

1964 No. 388

**PRISONS**

**ENGLAND AND WALES**

**The Prison Rules 1964**

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In pursuance of section 47 of the Prison Act 1952(a), as amended by sections 23(2) and 41(1) of, and Schedule 4 to, the Criminal Justice Act 1961(b), I hereby make the following Rules :—

PART I  
PRISONERS  
*General*

*Purpose of prison training and treatment*

1. The purpose of the training and treatment of convicted prisoners shall be to encourage and assist them to lead a good and useful life.

*Maintenance of order and discipline*

2.—(1) Order and discipline shall be maintained with firmness, but with no more restriction than is required for safe custody and well ordered community life.

(2) In the control of prisoners, officers shall seek to influence them through their own example and leadership, and to enlist their willing co-operation.

(3) At all times the treatment of prisoners shall be such as to encourage their self-respect and a sense of personal responsibility, but a prisoner shall not be employed in any disciplinary capacity.

*Classification of prisoners*

3.—(1) Prisoners shall be classified, in accordance with any directions of the Secretary of State, having regard to their age, temperament and record and with a view to maintaining good order and facilitating training and, in the case of convicted prisoners, of furthering the purpose of their training and treatment as provided by Rule 1 of these Rules.

(2) Unconvicted prisoners shall be kept out of contact with convicted prisoners as far as this can reasonably be done.

(3) Nothing in this Rule shall require a prisoner to be deprived unduly of the society of other persons.

*Privileges*

4. There shall be established at every prison systems of privileges approved by the Secretary of State and appropriate to the classes of prisoners there, which shall include arrangements under which money earned by prisoners in prison may be spent by them within the prison.

*Remission of sentence*

5.—(1) A prisoner serving a sentence of imprisonment for a term of more than one month may, on the ground of his industry and good conduct, be granted remission in accordance with the provisions of this Rule :

Provided that nothing in this Rule shall authorise the reduction of the term which the prisoner is serving to less than 31 days.

(2) Remission granted under this Rule shall not exceed one-third of the aggregate of the following periods, that is to say:—

(a) the term which the prisoner is serving ; and

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(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.

(b) 9 & 10 Eliz. 2. c. 39.

(b) the period, if any, by which the term imposed by the sentence of the court is treated as reduced under section 17(2) of the Criminal Justice Administration Act 1962(a) by reason of the prisoner having been in custody after conviction awaiting sentence.

(3) For the purposes of this Rule—

(a) a person committed to prison in default of payment of a sum adjudged to be paid by a conviction shall be treated as serving a sentence of imprisonment; and

(b) consecutive terms of imprisonment shall be treated as one term.

(4) This Rule shall have effect subject to any disciplinary award of forfeiture of remission, and shall not apply—

(a) to a prisoner serving a sentence on conviction of sedition, seditious conspiracy or seditious libel, except in respect of any period during which he works as if he were an ordinary convicted prisoner; or

(b) to a prisoner serving a sentence of imprisonment for life.

#### *Temporary release*

6.—(1) A prisoner to whom this Rule applies may be temporarily released for any period or periods and subject to any conditions.

(2) A prisoner may be temporarily released under this Rule for any special purpose or to enable him to engage in employment, to receive instruction or training or to assist him in his transition from prison life to freedom.

(3) A prisoner released under this Rule may be recalled to prison at any time whether the conditions of his release have been broken or not.

(4) This Rule applies to prisoners other than persons committed in custody for trial or to be sentenced or otherwise dealt with at or by assizes or quarter sessions, or remanded in custody by any court.

#### *Information to prisoners*

7.—(1) Every prisoner shall be provided, in his cell or room, with information in writing about those provisions of these Rules and other matters which it is necessary that he should know, including earnings and privileges, and the proper method of making complaints and of petitioning the Secretary of State.

(2) The governor, or an officer deputed by him, shall ensure that every prisoner has as soon as possible after his reception into prison, and in any case within 24 hours, read the information so provided or, in the case of a prisoner who cannot read or has difficulty in understanding, had it so explained to him that he can understand his rights and duties.

#### *Applications*

8.—(1) Every request by a prisoner to see the governor, a visiting officer of the Secretary of State or a member of the visiting committee or board of visitors shall be recorded by the officer to whom it is made and promptly passed on to the governor.

(2) On every day, other than a Sunday or public holiday, the governor shall hear the applications of prisoners who have asked to see him.

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(a) 10 & 11 Eliz. 2. c. 15.

(3) Where a prisoner has asked to see any other such person as aforesaid, the governor shall ensure that that person is told of the request on his next visit to the prison.

#### *Women prisoners*

9.—(1) Women prisoners shall be kept entirely separate from male prisoners.

(2) In a prison used for both men and women prisoners that part of the prison used for women shall be in the charge of a woman officer; it shall be entirely separate from the other part and shall be secured by different locks, of which the keys shall be under the exclusive control of women officers.

(3) The Secretary of State may, subject to any conditions he thinks fit, permit a woman prisoner to have her baby with her in prison, and everything necessary for the baby's maintenance and care may be provided there.

### *Religion*

#### *Religious denomination*

10.—(1) A prisoner shall be treated as being of the religious denomination stated in the record made in pursuance of section 10(5) of the Prison Act 1952.

(2) A prisoner may apply to the visiting committee or board of visitors to have that record amended, and the committee or board may give directions accordingly upon being satisfied that the application is made in good faith.

#### *Special duties of chaplains and prison ministers*

11.—(1) The chaplain or prison minister of a prison shall—

- (a) interview every prisoner of his denomination individually soon after the prisoner's reception into that prison and shortly before his release; and
- (b) if no other arrangements are made, read the burial service at the funeral of any prisoner of his denomination who dies in that prison.

(2) The chaplain shall visit daily all prisoners belonging to the Church of England who are sick, under restraint or undergoing cellular confinement; and a prison minister shall do the same, as far as he reasonably can, for prisoners of his own denomination.

(3) If the prisoner is willing, the chaplain shall visit any prisoner not of the Church of England who is sick, under restraint or undergoing cellular confinement, and is not regularly visited by a minister of his own denomination.

#### *Regular visits by ministers of religion*

12.—(1) The chaplain shall visit regularly the prisoners belonging to the Church of England.

(2) A prison minister shall visit the prisoners of his denomination as regularly as he reasonably can.

(3) Where a prisoner belongs to a denomination for which no prison minister has been appointed, the governor shall do what he reasonably can, if so requested by the prisoner, to arrange for him to be visited regularly by a minister of that denomination.

*Religious services*

13.—(1) The chaplain shall conduct Divine Service for prisoners belonging to the Church of England at least once every Sunday, Christmas Day and Good Friday, and such celebrations of Holy Communion and weekday services as may be arranged.

