

SCHEDULE

Rule 2

AMENDMENTS TO THE PRISON RULES 1964

1. The following rule shall be substituted for rule 4:

“Privileges

4.—(1) 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.

(2) Systems of privileges approved under paragraph (1) may include arrangements under which prisoners may be allowed time outside the cells and in association with one another, in excess of the minimum time which, subject to the other provisions of these Rules apart from this rule, is otherwise allowed to prisoners at the prison for this purpose.

(3) Systems of privileges approved under paragraph (1) may include arrangements under which privileges may be granted to prisoners only in so far as they have met, and for so long as they continue to meet, specified standards in their behaviour and their performance in work or other activities.

(4) Systems of privileges which include arrangements of the kind referred to in paragraph (3) shall include procedures to be followed in determining whether or not any of the privileges concerned shall be granted, or shall continue to be granted, to a prisoner; such procedures shall include a requirement that the prisoner be given reasons for any decision adverse to him together with a statement of the means by which he may appeal against it.

(5) Nothing in this rule shall be taken to confer on a prisoner any entitlement to any privilege or to affect any provision in these Rules other than this rule as a result of which any privilege may be forfeited or otherwise lost or a prisoner deprived of association with other prisoners.”

2. In rule 6 (temporary release) in sub-paragraph (3)(i) (visits in the locality of the prison) for the words “as a reward for good behaviour or performance” there shall be substituted the words “as a privilege under rule 4 of these Rules”.

3. In rule 20 (clothing):

- (a) the following paragraphs shall be substituted for paragraph (1):

“(1) An unconvicted prisoner may wear clothing of his own if and in so far as it is suitable, tidy and clean, and shall be permitted to arrange for the supply to him from outside prison of sufficient clean clothing:

Provided that, subject to the provisions of rule 38(3) of these Rules:

- (a) he may be required, if and for so long as there are reasonable grounds to believe that there is a serious risk of his attempting to escape, to wear items of clothing which are distinctive by virtue of being specially marked or coloured or both; and
- (b) he may be required, if and for so long as the Secretary of State is of the opinion that he would, if he escaped, be highly dangerous to the public or the police or the security of the State, to wear clothing provided under this rule.

(1A) Subject to paragraph (1) above, the provisions of this rule shall apply to an unconvicted prisoner as to a convicted prisoner.”; and

- (b) in paragraph (4) after the words “Secretary of State” there shall be inserted the words “or as a privilege under rule 4 of these Rules”.

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

4. In rule 33 (letters and visits generally) in paragraph (2) after the words “Secretary of State” there shall be inserted the words “or as a privilege under rule 4 of these Rules”.

5. In rule 34 (personal letters and visits) in paragraph (3) after the words “an additional letter or visit” there shall be inserted the words “as a privilege under rule 4 of these Rules or”.

6. In rule 38 (custody outside prison) the following paragraph shall be substituted for paragraph (3):

“(3) A prisoner required to be taken in custody to any court shall, when he appears before the court, wear his own clothing or ordinary civilian clothing provided by the governor.”.

7. In rule 50 (governor’s punishments) sub-paragraph (1)(h) shall be omitted.