
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 107

PRISONS
YOUNG OFFENDERS INSTITUTIONS

The Prisons and Young Offenders Institutions
(Scotland) Amendment Rules 2002

<i>Made</i>	- - - -	<i>6th March 2002</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th March 2002</i>
<i>Coming into force</i>	- -	<i>1st April 2002</i>

The Scottish Ministers, in exercise of the powers conferred by section 39 of the Prisons (Scotland) Act 1989(1) and of all other powers enabling them in that behalf, hereby make the following Rules:

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Prisons and Young Offenders Institutions (Scotland) Amendment Rules 2002 and shall come into force on 1st April 2002.

(2) In these Rules—

- (a) a reference to “the principal Rules” is a reference to the Prisons and Young Offenders Institutions (Scotland) Rules 1994(2);
- (b) “security category” has the meaning ascribed to it in rule 3 of the principal Rules immediately before these Rules come into force.

(1) 1989 c. 45 (“the 1989 Act”); section 39 was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9) (“the 1993 Act”), sections 24 and 25, Schedule 5, paragraph 6(6) and Schedule 7, by the Criminal Justice and Public Order Act 1994 (c. 33) (“the 1994 Act”), sections 116(4) and 130(4) and by the Crime and Disorder Act 1998 (c. 37), Schedule 8, paragraph 71; section 39 is to be read with sections 3A(5), (6) and (7) (which was inserted by the Crime and Punishment (Scotland) Act 1997 (c. 48) (“the 1997 Act”), section 43(2)), 8(1) and (2), 11(1), 12 (as amended by the 1993 Act, Schedule 5, paragraph 6(2)), 14(1) (as amended by the 1993 Act, Schedule 5, paragraph 6(3)), 19(3) and (4) (as amended by the 1993 Act, Schedule 5, paragraph 6(4)), 24 (which was repealed by the 1993 Act, Schedule 7 but was saved by Schedule 6 to that Act in relation to any “existing prisoner” within the meaning specified in paragraph 1 of Schedule 6), 33A (which was inserted by the 1994 Act, section 116(3)), 41(2B) (which was inserted by the 1994 Act, section 153(3)), 41B(1) (which was inserted by the 1994 Act, section 151(2)) and 41C(1) (which was inserted by the 1997 Act, section 42) of the 1989 Act; section 39 is also to be read with sections 107(4), 110(7) and 114(3) of the 1994 Act; section 39 was extended by the Courts Martial (Appeals) Act 1968 (c. 20), section 52 (as amended by the 1989 Act, Schedule 2, paragraph 10). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) S.I. 1994/1931, amended by S.I. 1996/32, 1997/2007, 1998/1589, 1998/2504 and 1999/374 and S.S.I. 2000/187.

Amendment of Rule 3 of the principal Rules

2.—(1) Rule 3 of the principal Rules (interpretation)(3) is amended in accordance with paragraph (2) of this rule.

(2) In paragraph (1)—

(a) in sub-paragraph (b) of the definition of “Governor”—

(i) after “Parts” there is inserted “2A,”; and

(ii) before “51(3)(b)” there is inserted “14B(2)(g), 14B(3), 14D(1)(b)(iii), 14F(5),”;

(b) the definition of “security category” is omitted; and

(c) after the definition of “stateless person” there is inserted the following definition:—

““supervision level” means a supervision level which may be assigned in accordance with Part 2A of these Rules;”.

Amendment of Rule 13 of the principal Rules

3. For rule 13(2)(b) of the principal Rules (allocation of prisoners) there is substituted—

“(b) the supervision level of a prisoner;”.

Substitution of Part 2A of the principal Rules

4. For Part 2A of the principal Rules (security categories)(4) there is substituted—

“PART 2A

SUPERVISION LEVELS

Supervision levels

14A. The supervision levels which may be assigned to prisoners in accordance with this Part of these Rules are specified in column 1 of the Table set out below and the description of each level is set out opposite that level in column 2 of the Table:—

<i>Column 1</i> <i>Supervision Level</i>	<i>Column 2</i> <i>Description</i>
High Supervision	A prisoner for whom all activities and movements require to be authorised, supervised and monitored by an officer.
Medium Supervision	A prisoner for whom activities and movements are subject to limited supervision and restrictions.
Low Supervision	A prisoner for whom activities and movements are subject to minimum supervision and restrictions, and who may be given the opportunity to participate in supervised or unsupervised activities in the community.