(2) Prison ministers shall conduct Divine Service for prisoners of their denominations at such times as may be arranged.

*Substitute for chaplain or prison minister*

14.—(1) A person approved by the Secretary of State may act for the chaplain in his absence.

(2) A prison minister may, with the leave of the Secretary of State, appoint a substitute to act for him in his absence.

*Sunday work*

15. Arrangements shall be made so as not to require prisoners of the Christian religion to do any unnecessary work on Sunday, Christmas Day or Good Friday, or prisoners of other religions on their recognised days of religious observance.

*Religious books*

16. There shall, so far as reasonably practicable, be available for the personal use of every prisoner such religious books recognised by his denomination as are approved by the Secretary of State for use in prisons.

*Medical attention, &c.*

*Medical attendance*

17.—(1) The medical officer of a prison shall have the care of the health, mental and physical, of the prisoners in that prison.

(2) Every request by a prisoner to see the medical officer shall be recorded by the officer to whom it is made and promptly passed on to the medical officer.

(3) The medical officer may call another medical practitioner into consultation at his discretion, and shall do so if time permits before performing any serious operation.

(4) If an unconvicted prisoner desires the attendance of a registered medical practitioner or dentist, and will pay any expense incurred, the governor shall, if he is satisfied that there are reasonable grounds for the request and unless the Secretary of State otherwise directs, allow him to be visited and treated by that practitioner or dentist in consultation with the medical officer.

*Special illnesses and conditions*

18.—(1) The medical officer shall report to the governor on the case of any prisoner whose health is likely to be injuriously affected by continued imprisonment or any conditions of imprisonment. The governor shall send the report to the Secretary of State without delay, together with his own recommendations.

(2) The medical officer shall pay special attention to any prisoner whose mental condition appears to require it, and make any special arrangements which appear necessary for his supervision or care.

(3) The medical officer shall inform the governor if he suspects any prisoner of having suicidal intentions, and the prisoner shall be placed under special observation.

### *Notification of illness or death*

19.—(1) If a prisoner dies, becomes seriously ill, sustains any severe injury or is removed to hospital on account of mental disorder, the governor shall, if he knows his or her address, at once inform the prisoner's spouse or next of kin, and also any person who the prisoner may reasonably have asked should be informed.

(2) If a prisoner dies, the governor shall give notice immediately to the coroner having jurisdiction, to the visiting committee or board of visitors and to the Secretary of State.

### *Physical welfare and work*

#### *Clothing*

20.—(1) An unconvicted prisoner may wear clothing of his own if and in so far as it is suitable, tidy and clean, but, subject to that, the provisions of this Rule shall apply to him as to a convicted prisoner. An unconvicted prisoner shall be permitted to arrange for the supply to him from outside prison of sufficient clean clothing.

(2) A convicted prisoner shall be provided with clothing adequate for warmth and health in accordance with a scale approved by the Secretary of State.

(3) The clothing provided under this Rule shall include suitable protective clothing for use at work, where this is needed.

(4) Subject to the provisions of Rule 38(3) of these Rules, a convicted prisoner shall wear clothing provided under this Rule and no other, except on the directions of the Secretary of State.

(5) A prisoner may be provided, where necessary, with suitable and adequate clothing on his release.

#### *Food*

21.—(1) Subject to any directions of the Secretary of State, an unconvicted prisoner may be supplied with food at his own expense, or that of his friends, but, subject to that, the provisions of this Rule shall apply to him as to a convicted prisoner.

(2) Subject to any directions of the Secretary of State, no convicted prisoner shall be allowed, except as authorised by the medical officer, to have any food other than that ordinarily provided.

(3) No convicted prisoner shall be given less food than is ordinarily provided, except under an award of restricted diet or upon the written recommendation of the medical officer.

(4) The food provided shall be wholesome, nutritious, well prepared and served, reasonably varied and sufficient in quantity.

(5) The medical officer shall regularly inspect the food both before and after it is cooked, and shall report any deficiency or defect to the governor.

(6) In this Rule "food" includes drink.

#### *Alcohol and tobacco*

22.—(1) No prisoner shall be allowed to have any intoxicating liquor except under a written order of the medical officer specifying the quantity and the name of the prisoner, or under Rule 21(1) of these Rules.

(2) No prisoner shall be allowed to smoke or to have any tobacco except as a privilege under Rule 4 of these Rules and in accordance with any orders of the governor.



### *Sleeping accommodation*

23.—(1) No room or cell shall be used as sleeping accommodation for a prisoner unless it has been certified in the manner required by section 14 of the Prison Act 1952 in the case of a cell used for the confinement of a prisoner.

(2) A certificate given under that section or this Rule shall specify the maximum number of prisoners who may sleep or be confined at one time in the room or cell to which it relates, and the number so specified shall not be exceeded without the leave of the Secretary of State.

### *Beds and bedding*

24. Each prisoner shall be provided with a separate bed and with separate bedding adequate for warmth and health.

### *Special accommodation*

25. The governor or visiting committee or board of visitors may, on application by an unconvicted prisoner, permit him on payment of a sum fixed by the Secretary of State—

(a) to occupy a room or cell specially fitted for such prisoners and provided with suitable bedding and other articles in addition to, or different from, those ordinarily provided, and to have at his own expense the use of private furniture and utensils approved by the governor; and

(b) to be relieved of the duty of cleaning his room or cell and similar duties.

### *Hygiene*

26.—(1) Every prisoner shall be provided with toilet articles necessary for his health and cleanliness, which shall be replaced as necessary.

(2) Every prisoner shall be required to wash at proper times, have a hot bath on reception and thereafter at least once a week and, in the case of a man not excused or excepted by the governor or medical officer, to shave or be shaved daily, and to have his hair cut as may be necessary for neatness:

Provided that an unconvicted prisoner shall not be required to have his hair cut or any beard or moustache usually worn by him shaved off except where the medical officer directs this to be done for the sake of health or cleanliness.

(3) A woman prisoner's hair shall not be cut without her consent except where the medical officer certifies in writing that this is necessary for the sake of health or cleanliness.

### *Daily exercise*

27.—(1) A prisoner not engaged in outdoor work, or detained in an open prison, shall be given exercise in the open air for not less than one hour in all, each day, if weather permits:

Provided that exercise consisting of physical training may be given indoors instead of in the open air.

(2) The Secretary of State may in special circumstances authorise the reduction of the period aforesaid to half an hour a day.

(3) The medical officer shall decide upon the fitness of every prisoner for exercise and physical training, and may excuse a prisoner from, or modify, any activity on medical grounds.

