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## STATUTORY INSTRUMENTS

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# 1999 No. 728

## The Prison Rules 1999

### PART II

### PRISONERS

#### *OFFENCES AGAINST DISCIPLINE*

#### **Offences against discipline**

**51.** A prisoner is guilty of an offence against discipline if he—

(1) commits any assault;

[<sup>F1</sup>(1A) commits any racially aggravated assault;]

(2) detains any person against his will;

(3) denies access to any part of the prison to any officer or any person (other than a prisoner) who is at the prison for the purpose of working there;

(4) fights with any person;

(5) intentionally endangers the health or personal safety of others or, by his conduct, is reckless whether such health or personal safety is endangered;

(6) intentionally obstructs an officer in the execution of his duty, or any person (other than a prisoner) who is at the prison for the purpose of working there, in the performance of his work;

(7) escapes or absconds from prison or from legal custody;

(8) fails to comply with any condition upon which he is temporarily released under rule 9 <sup>F2</sup>...;

[<sup>F3</sup>(9) is found with any substance in his urine which demonstrates that a controlled drug [<sup>F4</sup>, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]<sup>F5</sup>... has, whether in prison or while on temporary release under rule 9 <sup>F6</sup>..., been administered to him by himself or by another person (but subject to rule 52);]

[<sup>F7</sup>(10) is intoxicated as a consequence of consuming any alcoholic beverage (but subject to rule 52A);]

[<sup>F8</sup>(11) consumes any alcoholic beverage whether or not provided to him by another person (but subject to rule 52A);]

(12) has in his possession—

(a) any unauthorised article, or

(b) a greater quantity of any article than he is authorised to have;

(13) sells or delivers to any person any unauthorised article;

(14) sells or, without permission, delivers to any person any article which he is allowed to have only for his own use;

- (15) takes improperly any article belonging to another person or to a prison;
- (16) intentionally or recklessly sets fire to any part of a prison or any other property, whether or not his own;
- (17) destroys or damages any part of a prison or any other property, other than his own;
- [<sup>F9</sup>(17A) causes racially aggravated damage to, or destruction of, any part of a prison or any other property, other than his own;]
- (18) absents himself from any place he is required to be or is present at any place where he is not authorised to be;
- (19) is disrespectful to any officer, or any person (other than a prisoner) who is at the prison for the purpose of working there, or any person visiting a prison;
- (20) uses threatening, abusive or insulting words or behaviour;
- [<sup>F10</sup>(20A) uses threatening, abusive or insulting racist words or behaviour;]
- (21) intentionally fails to work properly or, being required to work, refuses to do so;
- (22) disobeys any lawful order;
- (23) disobeys or fails to comply with any rule or regulation applying to him;
- (24) receives any controlled drug [<sup>F11</sup>, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]<sup>F12</sup>..., or, without the consent of an officer, any other article, during the course of a visit (not being an interview such as is mentioned in rule 38);
- [<sup>F13</sup>(24A) displays, attaches or draws on any part of a prison, or on any other property, threatening, abusive or insulting racist words, drawings, symbols or other material;]
- (a) (25) (a) attempts to commit,
- (b) incites another prisoner to commit, or
- (c) assists another prisoner to commit or to attempt to commit, any of the foregoing offences.

#### Textual Amendments

- F1** Rule 51(1A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(a\)](#)
- F2** Words in rule 51(8) omitted (25.3.2022) by virtue of [The Prison and Young Offender Institution \(Coronavirus\) \(Amendment\) \(No. 2\) Rules 2020 \(S.I. 2020/508\)](#), rules 1(2), [2\(3\)](#)
- F3** Rule 51(9) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(a\)](#)
- F4** Words in rule 51(9) inserted (8.12.2021 immediately after 2021 c. 18 comes into force) by [The Prison and Young Offender Institution \(Amendment\) Rules 2021 \(S.I. 2021/1279\)](#), rules 1(3), [2\(4\)](#); S.I. 2021/1280, reg. 2
- F5** Words in rule 51(9) omitted (8.12.2021) by virtue of [Prisons \(Substance Testing\) Act 2021 \(c. 18\)](#), [ss. 2\(3\)\(c\)](#), 3(2); S.I. 2021/1280, reg. 2
- F6** Words in rule 51(9) omitted (25.3.2022) by virtue of [The Prison and Young Offender Institution \(Coronavirus\) \(Amendment\) \(No. 2\) Rules 2020 \(S.I. 2020/508\)](#), rules 1(2), [2\(3\)](#)
- F7** Rule 51(10) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(b\)](#)
- F8** Rule 51(11) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(c\)](#)
- F9** Rule 51(17A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(b\)](#)
- F10** Rule 51(20A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(c\)](#)

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*Status: Point in time view as at 25/03/2022. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the The Prison Rules 1999, Section 51. (See end of Document for details)*

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- F11** Words in rule 51(24) inserted (8.12.2021 immediately after 2021 c. 18 comes into force) by The Prison and Young Offender Institution (Amendment) Rules 2021 (S.I. 2021/1279), rules 1(3), **2(5)**; S.I. 2021/1280, reg. 2
- F12** Words in rule 51(24) omitted (8.12.2021) by virtue of Prisons (Substance Testing) Act 2021 (c. 18), **ss. 2(3)(c), 3(2)**; S.I. 2021/1280, reg. 2
- F13** Rule 51(24A) inserted (1.8.2000) by The Prison (Amendment) Rules 2000 (S.I. 2000/1794), rule 1, **Sch. para. 3(d)**

**Status:**

Point in time view as at 25/03/2022. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Prison Rules 1999, Section 51.