(3) Rule 3 was amended by S.I. 1996/32, rule 2, S.I. 1998, rule 3, S.I. 1999/374, rule 3 and S.S.I. 2000/187, rule 2.

(4) Part 2A was inserted by S.I. 1998/1589, rule 7, and was amended by S.I. 1999/374, rules 6 and 7.

Assignment of supervision levels

14B.—(1) Every prisoner shall be assigned a supervision level in accordance with the provisions of this Part of these Rules.

(2) Subject to the following paragraphs of this rule, a prisoner shall be assigned the appropriate supervision level having regard, so far as applicable, to the following criteria:—

- (a) the seriousness of the offence for which the prisoner has been convicted;
- (b) the prisoner's previous convictions;
- (c) any outstanding charges;
- (d) the length of time that the prisoner has spent in custody;
- (e) the prisoner's conduct in custody;
- (f) the prisoner's trustworthiness and stability; and
- (g) any other criteria as may be specified in a direction made by the Scottish Ministers for the purposes of this rule.

(3) Any such direction made by the Scottish Ministers may make provision for the relative importance that is to be given to each of the criteria in determining the assignment of a supervision level, and may make provision as to the form and content of any document that may be required to be completed by the Governor when assigning, or when reviewing the assignment of, a supervision level.

(4) Subject to paragraph (7) below, all prisoners, on reception, shall be assigned high supervision level.

(5) Within 72 hours of reception, the supervision level of all prisoners shall be reviewed in accordance with the provisions of these Rules.

(6) An untried prisoner, or a prisoner who has been convicted but is awaiting sentence, shall be assigned no lower a supervision level than medium supervision level.

(7) On reception, a prisoner who is—

- (a) transferred under paragraph 1 of Schedule 1 to the Crime (Sentences) Act 1997⁽⁵⁾ where the transfer is—
 - (i) a restricted transfer within the meaning of paragraph 6(1) of that Schedule; and
 - (ii) has been made for a temporary purpose; or
- (b) transferred under paragraph 2 or 3 of Schedule 1 to the said Act of 1997,

shall be assigned for the period of the detention a supervision level which, in the opinion of the Governor, is the nearest equivalent to the prisoner's classification in the prison or place in the part of the United Kingdom, the Channel Islands or the Isle of Man in which the prisoner was detained immediately before the transfer took place.

(8) Following the review of a supervision level in terms of paragraph (5) above, the Governor shall keep under review and shall formally review within 6 months, and thereafter at least once in every period of 12 months, the supervision level assigned to each prisoner and may, if appropriate, assign another supervision level to the prisoner.

(9) The entitlement of any prisoner who is assigned low supervision level to participate in supervised or unsupervised activities in the community shall be subject to the requirements of rule 91 and of Part 14 of these Rules.

Information regarding assignment of a supervision level

14C.—(1) This rule does not apply to the assignment of high supervision level on reception or to the review of a supervision level to which rule 14D applies.

(2) Following the assignment of a supervision level or the review of a supervision level in accordance with this Part of these Rules, the Governor shall—

- (a) inform the prisoner in writing—
 - (i) in the case of the assignment of a supervision level of the reasons why the supervision level assigned is appropriate; or
 - (ii) in the case of a review which has resulted in no change of level, of the reasons why a lower level is not appropriate; and
- (b) if asked to do so by the prisoner concerned, but subject to paragraph (3), provide the prisoner with—
 - (i) a copy of any document to which he has had regard; and
 - (ii) a summary of any other information of which he was aware and to which he has had regard,

in reaching the relevant decision.

(3) If the Governor is of the opinion that any document or any other information of which he was aware and to which he had regard in reaching the relevant decision would, if disclosed to the prisoner, be likely to be damaging on one or more of the following grounds, namely:—

- (a) that it would be likely adversely to affect the health, welfare or safety of the prisoner or of any other person;
- (b) that it would be likely to result in the commission of an offence;
- (c) that it would be likely to facilitate an escape from legal custody or the doing of any act prejudicial to the safe keeping of persons in legal custody;
- (d) that it would be likely to impede the prevention or detection of offences or the apprehension or prosecution of suspected offenders; or
- (e) that it would be likely otherwise to damage the public interest,

he shall not be obliged to provide the prisoner with a copy of that document or a summary of that other information but shall, in writing, inform the prisoner, but only insofar as is practicable without prejudicing the purposes for which that document or other information is not disclosed, of the gist of that document or information.