### *Work*

28.—(1) A convicted prisoner shall be required to do useful work for not more than ten hours a day, and arrangements shall be made to allow prisoners to work, where possible, outside the cells and in association with one another.

(2) The medical officer may excuse a prisoner from work on medical grounds, and no prisoner shall be set to do work which is not of a class for which he has been passed by the medical officer as being fit.

(3) No prisoner shall be set to do work of a kind not authorised by the Secretary of State.

(4) No prisoner shall work in the service of another prisoner or an officer, or for the private benefit of any person, without the authority of the Secretary of State.

(5) An unconvicted prisoner shall be permitted, if he wishes, to work as if he were a convicted prisoner.

(6) Prisoners may be paid for their work at rates approved by the Secretary of State, either generally or in relation to particular cases.

### *Education and social welfare*

#### *Education*

29.—(1) Every prisoner able to profit from the educational facilities provided at a prison shall be encouraged to do so.

(2) Programmes of evening educational classes shall be arranged at every prison and, subject to any directions of the Secretary of State, reasonable facilities shall be afforded to prisoners who wish to do so to improve their education by correspondence courses or private study, or to practise handicrafts, in their spare time.

(3) Special attention shall be paid to the education of illiterate prisoners, and if necessary they shall be taught within the hours normally allotted to work.

#### *Library books*

30. A library shall be provided in every prison and, subject to any directions of the Secretary of State, every prisoner shall be allowed to have library books and to exchange them.

#### *Outside contacts*

31.—(1) Special attention shall be paid to the maintenance of such relations between a prisoner and his family as are desirable in the best interests of both.

(2) A prisoner shall be encouraged and assisted to establish and maintain such relations with persons and agencies outside prison as may, in the opinion of the governor, best promote the interests of his family and his own social rehabilitation.

#### *After-care*

32. From the beginning of a prisoner's sentence, consideration shall be given, in consultation with the appropriate after-care organisation, to the prisoner's future and the assistance to be given him on and after his release.

## *Letters and visits*

### *Letters and visits generally*

33.—(1) The Secretary of State may, with a view to securing discipline and good order or the prevention of crime or in the interests of any persons, impose restrictions, either generally or in a particular case, upon the communications to be permitted between a prisoner and other persons.

(2) Except as provided by statute or these Rules, a prisoner shall not be permitted to communicate with any outside person, or that person with him, without the leave of the Secretary of State.

(3) Except as provided by these Rules, every letter or communication to or from a prisoner shall be read or examined by the governor or an officer deputed by him, and the governor may, at his discretion, stop any letter or communication on the ground that its contents are objectionable or that it is of inordinate length.

(4) Every visit to a prisoner shall take place within the sight of an officer, unless the Secretary of State otherwise directs.

(5) Except as provided by these Rules, every visit to a prisoner shall take place within the hearing of an officer, unless the Secretary of State otherwise directs.

(6) The Secretary of State may give directions, generally or in relation to any visit or class of visits, concerning the days and times when prisoners may be visited.

### *Personal letters and visits*

34.—(1) An unconvicted prisoner may send and receive as many letters and may receive as many visits as he wishes within such limits and subject to such conditions as the Secretary of State may direct, either generally or in a particular case.

(2) A convicted prisoner shall be entitled—

(a) to send and to receive a letter on his reception into a prison and thereafter once a week ; and

(b) to receive a visit once in four weeks if he is under the age of 21 years, and otherwise once in eight weeks.

(3) The governor may allow a prisoner an additional letter or visit where necessary for his welfare or that of his family.

(4) The governor may allow a prisoner entitled to a visit to send and to receive a letter instead.

(5) The governor may defer the right of a prisoner to a visit until the expiration of any period of cellular confinement.

(6) The visiting committee or board of visitors may allow a prisoner an additional letter or visit in special circumstances, and may direct that a visit may extend beyond the normal duration.

(7) The Secretary of State may allow additional letters and visits in relation to any prisoner or class of prisoners.

(8) A prisoner shall not be entitled under this Rule to communicate with any person in connection with any legal or other business, or with any person other than a relative or friend, except with the leave of the Secretary of State.

(9) Any letter or visit under the succeeding provisions of these Rules shall not be counted as a letter or visit for the purposes of this Rule.

### *Police interviews*

35. A police officer may, on production of an order issued by or on behalf of a chief officer of police, interview any prisoner willing to see him.

### *Securing release*

36. A person detained in prison in default of finding a surety, or of payment of a sum of money, may communicate with, and be visited at any reasonable time on a weekday by, any relative or friend to arrange for a surety or payment in order to secure his release from prison.

### *Legal advisers*

37.—(1) The legal adviser of a prisoner in any legal proceedings, civil or criminal, to which the prisoner is a party shall be afforded reasonable facilities for interviewing him in connection with those proceedings, and may do so out of hearing but in the sight of an officer.

(2) A prisoner's legal adviser may, with the leave of the Secretary of State, interview the prisoner in connection with any other legal business in the sight and hearing of an officer.

### *Removal, record and property*

#### *Custody outside prison*

38.—(1) A person being taken to or from a prison in custody shall be exposed as little as possible to public observation, and proper care shall be taken to protect him from curiosity and insult.

(2) A prisoner required to be taken in custody anywhere outside a prison shall be kept in the custody of an officer appointed under section 3 of the Prison Act 1952 or a police officer.

(3) A prisoner required to be taken in custody to any court shall wear his own clothing or clothing different from the dress worn at any institution to which the Prison Act 1952 applies.

#### *Search*

39.—(1) Every prisoner shall be searched when taken into custody by an officer, on his reception into a prison and subsequently as the governor thinks necessary.

(2) A prisoner shall be searched in as seemly a manner as is consistent with discovering anything concealed.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by an officer of the same sex.

#### *Record and photograph*

40.—(1) A personal record of each prisoner shall be prepared and maintained in such manner as the Secretary of State may direct.

(2) Every prisoner may be photographed on reception and subsequently, but no copy of the photograph shall be given to any person not authorised to receive it.

*Prisoners' property*

41.—(1) Subject to any directions of the Secretary of State, an unconvicted prisoner may have supplied to him at his expense and retain for his own use books, newspapers, writing materials and other means of occupation, except any that appear objectionable to the visiting committee or board of visitors or, pending consideration by them, to the governor.

(2) Anything, other than cash, which a prisoner has at a prison and which he is not allowed to retain for his own use shall be taken into the governor's custody. An inventory of a prisoner's property shall be kept, and he shall be required to sign it, after having a proper opportunity to see that it is correct.

