
STATUTORY INSTRUMENTS

1996 No. 32

**The Prisons and Young Offenders Institutions
(Scotland) Amendment Rules 1996**

Insertion of rule 120A into the principal Rules

41. After rule 120 of the principal Rules (short home leave, Christmas and summer leave and pre-Training for Freedom leave) there is inserted the following rule:—

“Local leave

120A.—(1) In this rule, “local leave” means the temporary release of an eligible prisoner for a period not exceeding 8 hours for the purpose of enabling him to meet any person outwith the prison—

- (a) in the town in which the prison is situated or in the town which is nearest to the prison; or
- (b) at some other place approved by the Governor.

(2) On the application of an eligible prisoner and subject to rule 126, the Governor may grant a prisoner local leave if he is of the opinion that, having regard to the relevant criteria applicable to the granting of such leave, it is appropriate to do so.

(3) For the purposes of this rule, a prisoner is an eligible prisoner only if at the time of his application—

- (a) he is confined at a prison or in a particular hall of a prison to which this rule applies;
- (b) he is either—
 - (i) a life prisoner; or
 - (ii) a prisoner serving a sentence for a term of more than 1 year and who has served not less than 6 months or one third of the term of the sentence, whichever expires the later;
- (c) he is assigned security category D and has been assigned that category for at least 6 weeks prior to his application;
- (d) he has previously been granted short home leave on at least one occasion and the Governor was satisfied with his conduct during that leave;
- (e) where he has previously been granted local leave, at least one month has elapsed since the date on which he was last granted local leave; and
- (f) he is not disqualified from consideration for any reason specified in rule 124.”.