
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 94

**The Prisons and Young Offenders
Institutions (Scotland) Rules 2006**

PART 2

RECEPTION, RECORDS, CLASSIFICATION AND ALLOCATION

Information to be given to prisoners on reception

11.—(1) Paragraphs (2) to (5), (6)(e) and (7) of this rule do not apply in relation to a prisoner who is received into prison on transfer from any other prison.

(2) Every prisoner shall be informed by the Governor at the time of reception how the prisoner may inform—

- (a) up to two persons; and
- (b) a legal adviser,

of the prisoner's reception into prison, and the Governor shall make available reasonable facilities for that purpose.

(3) A prisoner who is a foreign national shall also be informed of his or her entitlement to contact, in addition to the persons mentioned in paragraph (2), a diplomatic representative of the prisoner's choice.

(4) A prisoner who is a refugee or stateless person shall also be informed of his or her entitlement to contact, in addition to the persons mentioned in paragraph (2),—

- (a) a diplomatic representative of a state which the prisoner considers may look after his or her interests; and
- (b) subject to such limit as to numbers as the Governor may reasonably impose, national or international authorities and organisations whose principal purpose is to serve the interests of refugees or stateless persons or to protect the civil rights of such persons.

(5) A prisoner who is committed to prison on default of the payment of any sum of money due to be paid by the prisoner shall be informed by the Governor at the time of reception of the facilities available in terms of rule 79 to arrange the making of such payment as will entitle the prisoner to be released from prison.

(6) On reception every prisoner shall be provided with information in writing by the Governor concerning the following matters:—

- (a) the rules, directions and standing orders which apply in that prison;
- (b) the prison routine and regime;
- (c) how the prisoner may make requests and complaints;
- (d) how the prisoner may maintain contact with relatives and friends; and
- (e) the rights of appeal against conviction or sentence, or against both conviction and sentence, which may be available to him or her in terms of—

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- (i) section 106 or 175 of the Criminal Procedure (Scotland) Act 1995⁽¹⁾ or, as the case may be, section 19 of the 1993 Act⁽²⁾; or
- (ii) in the case of a prisoner convicted by a court-martial under the Army Act 1955⁽³⁾, the Air Force Act 1955⁽⁴⁾ or the Naval Discipline Act 1957⁽⁵⁾, the Courts-Martial (Appeals) Act 1968⁽⁶⁾.

(7) In the case of any prisoner whose date of release can be calculated at the time of reception, the Governor shall inform the prisoner of that date as soon as may be reasonably practicable and normally within 48 hours.

(8) The information to be provided to any prisoner in terms of this rule shall be provided in a manner which enables the prisoner to understand it.

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- (1) 1995 c. 46; has been relevantly amended as follows: section 106 was amended by the Crime and Punishment (Scotland) Act 1997 (c. 48), sections 17, 18 and 23, by the Crime and Disorder Act 1998 (c. 37) section 119 and paragraph 119 of Schedule 8, and also by the Protection of Children (Scotland) Act 2003 (asp 5), section 16 and also by the Criminal Justice Scotland Act 2003 (asp 7), Schedule 1, paragraph 2; section 106A was inserted by the Crime and Punishment (Scotland) Act 1997 section 19; section 175 was amended by the Crime and Punishment (Scotland) Act 1997 (c. 48), section 17, section 21, section 23, by the Crime and Disorder Act 1998 (c. 37) section 119 and paragraph 123 of Schedule 8, by the Proceeds of Crime Act 2002 (c. 29) Part 3, section 115, and also by the Protection of Children (Scotland) Act 2003 (asp 5), section 16.
 - (2) 1993 c. 9.
 - (3) 1955 c. 18, continued by section 1 of the Armed Forces Act 2001 (c. 19); section 122(1) was relevantly repealed in part by paragraph 1 of Schedule 7, Part III to the Armed Forces Act 1996 (c. 46), by Schedule 3 to the Armed Forces Act 1991 (c. 62) and also by paragraph 5 of Schedule 6 and Schedule 7 Part III of the Armed Forces Act 1996 (c. 46).
 - (4) 1955 c. 19, continued by section 1 of the Armed Forces Act 2001 (c. 19); section 122(1) relevantly repealed in part by paragraph 1 of Schedule 7, Part III to the Armed Forces Act 1996 (c. 46), by Schedule 3 to the Armed Forces Act 1991 (c. 62) and also by paragraph 5 of Schedule 6 and Schedule 7 Part III of the Armed Forces Act 1996 (c. 46).
 - (5) 1957 c. 53, continued by section 1 of the Armed Forces Act 2001 (c. 19); section 81 was relevantly amended by paragraph 90 of Schedule 1 to the Armed Forces Act 1996 (c. 46).
 - (6) 1968 c. 20; section 43 was relevantly amended by paragraph 17 of Schedule 9 to the Constitutional Reform Act 2005.