(3) Any cash which a prisoner has at a prison shall be paid into an account under the control of the governor and the prisoner shall be credited with the amount in the books of the prison.

(4) The governor may confiscate any unauthorised article found in the possession of a prisoner after his reception into prison, or concealed or deposited anywhere within a prison.

*Money and articles received by post*

42.—(1) Any money or other article (other than a letter or other communication) sent to a convicted prisoner through the post office shall be dealt with in accordance with the provisions of this Rule, and the prisoner shall be informed of the manner in which it is dealt with.

(2) Any cash shall, at the discretion of the governor, be—

(a) dealt with in accordance with Rule 41(3) of these Rules ; or

(b) returned to the sender ; or

(c) in a case where the sender's name and address are not known, paid into an account to be applied for the benefit of discharged prisoners :

Provided that in relation to a prisoner committed to prison in default of payment of any sum of money, the prisoner shall be informed of the receipt of the cash and, unless he objects to its being so applied, it shall be applied in or towards the satisfaction of the amount due from him.

(3) Any security for money shall, at the discretion of the governor, be—

(a) delivered to the prisoner or placed with his property at the prison ; or

(b) returned to the sender ; or

(c) encashed and the cash dealt with in accordance with paragraph (2) of this Rule.

(4) Any other article to which this Rule applies shall, at the discretion of the governor, be—

(a) delivered to the prisoner or placed with his property at the prison ; or

(b) returned to the sender ; or

(c) in a case where the sender's name and address are not known or the article is of such a nature that it would be unreasonable to return it, sold or otherwise disposed of, and the net proceeds of any sale applied in accordance with paragraph (2) of this Rule.

## *Special control and restraint*

### *Removal from association*

**43.—(1)** Where it appears desirable, for the maintenance of good order or discipline or in his own interests, that a prisoner should not associate with other prisoners, either generally or for particular purposes, the governor may arrange for the prisoner's removal from association accordingly.

(2) A prisoner shall not be removed under this Rule for a period of more than 24 hours without the authority of a member of the visiting committee or board of visitors, or of the Secretary of State. An authority given under this paragraph shall be for a period not exceeding one month, but may be renewed from month to month.

(3) The governor may arrange at his discretion for such a prisoner as aforesaid to resume association with other prisoners, and shall do so if in any case the medical officer so advises on medical grounds.

### *Use of force*

**44.—(1)** An officer in dealing with a prisoner shall not use force unnecessarily and, when the application of force to a prisoner is necessary, no more force than is necessary shall be used.

(2) No officer shall act deliberately in a manner calculated to provoke a prisoner.

### *Temporary confinement*

**45.** The governor may order a refractory or violent prisoner to be confined temporarily in a special cell, but a prisoner shall not be so confined as a punishment, or after he has ceased to be refractory or violent.

### *Restraints*

**46.—(1)** The governor may order a prisoner to be put under restraint where this is necessary to prevent the prisoner from injuring himself or others, damaging property or creating a disturbance.

(2) Notice of such an order shall be given without delay to a member of the visiting committee or board of visitors, and to the medical officer.

(3) On receipt of the notice the medical officer shall inform the governor whether he concurs in the order. The governor shall give effect to any recommendation which the medical officer may make.

(4) A prisoner shall not be kept under restraint longer than necessary, nor shall he be so kept for longer than 24 hours without a direction in writing given by a member of the visiting committee or board of visitors or by an officer of the Secretary of State (not being an officer of a prison). Such a direction shall state the grounds for the restraint and the time during which it may continue.

(5) Particulars of every case of restraint under the foregoing provisions of this Rule shall be forthwith recorded.

(6) Except as provided by this Rule no prisoner shall be put under restraint otherwise than for safe custody during removal, or on medical grounds by direction of the medical officer. No prisoner shall be put under restraint as a punishment.

(7) Any means of restraint shall be of a pattern authorised by the Secretary of State, and shall be used in such manner and under such conditions as the Secretary of State may direct.

### *Offences against discipline*

#### *Offences against discipline*

47. A prisoner shall be guilty of an offence against discipline if he—

- (1) mutinies or incites another prisoner to mutiny ;
- (2) does gross personal violence to an officer ;
- (3) does gross personal violence to any person not being an officer ;
- (4) commits any assault ;
- (5) escapes from prison or from legal custody ;
- (6) absents himself without permission from any place where he is required to be, whether within or outside prison ;
- (7) has in his cell or room or in his possession any unauthorised article, or attempts to obtain such an article ;
- (8) delivers to or receives from any person any unauthorised article ;
- (9) sells or delivers to any other person, without permission, anything he is allowed to have only for his own use ;
- (10) takes improperly or is in unauthorised possession of any article belonging to another person or to a prison ;
- (11) wilfully damages or disfigures any part of the prison or any property not his own ;
- (12) makes any false and malicious allegation against an officer ;
- (13) treats with disrespect an officer or any person visiting a prison ;
- (14) uses any abusive, insolent, threatening or other improper language ;
- (15) is indecent in language, act or gesture ;
- (16) repeatedly makes groundless complaints ;
- (17) is idle, careless or negligent at work or, being required to work, refuses to do so ;
- (18) disobeys any lawful order or refuses or neglects to conform to any rule or regulation of the prison ;
- (19) attempts to do any of the foregoing things ;
- (20) in any way offends against good order and discipline ; or
- (21) does not return to prison when he should have returned after being temporarily released from prison under Rule 6 of these Rules, or does not comply with any condition upon which he was so released.

#### *Disciplinary charges*

48.—(1) Where a prisoner is to be charged with an offence against discipline, the charge shall be laid as soon as possible.

(2) A prisoner who is to be charged with an offence against discipline may be kept apart from other prisoners pending adjudication.

(3) Every charge shall be inquired into, in the first instance, by the governor.

(4) Every charge shall be first inquired into not later, save in exceptional circumstances, than the next day, not being a Sunday or public holiday, after it is laid.

#### *Rights of prisoners charged*

49.—(1) Where a prisoner is charged with an offence against discipline, he shall be informed of the charge as soon as possible and, in any case, before the time when it is inquired into by the governor.

(2) At any inquiry into a charge against a prisoner he shall be given a full opportunity of hearing what is alleged against him and of presenting his own case.