Right to make representations prior to certain reviews of supervision level

14D.—(1) This rule applies when, in the course of a review of a prisoner's supervision level, a Governor is minded to assign—

- (a) a higher supervision level than the existing level that is assigned to the prisoner; or
- (b) a supervision level other than low supervision to a prisoner who is—
 - (i) a long-term prisoner who is eligible to be considered by the Parole Board for Scotland in terms of Part I of the 1993 Act;
 - (ii) a life prisoner who has served the part of his sentence specified in an order made under section 2(3) of the 1993 Act; or
 - (iii) a prisoner who has not yet served the part of his sentence specified in sub paragraph (i) or (ii) but who has served such part of his sentence as may be specified in a direction made by the Scottish Ministers.

- (2) The Governor shall—
 - (a) provide the prisoner with a written notice informing him—
 - (i) of the supervision level that he is minded to assign to the prisoner;
 - (ii) of the reasons why he is so minded; and
 - (iii) of the procedure by which the prisoner may make written representations in relation to the proposed assignment of the supervision level; and
 - (b) if asked to do so by the prisoner concerned, but subject to paragraph (3), provide the prisoner with—
 - (i) a copy of any document to which he has had regard; and
 - (ii) a summary of any other information of which he was aware and to which he has had regard,in considering the matter.
- (3) If the Governor is of the opinion that any document or other information of which he was aware and to which he had regard in considering the matter would, if disclosed to the prisoner, be likely to be damaging on any ground mentioned in rule 14C(3), the Governor shall not be obliged to provide the prisoner with a copy of that document or a summary of that other information but shall inform the prisoner in the notice under paragraph (2), but only insofar as is practicable without prejudicing the purposes for which that document or other information is not disclosed, of the gist of that document or information.
- (4) In a case to which paragraph (2) applies, the Governor shall—
 - (a) consider any representations made by the prisoner by virtue of that paragraph before reaching a decision in relation to the assignment of a supervision level; and
 - (b) if he assigns the supervision level in circumstances as mentioned in paragraph (1), provide the prisoner with a written statement of reasons for his decision.

Imposition of special security measures

- 14E.**—(1) Subject to the following paragraphs of this rule, the Governor may impose special security measures, being measures which are separate from and additional to anything that can be done under Part 9 of these Rules, on any prisoner who is assigned high supervision level where he considers that the imposition of these measures are necessary—
- (a) in the interests of the health, welfare or safety of the prisoner or any other person;
or
 - (b) to prevent an escape from legal custody or the doing of any act prejudicial to the safe keeping of persons in legal custody.
- (2) Where the Governor is minded to impose special security measures on a prisoner (other than an untried prisoner), he shall—
- (a) provide the prisoner with a written notice informing him—
 - (i) of the measures that he is minded to impose;
 - (ii) of the reasons why he is so minded; and
 - (iii) of the procedure by which the prisoner may make written representations in relation to the imposition of the special security measures; and
 - (b) if asked to do so by the prisoner concerned, but subject to paragraph (3), provide the prisoner with—
 - (i) a copy of any document to which he has had regard; and

(ii) a summary of any other information of which he was aware and to which he has had regard,

in considering the matter.

(3) If the Governor is of the opinion that any document or other information of which he was aware and to which he had regard in considering the matter would, if disclosed to the prisoner, be likely to be damaging on any ground mentioned in rule 14C(3), the Governor shall not be obliged to provide the prisoner with a copy of that document or a summary of that other information but shall inform the prisoner in the notice under paragraph (2), but only insofar as is practicable without prejudicing the purposes for which that document or other information is not disclosed, of the gist of that document or information.

(4) In a case to which paragraph (2) applies, the Governor shall—

- (a) consider any representations made by the prisoner by virtue of that paragraph before reaching a decision in relation to the imposition of special security measures; and
- (b) if he imposes special security measures, provide the prisoner with a written statement of reasons for this decision.

