
STATUTORY INSTRUMENTS

1999 No. 728

The Prison Rules 1999

PART II

PRISONERS

SPECIAL CONTROL, SUPERVISION AND RESTRAINT AND DRUG TESTING

Restraints

49.—(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 [^{F1}independent monitoring board], and [^{F2}to a registered medical practitioner or to a registered nurse][^{F3}working within the prison].

(3) On receipt of the notice, [^{F4}the registered medical practitioner or registered nurse] referred to in paragraph (2), shall inform the governor whether there are any medical reasons why the prisoner should not be put under restraint. The governor shall give effect to any recommendation which may be made under this paragraph.

(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 ^{F5}... 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 [^{F6}of a registered medical practitioner or of a registered nurse][^{F7}working within the prison]. 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.

Textual Amendments

- F1** Words in rule 49(2) substituted (1.4.2008) by [The Prison \(Amendment\) Rules 2008 \(S.I. 2008/597\)](#), rules 1, **4(a)**
- F2** Words in rule 49(2) substituted (3.1.2006) by [The Prison \(Amendment\) \(No. 2\) Rules 2005 \(S.I. 2005/3437\)](#), rule 1, **Sch. 1 para. 11(a)**
- F3** Words in rule 49(2) substituted (1.1.2010) by [The Prison and Young Offender Institution \(Amendment\) Rules 2009 \(S.I. 2009/3082\)](#), rule 1, **Sch. 1 para. 4(a)**

Changes to legislation: There are currently no known outstanding effects for the The Prison Rules 1999, Section 49. (See end of Document for details)

- F4** Words in rule 49(3) substituted (3.1.2006) by The Prison (Amendment) (No. 2) Rules 2005 (S.I. 2005/3437), rule 1, **Sch. 1 para. 11(b)**
- F5** Words in rule 49(4) omitted (1.1.2010) by virtue of The Prison and Young Offender Institution (Amendment) Rules 2009 (S.I. 2009/3082), rule 1, **Sch. 1 para. 9**
- F6** Words in rule 49(6) substituted (3.1.2006) by The Prison (Amendment) (No. 2) Rules 2005 (S.I. 2005/3437), rule 1, **Sch. 1 para. 11(c)**
- F7** Words in rule 49(6) substituted (1.1.2010) by The Prison and Young Offender Institution (Amendment) Rules 2009 (S.I. 2009/3082), rule 1, **Sch. 1 para. 4(a)**

Changes to legislation:

There are currently no known outstanding effects for the The Prison Rules 1999, Section 49.