#### *Governor's awards*

50. Subject to the provisions of Rules 51 and 52 of these Rules, the governor may make any one or more of the following awards for an offence against discipline :—

- (a) caution ;
- (b) forfeiture or postponement, for a period not exceeding 28 days, of any of the privileges under Rule 4 of these Rules ;
- (c) exclusion from associated work for a period not exceeding 14 days ;
- (d) stoppage of earnings for a period not exceeding 14 days ;
- (e) cellular confinement for a period not exceeding 3 days ;
- (f) restricted diet for a period not exceeding 3 days ;
- (g) forfeiture of remission of sentence of, or, in the case of a prisoner serving a sentence of corrective training or preventive detention and not having been recalled after release on licence, postponement of his eligibility for release on licence for, a period not exceeding 14 days ;
- (h) forfeiture for any period, in the case of a prisoner otherwise entitled thereto, of any of the following :—
  - (i) the right to be supplied with food and drink under Rule 21(1) of these Rules ; and
  - (ii) the right under Rule 41(1) of these Rules to have the articles there mentioned ;
- (i) forfeiture for any period, in the case of a prisoner otherwise entitled thereto who is guilty of escaping or attempting to escape, of the right to wear clothing of his own under Rule 20(1) of these Rules.

#### *Graver offences*

51.—(1) Where a prisoner is charged with any of the following offences against discipline :—

- (a) escaping or attempting to escape from prison or from legal custody,
  - (b) assaulting an officer, or
  - (c) doing gross personal violence to any person not being an officer,
- the governor shall, unless he dismisses the charge, forthwith inform the Secretary of State and shall, unless otherwise directed by him, refer the charge to the visiting committee or board of visitors.

(2) Where a prisoner is charged with any serious or repeated offence against discipline (not being an offence to which Rule 52 of these Rules applies) for which the awards the governor can make seem insufficient, the governor may, after investigation, refer the charge to the visiting committee or board of visitors.

(3) Where a charge is referred to a committee or board under this Rule, the chairman thereof shall summon a special meeting at which not more than five nor fewer than two members shall be present.

(4) The committee or board so constituted shall inquire into the charge and, if they find the offence proved, shall make one or more of the following awards :—

- (a) caution ;
- (b) forfeiture or postponement for any period of any of the privileges under Rule 4 of these Rules ;



- (c) exclusion from associated work for a period not exceeding 56 days ;
- (d) stoppage of earnings for a period not exceeding 56 days ;
- (e) cellular confinement for a period not exceeding 56 days ;
- (f) restricted diet for a period not exceeding 15 days ;
- (g) forfeiture of remission of sentence of, or, in the case of a prisoner serving a sentence of corrective training or preventive detention and not having been recalled after release on licence, postponement of his eligibility for release on licence for, a period not exceeding 180 days ;
- (h) forfeiture for any period, in the case of a prisoner otherwise entitled thereto, of any of the following :—
  - (i) the right to be supplied with food and drink under Rule 21(1) of these Rules ; and
  - (ii) the right under Rule 41(1) of these Rules to have the articles there mentioned ;
- (i) forfeiture for any period, in the case of a prisoner otherwise entitled thereto who is guilty of escaping or attempting to escape, of the right to wear clothing of his own under Rule 20(1) of these Rules.

(5) The Secretary of State may require any charge to which this Rule applies to be referred to him, instead of to the visiting committee or board of visitors, and in that case an officer of the Secretary of State (not being an officer of a prison) shall inquire into the charge and, if he finds the offence proved, make one or more of the awards listed in paragraph (4) of this Rule.

*Especially grave offences*

52.—(1) Where a prisoner is charged with one of the following offences :—

- (a) mutiny or incitement to mutiny, or
- (b) doing gross personal violence to an officer,

the governor shall forthwith inform the Secretary of State and shall, unless otherwise directed by him, refer the charge to the visiting committee or board of visitors.

(2) Where a charge is referred to a committee or board under this Rule, the chairman thereof shall summon a special meeting at which not more than five nor fewer than three members, at least two being justices of the peace, shall be present.

(3) The committee or board constituted as aforesaid shall inquire into the charge and, if they find the offence proved, shall, subject to paragraph (4) of this Rule, make one or more of the awards listed in Rule 51(4) of these Rules, so however that, if they make the award lettered (g) in that paragraph, the period of forfeiture or postponement may exceed 180 days.

(4) In the case of a male prisoner serving a sentence of imprisonment, corrective training or preventive detention, the committee or board constituted as aforesaid may, subject to the provisions of section 18 of the Prison Act 1952 (which imposes special requirements and restrictions in relation to awards of corporal punishment and requires evidence to be on oath), order corporal punishment, either instead of making any award under paragraph (3) of this Rule or in addition to making one or more of the awards under that paragraph other than cellular confinement and restricted diet.

(5) An order for the infliction of corporal punishment shall specify the number of strokes and the instrument with which they are to be inflicted, and the order shall be recorded in such manner as the Secretary of State directs.

(6) Whenever an order is made for the infliction of corporal punishment, alternative awards shall also be made, which shall have effect in the event of that order not being confirmed by the Secretary of State.

*Infliction of corporal punishment*

53.—(1) Any infliction of corporal punishment shall be attended by the governor and the medical officer.

(2) Immediately before the punishment is inflicted the medical officer shall examine the prisoner and satisfy himself that the prisoner is both mentally and physically fit to undergo it and he shall make any recommendation for preventing injury to the prisoner's health which he thinks necessary, and the governor shall give effect to it.

(3) At any time during the infliction of the punishment the medical officer may, if he thinks it necessary in order to prevent injury to the prisoner's health, recommend that no further punishment be inflicted, whereupon the governor shall stop the punishment, and the remainder of it shall be deemed to be remitted.

(4) The governor shall enter in the corporal punishment book the number of strokes inflicted and the number of any deemed to be remitted under paragraph (3) of this Rule.

(5) An instrument used for the infliction of corporal punishment shall be of a pattern authorised by the Secretary of State.

*Medical certificate*

54. No award of cellular confinement, restricted diet or corporal punishment shall be made unless the medical officer has certified that the prisoner is in a fit state of health to be so dealt with.

*Restricted diet*

55.—(1) The food and drink to be given to a prisoner under an award of restricted diet shall be—

- (a) on the first 3 days of the period of restricted diet, one pound of bread each day and sufficient water ;
- (b) on the next 3 days of the period, food and drink as ordinarily provided for prisoners ; and
- (c) thereafter in accordance with sub-paragraphs (a) and (b) alternately, by periods of 3 days.

(2) The governor shall terminate any period of restricted diet if the medical officer advises that the prisoner is no longer fit for it, and the remainder of the period shall be deemed to be remitted.

*Remission and mitigation of awards*

56.—(1) The Secretary of State may remit a disciplinary award or may mitigate it either by reducing it or by substituting another award which is, in his opinion, less severe.

(2) A disciplinary award, other than forfeiture of remission or postponement of eligibility for release, may be remitted or mitigated by the person, committee or board by whom the award was made.