(5) The Governor shall not be prevented from imposing special security measures on a prisoner on a provisional basis without having recourse to the procedure at paragraphs (2), (3) and (4) where the Governor considers that the immediate, provisional, imposition of the measures is necessary for either of the purposes in sub-paragraphs (a) and (b) of paragraph (1):

Provided that—

- (a) the prisoner is informed in writing of the provisional imposition of the special security measures; and
- (b) the procedure referred to at paragraphs (2), (3) and (4) is commenced within 48 hours of the provisional imposition of the special security measures.

(6) If the Governor decides that the provisional imposition of the special security measures does not require to extend beyond a 48 hour period, then the procedure referred to at paragraphs (2), (3) and (4) shall not apply, and the prisoner shall be informed in writing, within 24 hours of the Governor's decision, that the special security measures are no longer provisionally imposed on him.

Reviews of imposition of special security measures

14F.—(1) The Governor shall keep the imposition of special security measures under review, and shall formally review, at least once in every period of 6 months, whether the continued imposition of the special security measures continues to be necessary for either of the purposes in rule 14E(1)(a) and (b).

(2) If, in formally reviewing the continued imposition of special security measures, the Governor is minded to continue to impose these measures on a prisoner then the Governor shall—

- (a) provide the prisoner with a written notice informing him—
 - (i) of the measures that he is minded to continue to impose;
 - (ii) of the reasons why he is so minded; and
 - (iii) of the procedure by which the prisoner may make written representations in relation to the continued imposition of the special security measures; and

- (b) if asked to do so by the prisoner concerned, but subject to paragraph (3), provide the prisoner with—
 - (i) a copy of any document to which he has had regard; and
 - (ii) a summary of any other information of which he was aware and to which he has had regard,in considering the matter.

(3) If the Governor is of the opinion that any document or other information of which he was aware and to which he had regard in considering the matter would, if disclosed to the prisoner, be likely to be damaging on any ground mentioned in rule 14C(3), the Governor shall not be obliged to provide the prisoner with a copy of that document or a summary of that other information but shall inform the prisoner in the notice under paragraph (2), but only insofar as is practicable without prejudicing the purposes for which that document or other information is not disclosed, of the gist of that document or information.

- (4) In a case to which paragraph (2) applies, the Governor shall—
 - (a) consider any representations made by the prisoner by virtue of that paragraph before reaching a decision in relation to the continued imposition of special security measures; and
 - (b) if he continues to impose special security measures, provide the prisoner with a written statement of reasons for this decision.
- (5) The Scottish Ministers may make a direction for the purposes of prescribing—
 - (a) the procedure in terms of which notices may be provided to a prisoner, and representations may be made, under rules 14D, 14E and this rule;
 - (b) the form in which any such notice or representations may be provided or made; and
 - (c) the time limits within which the procedure mentioned in rules 14D, 14E and this rule may be carried out.”

Amendment of rule 42 of the principal Rules

5. In rule 42(3)(b) of the principal Rules (reception of personal property of prisoners), “if the prisoner is not assigned security category A,” is omitted.

Amendment of rule 91 of the principal Rules

6. For rule 91(3)(c) of the principal Rules (special escorted leave) there is substituted—
“(c) is and has been for at least 3 months assigned low supervision level;”.

Amendment of rule 92 of the principal Rules

7. Rule 92(3) (escorted day absence) is omitted.

Substitution of Part 14 of the principal Rules

8. For Part 14(6) of the principal Rules there is substituted—

(6) Part 14 was amended by S.I. 1996/32, rules 41-46, S.I. 1998/1589, rules 49, 50(2) and (3), S.I. 1999/374, rules 30(2) and 31(2) and S.I. 2000/187, rules 16(2), 17(2), 18(2), 19(2) and 20(2).

“PART 14 TEMPORARY RELEASE

Short leave and winter and summer leave

120.—(1) In this rule—

- (a) “short leave” means temporary release from a prison of a prisoner for the purpose of enabling the prisoner to visit his home or other approved place for a period not exceeding 3 nights excluding travelling time; and
- (b) “winter and summer leave” means temporary release from a prison of a prisoner for the purpose of enabling the prisoner to visit his home or other approved place for a period of up to 5 nights, excluding travelling time, during the winter or summer.

