatory Note

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