*Application*

*Appellants*

57. Rules 58 to 61 of these Rules shall apply to appellants within the meaning of the Criminal Appeal Act 1907(a) or the Courts-Martial (Appeals) Act 1951(b) (hereinafter called "appellants") but their application to

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(a) 7 Edw. 7. c. 23.

(b) 14 & 15 Geo. 6. c. 46.

prisoners under sentence of death shall be subject to Rules 72 to 76 of these Rules.

*Visiting*

**58.** An appellant may be visited, in the sight and hearing of an officer, by any person in connection with his appeal.

*Medical examination*

**59.** A registered medical practitioner selected by or on behalf of an appellant shall be afforded reasonable facilities for examining him in connection with his appeal, and may do so out of hearing but in the sight of an officer.

*Letters and facilities*

**60.—(1)** An appellant may correspond with his legal advisers and other persons in connection with his appeal.

(2) An appellant shall be afforded reasonable facilities, including writing materials, to enable him to prepare notes and write letters in connection with his appeal.

(3) An appellant may send or deliver to his legal adviser any confidential communication prepared as instructions for him and, unless the governor has reason to suppose that it contains any other matter, it shall not be read or stopped under Rule 33(3) of these Rules.

*Pay for work done*

**61.** An appellant, if discharged on his appeal, shall be entitled to payment at a special rate, approved by the Secretary of State, for work done by him under Rule 28 of these Rules while he was treated as an appellant.

*Other particular classes*

*Prisoners awaiting trial or sentence, &c.*

**62.—(1)** In the case of a prisoner committed to custody in criminal proceedings to await trial or sentence, Rules 58 to 60 of these Rules shall apply to him, in relation to those proceedings, as they apply to an appellant in relation to his appeal.

(2) The Rules aforesaid shall apply similarly, in relation to any proceedings as regards his detention, to any other person detained in a prison, not being a person serving a sentence or a person imprisoned in default of payment of a sum adjudged to be paid by him on his conviction.

*Prisoners committed for contempt, &c.*

**63.—(1)** A prisoner committed or attached for contempt of court, or for failing to do or abstain from doing anything required to be done or left undone, shall have the same privileges as an unconvicted prisoner under Rules 20(1) and 34(1) of these Rules.

(2) Such prisoners shall be treated as a separate class for the purposes of Rule 3 of these Rules but, notwithstanding anything in that Rule, such prisoners may be permitted to associate with any other class of prisoners if they are willing to do so.

(3) A prisoner detained in a prison for a stated term of more than one month on committal or attachment for contempt of court shall, for the purposes of Rule 5 of these Rules, be treated as serving a sentence of imprisonment for a like term.

*Prisoners convicted of sedition, &c.*

64.—(1) A prisoner serving a sentence on conviction of sedition, seditious conspiracy or seditious libel shall have the same privileges as an unconvicted prisoner under Rules 17(4), 20(1), 21(1), 25, 28, 34(1) and 41(1) of these Rules.

(2) Such a prisoner shall not be required to associate with other prisoners:

(3) Such a prisoner shall be permitted to work at his ordinary employment or vocation as far as conditions in the prison and the needs of discipline and safe custody allow.

*Class of prison* *Corrective training*

65. Arrangements shall be made whereby a prisoner serving a sentence of corrective training is not detained in a local prison, otherwise than temporarily or for some particular purpose, except on recall after release on licence.

*Release on licence*

66.—(1) A prisoner serving a sentence of corrective training shall become eligible for release on licence when he has served two-thirds of that sentence:

Provided that the period, if any, by which the sentence imposed by the court is treated as reduced under section 17(2) of the Criminal Justice Administration Act 1962 by reason of the prisoner having been in custody after conviction awaiting sentence shall be treated, for the purposes of this paragraph, as an additional part of the sentence of corrective training which he is serving and as having been served as such.

(2) This Rule shall have effect subject to any disciplinary award of postponement of eligibility for release on licence, and does not apply to a prisoner to whom section 26(5) of the Prison Act 1952 (which relates to the release of prisoners recalled after release on licence) applies.

*Preventive detention*

*Stages of preventive detention*

67.—(1) A sentence of preventive detention shall be served in two stages.

(2) The first stage shall be served under conditions similar to those of a sentence of imprisonment and may be served in a local prison.

(3) The second stage shall be served in a prison or part of a prison set apart for prisoners serving sentences of preventive detention, and the prisoner shall be eligible for such additional or extended facilities and privileges as the Secretary of State may direct.

(4) During the second stage every effort shall be made, by special industrial and social training and otherwise, to fit a prisoner to take his place in society on his release.

(5) Notwithstanding paragraph (3) of this Rule, a prisoner serving the second stage may be detained in a prison otherwise than in accordance with that paragraph, either temporarily or for some particular purpose.

*Removal to the second stage*

68.—(1) The first year of a sentence of preventive detention shall be served in the first stage.

(2) The Secretary of State may direct the removal of a prisoner from the first to the second stage at any time after he has served one year of his sentence; and a prisoner shall be so removed before he has served two years of his sentence.

(3) The governor shall report to the Secretary of State on the suitability of a prisoner in the first stage for removal to the second. He shall so report after the prisoner has served nine months in the first stage, and again at such intervals, not exceeding three months, as the Secretary of State may direct.

*Return to the first stage*

69.—(1) The Secretary of State may, on the recommendation of the board of visitors, direct that a prisoner in the second stage of preventive detention be returned to the first stage.

(2) Such a recommendation may be made on the grounds that the prisoner has persistently misconducted himself and remained uninfluenced by reprimand or punishment, or on the grounds that his return to the first stage is desirable in the interests of good order.

(3) The governor shall report to the Secretary of State on a prisoner returned to the first stage at intervals of not more than three months, and such a prisoner shall be again removed to the second stage within twelve months of his return to the first stage.

*Release on licence*

70.—(1) A prisoner serving a sentence of preventive detention shall become eligible for release on licence when he has served two-thirds of that sentence :

Provided that the period, if any, by which the sentence imposed by the court is treated as reduced under section 17(2) of the Criminal Justice Administration Act 1962 by reason of the prisoner having been in custody after conviction awaiting sentence shall be treated, for the purposes of this paragraph, as an additional part of the sentence of preventive detention which he is serving and as having been served as such.

(2) This Rule shall have effect subject to any disciplinary award of postponement of eligibility for release on licence, and does not apply to a prisoner to whom section 26(5) of the Prison Act 1952 (which relates to the release of prisoners recalled after release on licence) applies.

*Prisoners recalled from licence*

71.—(1) A prisoner serving a sentence of preventive detention who has been released on licence and recalled to prison shall be remitted to the first stage.