(2) On the application of an eligible prisoner and subject to rule 126, the Governor may grant the prisoner short leave or winter and summer leave if the Governor is of the opinion that, having regard to the relevant criteria applicable to the grant 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 application the prisoner—

- (a) is confined at a prison or in a particular hall or part of a prison to which this rule applies;
- (b) is assigned low supervision level; and
- (c) is not disqualified from consideration for any reason specified in rule 124(1).

Pre-release leave

121.—(1) In this rule, “pre-release leave” means temporary release of an eligible prisoner to enable the prisoner to visit his home or other approved place for a period not exceeding 3 days and 3 nights for the purpose of assisting in the prisoner’s preparation for release.

(2) On the application of an eligible prisoner and subject to rule 126, the Governor may grant the prisoner pre-release 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 not disqualified from consideration for any reason specified in rule 124(1);
- (b) he is assigned low supervision level; and
- (c) he is—
 - (i) a prisoner serving a sentence of imprisonment for a term of 4 years or more;
or
 - (ii) a life prisoner,

whose release date is within 6 weeks of the commencement of the pre-release leave.

Unescorted day release of prisoners assigned low supervision level

122.—(1) In this rule “unescorted day release” means the temporary release for a period not exceeding one day, excluding travelling time, of an eligible prisoner who is, for the time being, assigned low supervision level for the purpose of enabling the prisoner—

- (a) to visit any relative who it appears to the Governor is dangerously ill;
- (b) to attend the funeral of a near relative;
- (c) to visit a parent who is either too old or too ill to travel to the prison; or
- (d) to attend at any place for any other reason where the Governor is of the opinion that the circumstances warrant it.

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

- (a) not an untried or a civil prisoner; and
- (b) not disqualified from consideration for any reason specified in rule 124(1).

(3) The Governor may grant unescorted day release on the written application of an eligible prisoner.

Temporary release for work etc.

123.—(1) The Governor may grant temporary release to an eligible prisoner for the purpose of enabling the prisoner—

- (a) to undertake an unescorted work placement outside prison in terms of rule 70;
- (b) to attend unescorted at a college, university or other educational establishment in order to participate in vocational training or an educational class;
- (c) to undertake unescorted voluntary work outside the prison in terms of rule 70;
- (d) to attend, unescorted, for treatment at a medical facility outwith the prison; or
- (e) to attend, unescorted, for counselling outwith the prison.

(2) For the purposes of this rule, a prisoner is an eligible prisoner only if at the time of the temporary release being granted—

- (a) the prisoner is not disqualified from consideration for any reason specified in rule 124(1); and
- (b) the prisoner is assigned low supervision level.

Unavailability of temporary release

124.—(1) A prisoner shall be disqualified from being considered for temporary release in terms of rules 120 to 123 if he is for the time being—

- (a) an appellant;
- (b) subject to proceedings under the Extradition Act 1989;
- (c) in the opinion of a medical officer, suffering from mental disorder; or
- (d) in the opinion of a medical officer, otherwise unfit.

(2) A life prisoner shall not be granted temporary release under rules 120 to 123 unless the Governor has obtained the prior consent of the Scottish Ministers to—

- (a) the life prisoner’s first grant of temporary release; and

- (b) any further grant of temporary release where the prisoner has been assigned a supervision level other than low supervision level following the consent of the Scottish Ministers having been obtained under sub-paragraph (a).

Recall of prisoners granted temporary release

125. The Scottish Ministers may recall to prison any prisoner who has been granted temporary release, whether the conditions upon which he has been granted such release have been broken or not.

Direction with respect to temporary release

126. For the purposes of temporary release consisting of any form of leave or release specified in rules 120 to 123, the Scottish Ministers may specify in a direction—

- (a) the prisons or any halls within or parts of particular prisons to which any of those rules applies;
- (b) the manner in which the Governor shall consider an application for any such form of temporary release;
- (c) the relevant criteria about which the Governor must be satisfied before he may grant any such form of temporary release;
- (d) the conditions which may be imposed in relation to any approval of such an application;
- (e) the timing and duration of any such form of temporary release and the frequency with which it may be granted to an eligible prisoner; and
- (f) the persons who are to be treated as a near relative of the prisoner.”

Amendment of rule 133 of the principal Rules

9. In rule 133(5) and (5A) of the principal Rules (constitution of visiting committees)(7), for “third” there is substituted “fourth” in each place where it occurs.

