
STATUTORY INSTRUMENTS

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;
[^{F1}(1A) commits any assault aggravated by a protected characteristic;]
[^{F2}(1B) commits any sexual assault;
(1C) exposes himself, or commits any other indecent or obscene act;
(1D) sexually harasses any person;]
 - (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 ^{F3}...;
[^{F4}(9) is found with any substance in his urine which demonstrates that a controlled drug [^{F5}, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]^{F6}... has, whether in prison or while on temporary release under rule 9 ^{F7}..., been administered to him by himself or by another person (but subject to rule 52);]
[^{F8}(10) is intoxicated as a consequence of consuming any alcoholic beverage (but subject to rule 52A);]
 - [^{F9}(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;

Status: Point in time view as at 31/05/2024.

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

- (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;
- [^{F10}(17A) causes damage to, or destruction of, any part of a prison or any other property, other than his own, aggravated by a protected characteristic;]
- (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;
- [^{F11}(20A) uses threatening, abusive or insulting words or behaviour, which demonstrate, or are motivated (wholly or partly) by, hostility to persons based on them sharing a protected characteristic;]
- (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;
- [^{F12}(23A) fails to comply with any payback punishment;]
- (24) receives any controlled drug [^{F13}, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]^{F14}..., 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);
- [^{F15}(24A) displays, attaches or draws on any part of a prison, or on any other property, threatening, abusive or insulting words, drawings, symbols or other material, which demonstrate, or are motivated (wholly or partly) by, hostility to persons based on them sharing a protected characteristic;]
- (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) substituted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(a)**
- F2** Rule 51(1B)-(1D) inserted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(b)**
- F3** 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)**
- F4** 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)**
- F5** 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
- F6** 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

- F7** 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)**
- F8** 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)**
- F9** 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)**
- F10** Rule 51(17A) substituted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(c)**
- F11** Rule 51(20A) substituted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(d)**
- F12** Rule 51(23A) inserted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(e)**
- F13** 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
- F14** 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
- F15** Rule 51(24A) substituted (31.5.2024) by The Prison and Young Offender Institution (Adjudication) (Amendment) Rules 2024 (S.I. 2024/212), rules 1(1), **2(3)(f)**

Status:

Point in time view as at 31/05/2024.

Changes to legislation:

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