(2) A prisoner remitted as aforesaid may be removed to the second stage at any time, and shall be removed thereto within two years of his being so remitted.

(3) The governor shall report to the Secretary of State at intervals of three months, or as he may direct, on the suitability of a prisoner recalled as aforesaid for release again on licence and, if he is in the first stage, for removal to the second stage.

*Prisoners under sentence of death*

*Application of foregoing Rules*

72. The foregoing provisions of these Rules shall apply in relation to a prisoner under sentence of death only in so far as they are compatible with that sentence and with Rules 73 to 76 of these Rules.

*Search*

73. A prisoner under sentence of death shall be searched with special care and every article shall be taken from him which it might be dangerous or inexpedient to leave in his possession.

### *Confinement*

**74.—(1)** A prisoner under sentence of death shall be confined in a separate cell and shall be kept apart from all other prisoners.

(2) He shall be kept by day and night in the constant charge of two officers.

(3) He shall not be required to work, but shall, if he wishes, be given work to do in his cell.

(4) Subject to the provisions of Rule 75 of these Rules, no person other than a member of the visiting committee or an officer shall have access to a prisoner under sentence of death without the leave of the Secretary of State.

### *Visits*

**75.—(1)** Every visit to a prisoner under sentence of death, other than a visit by the chaplain or a prison minister, shall take place in the sight and hearing of an officer.

(2) Such a prisoner may be visited by any relation, friend or legal adviser whom he wishes to see, and who is authorised to visit him by an order in writing of a member of the visiting committee or the Secretary of State.

(3) The chaplain shall have free access to every such prisoner belonging to the Church of England, and to every other such prisoner who wishes to see him.

(4) Where such a prisoner belongs to a denomination other than the Church of England, a minister of that denomination shall have free access to him.

### *Correspondence*

**76.** A prisoner under sentence of death shall be given all necessary facilities to enable him to correspond with his legal advisers, relatives and friends.

## PART II

### OFFICERS OF PRISONS

#### *General duty of officers*

**77.—(1)** It shall be the duty of every officer to conform to these Rules and the rules and regulations of the prison, to assist and support the governor in their maintenance and to obey his lawful instructions.

(2) An officer shall inform the governor promptly of any abuse or impropriety which comes to his knowledge.

#### *Gratuities forbidden*

**78.** No officer shall receive any unauthorised fee, gratuity or other consideration in connection with his office.

#### *Search of officers*

**79.** An officer shall submit himself to be searched in the prison if the governor so directs.

#### *Transactions with prisoners*

**80.—(1)** No officer shall take part in any business or pecuniary transaction with or on behalf of a prisoner without the leave of the Secretary of State.

(2) No officer shall without authority bring in or take out, or attempt to bring in or take out, or knowingly allow to be brought in or taken out, to or for a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any article whatsoever.

*Contact with former prisoners, &c.*

**81.** No officer shall, without the knowledge of the governor, communicate with any person whom he knows to be a former prisoner or a relative or friend of a prisoner or former prisoner.

*Communications to the press, &c.*

**82.—(1)** No officer shall make, directly or indirectly, any unauthorised communication to a representative of the press or any other person concerning matters which have become known to him in the course of his duty.

**(2)** No officer shall, without authority, publish any matter or make any public pronouncement relating to the administration of any institution to which the Prison Act 1952 applies or to any of its inmates.

*Quarters*

**83.** An officer shall occupy any quarters which may be assigned to him.

*Code of discipline*

**84.** The Secretary of State may approve a code of discipline to have effect in relation to officers, or such classes of officers as it may specify, setting out the offences against discipline, the awards which may be made in respect of them and the procedure for dealing with charges.

### PART III

#### PERSONS HAVING ACCESS TO A PRISON

*Prohibited articles*

**85.** No person shall, without authority, convey into or throw into or deposit in a prison, or convey or throw out of a prison, or convey to a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any money, clothing, food, drink, tobacco, letter, paper, book, tool or other article whatever. Anything so conveyed, thrown or deposited may be confiscated by the governor.

*Control of persons and vehicles*

**86.—(1)** Any person or vehicle entering or leaving a prison may be stopped, examined and searched.

**(2)** The governor may direct the removal from a prison of any person who does not leave on being required to do so.

*Viewing of prisons*

**87.—(1)** No outside person shall be permitted to view a prison unless authorised by statute or the Secretary of State.

**(2)** No person viewing a prison shall be permitted to take a photograph, make a sketch or communicate with a prisoner unless authorised by statute or the Secretary of State.

### PART IV

#### VISITING COMMITTEES AND BOARDS OF VISITORS

*Disqualification for membership*

**88.** Any person interested in any contract for the supply of goods or services to a prison shall not be a member of the visiting committee or board of visitors for that prison.

### *Visiting committee*

**89.** For every local prison there shall be a visiting committee consisting of the justices of the peace appointed in accordance with these Rules and the directions of the Secretary of State given under section 6(1) of the Prison Act 1952.

### *Appointment of members of visiting committee*

**90.—**(1) The members of a visiting committee shall be appointed annually to hold office for twelve months, but shall continue in office until their successors hold their first meeting.

(2) The members of a visiting committee to be appointed by a court of quarter sessions shall be appointed before 25th January.

(3) The members of a visiting committee to be appointed by a bench of magistrates for a borough shall be appointed at the meeting held, in accordance with rules made under section 13 of the Justices of the Peace Act 1949(a), for the purpose of electing a chairman of the bench.

(4) If for any reason any of the members of a visiting committee are not appointed in accordance with the foregoing provisions of this Rule, or a casual vacancy occurs, the court or bench having the power of appointment may make the appointment at any sessions or meeting, and the term of office of a member so appointed shall expire as if the appointment had been made in accordance with the foregoing paragraphs of this Rule.

### *First meeting of visiting committee*

**91.—**(1) The first meeting of the visiting committee for a prison in any year of office shall be held at the prison on the first Monday in the month of February or such other day as may have been fixed by the committee, being a day not earlier than the first Monday after the appointment of the members and not later than 7th February :

Provided that when a committee is first constituted, its first meeting may be on a day appointed by the Secretary of State.

(2) At their first meeting in any year of office the committee shall appoint one of their number to be chairman, and thereafter shall fill any casual vacancy in that office promptly.

(3) The visiting committee may appoint one of their number to be vice-chairman to hold office for the remainder of the period for which the chairman was appointed.

(4) The chairman shall report to the Secretary of State the names and addresses of the members of the committee immediately after the first meeting in any year of office, and thereafter when a change occurs.