Amendment of rule 134 of the principal Rules

10. In rule 134(1)(a) of the principal Rules (proceedings of visiting committees)(8), for “3” there is substituted “4”.

Amendment of Schedule 4 to the principal Rules

11. In Schedule 4 to the principal Rules (constitution of visiting committees)(9) for the entry relating to Perth there is substituted—

“PERTH	Perth and Kinross Council	10	4
	Dundee City Council	9	3”.

(7) Paragraphs (1) to (5A) of rule 133 were substituted by S.I. 1996/32, rule 48.

(8) Rule 134 was amended by S.I. 1996/32, rule 49.

(9) Schedule 4 was substituted by S.I. 1996/32, rule 55, Schedule 2 and was amended by S.S.I 2000/187, rule 22.

Transitional provisions

12.—(1) In this rule—

“existing prisoner” means a person who, at the relevant date, requires to be detained in a prison or a young offenders institution; and

“the relevant date” means 1st April 2002.

(2) Subject to paragraph (3), on the relevant date the security category held by every existing prisoner shall cease to have effect, and, in place of that prisoner’s security category, the Governor shall be deemed to have assigned the prisoner the supervision level that is set out opposite the security category in the Table set out below:—

<i>Security Category</i>	<i>Supervision Level</i>
A	High
B	High
C	Medium
Limited D	Low
D	Low

(3) Any existing prisoner who is, in terms of rule 91, an eligible prisoner, shall, on the relevant date, be deemed to have been assigned low supervision level by the Governor.

(4) The supervision level of every existing prisoner shall be reviewed by the Governor in accordance with Part 2A of the principal Rules, as substituted by these Rules—

- (a) at the date that has been given to an existing prisoner for the next review of his security category; or
- (b) where an existing prisoner has not been given a date for the next review of his security category, within 12 months of the assignment or the most recent review of his security category.

St Andrew’s House,
Edinburgh
6th March 2002

JAMES R WALLACE
A member of the Scottish Executive

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

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules further amend the Prisons and Young Offenders Institutions (Scotland) Rules 1994 (S.I.1994/1931) (“the principal Rules”), principally in order to give effect to the replacement of the system of security categorisation of prisoners by a new system of prisoner supervision levels.

Rule 1 makes provision for citation, commencement and interpretation.

Rule 2 makes amendments to the definitions contained in rule 3 of the principal Rules consequential upon the other provisions of these Rules.

Rule 3 amends rule 13 of the principal Rules by adding supervision level to the matters to which a Governor may have regard when deciding to which part of a prison a particular prisoner or group of prisoners may be confined.

Rule 4 substitutes for Part 2A of the principal Rules (security categories) a new Part 2A, which sets out the detailed procedures that are to govern the operation of the new prisoner supervision level system, and in particular prescribes the procedures to be followed when assigning or reviewing the supervision level of, or the imposition of special security measures on, an individual prisoner and the opportunities that a prisoner is to have to make representations in respect of such decisions.

Rule 5 amends rule 42 of the principal Rules (personal property of prisoners) by removing the reference therein to security category A.

Rule 6 amends rule 91 of the principal Rules (special escorted leave) by replacing the reference therein to security category C or limited D with one to low supervision level.

Rule 7 amends rule 92 of the principal Rules (escorted day absence) by removing the reference therein to security category A.

Rule 8 substitutes for Part 14 of the principal Rules (temporary release) a new Part 14 to make changes consequential upon the replacement of security categories by prisoner supervision levels, and to make a number of other changes to the rules governing temporary release. Provision is made for short leave and winter and summer leave (rule 120), pre-release leave (rule 121), unescorted day release (rule 122) and temporary release for work etc. (rule 123).

Rule 9 amends rule 133 of the principal Rules to change from 3 years to 4 years the frequency of appointment of members of visiting committees for prisons, in line with changes that have been made to the frequency of council elections.

Rule 10 amends rule 134 of the principal Rules to change from 3 years to 4 years the term of appointment of the chairmen and deputy chairmen of members of visiting committees for prisons.

Rule 11 amends the entry for Perth prison in Schedule 4 to the principal Rules (constitution of visiting committees) so as to increase from 5 to 9 the number of members to be appointed by Dundee City Council, and to increase from 2 to 3 the number of those members who are to be non members of the appointing authority.

Rule 12 contains transitional provisions.