### *Board of visitors*

**92.—**(1) A member of the board of visitors for a prison appointed by the Secretary of State under section 6(2) of the Prison Act 1952 shall hold office for three years, or such less period as the Secretary of State may appoint.

(2) When a board is first constituted, the Secretary of State shall appoint one of its members to be chairman for a period not exceeding twelve months.

(3) Subject to paragraph (2) of this Rule, at their first meeting in any year of office the board shall appoint one of their number to be chairman for that year, and thereafter shall fill any casual vacancy in that office promptly.

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(a) 12, 13 & 14 Geo. 6. c. 101.



(4) The board may appoint one of their number to be vice-chairman to hold office for the remainder of the period for which the chairman was appointed.

*Proceedings of committees and boards*

93.—(1) The visiting committee or board of visitors for a prison shall meet at the prison once a month or, if they resolve for reasons specified in the resolution that less frequent meetings are sufficient, not fewer than eight times in twelve months.

(2) The committee or board may fix a quorum of not fewer than three members for proceedings other than those under Rules 51, 52 and 56 of these Rules.

(3) The committee or board shall keep minutes of their proceedings.

(4) The proceedings of the committee or board shall not be invalidated by any vacancy in the membership or any defect in the appointment of a member.

*General duties of committees and boards*

94.—(1) The visiting committee or board of visitors for a prison shall satisfy themselves as to the state of the prison premises, the administration of the prison and the treatment of the prisoners.

(2) The committee or board shall inquire into and report upon any matter into which the Secretary of State asks them to inquire.

(3) The committee or board shall direct the attention of the governor to any matter which calls for his attention, and shall report to the Secretary of State any matter which they consider it expedient to report.

(4) The committee or board shall inform the Secretary of State immediately of any abuse which comes to their knowledge, and shall have power in any case of urgent necessity to suspend any officer until the decision of the Secretary of State is known.

(5) Before exercising any power under these Rules (other than Rules 51, 52 and 56) the committee or board and any member of the committee or board shall consult the governor in relation to any matter which may affect discipline.

*Particular duties*

95.—(1) The visiting committee or board of visitors for a prison and any member of the committee or board shall hear any complaint or request which a prisoner wishes to make to them or him.

(2) The committee or board shall arrange for the food of the prisoners to be inspected by a member of the committee or board at frequent intervals.

(3) The committee or board shall inquire into any report made to them, whether or not by a member of the committee or board, that a prisoner's health, mental or physical, is likely to be injuriously affected by any conditions of his imprisonment.

*Members visiting prisons*

96.—(1) The members of the visiting committee or board of visitors for a prison shall visit the prison frequently, and the committee or board shall arrange a rota whereby at least one of its members visits the prison, in the case of a visiting committee, each week, and, in the case of a board of visitors, between meetings of the board.

(2) A member of the committee or board shall have access at any time to every part of the prison and to every prisoner, and he may interview any prisoner out of the sight and hearing of officers.

(3) A member of the committee or board shall have access to the records of the prison.

#### *Annual report*

97. The visiting committee or board of visitors for a prison shall make an annual report to the Secretary of State at the end of each year concerning the state of the prison and its administration, including in it any advice and suggestions they consider appropriate.

## PART V

### SUPPLEMENTAL

#### *Delegation by governor*

98. The governor of a prison may, with the leave of the Secretary of State, delegate any of his powers and duties under these Rules to another officer of that prison.

#### *Interpretation*

99.—(1) In these Rules, where the context so admits, the expression—

“appellant” has the meaning assigned by Rule 57 of these Rules ;

“convicted prisoner” means, subject to the provisions of Rules 63 and 64 of these Rules, a prisoner who has been convicted or found guilty of an offence or committed or attached for contempt of court or for failing to do or abstain from doing anything required to be done or left undone, and the expression “unconvicted prisoner” shall be construed accordingly ;

“governor” includes an officer for the time being in charge of a prison ;

“legal adviser” means, in relation to a prisoner, his counsel or solicitor, and includes a clerk acting on behalf of his solicitor ;

“local prison” means a prison to which persons may be committed directly by a court ;

“officer” means an officer of a prison ;

“prison minister” means, in relation to a prison, a minister appointed to that prison under section 10 of the Prison Act 1952.

(2) In these Rules a reference to the Church of England includes a reference to the Church in Wales.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

#### *Revocations and savings*

100.—(1) The Rules specified in the Schedule to these Rules are hereby revoked.

(2) For the purposes of these Rules any appointment, approval, authority, certificate, condition, direction or restriction made, given or imposed under any provision of any of the Rules revoked by this Rule shall be treated as having been made, given or imposed under the corresponding provision of these Rules.

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(a) 52 & 53 Vict. c. 63.

*Citation and commencement*

**101.** These Rules may be cited as the Prison Rules 1964 and shall come into operation on the fourteenth day after the day on which they are made.

*Henry Brooke,*  
One of Her Majesty's Principal  
Secretaries of State.

Home Office,  
Whitehall.  
11th March 1964.

SCHEDULE

Rule 100

RULES REVOKED

Rules	References
The Prison Rules 1949	S.I. 1949/1073 (1949 I, p. 3470).
The Prison Rules 1951	S.I. 1951/1343 (1951 II, p. 289).
The Prison Rules 1952	S.I. 1952/1405 (1952 III, p. 2631).
The Prison Rules 1956	S.I. 1956/1986 (1956 II, p. 1897).
The Prison Rules 1962	S.I. 1962/1471 (1962 II, p. 1602).
The Prison Rules 1963	S.I. 1963/468 (1963 I, p. 530).

## EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to indicate their general purport.)*

These Rules make provision for the management of prisons, including the treatment of prisoners, the conduct of officers of prisons and the constitution, powers and duties of visiting committees and boards of visitors. The Rules revoke all the previous Prison Rules, which are listed in the Schedule.

The provisions of the new Rules are generally similar to those of the previous Rules, but the latter have been shortened and simplified. The principal changes of substance are referred to below.

In consequence of the Prison Commissioners Dissolution Order 1963 (S.I. 1963/597) the functions of the Prison Commissioners under the previous Rules are, in most respects, made exercisable by the Secretary of State.

The number of letters which a convicted prisoner is entitled to send and receive is increased from one in four weeks to one a week (Rule 34(2)).

A new Rule (42) has been included (under powers conferred by section 23(2) of the Criminal Justice Act 1961) to provide for the disposal of money and articles sent to a prisoner through the post, and in particular, where the sender is unknown, to allow their application for the benefit of discharged prisoners.

The powers of visiting committees and boards of visitors to award punishment for graver offences by prisoners against discipline are increased in certain respects (Rules 51 and 52).

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