
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 94

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

PART 4

PHYSICAL AND PERSONAL ENVIRONMENT

Accommodation of prisoners in cells and rooms

22.—(1) Subject to paragraphs (2) and (3), every prisoner shall be accommodated by him or herself in a cell or room.

(2) Two or more prisoners may be required to share accommodation in a cell or room where—

- (a) the nature of the accommodation in the prison, or the circumstances pertaining in that or any other prison to which these Rules apply, make such sharing necessary; or
- (b) either the Governor, or a medical officer with the consent of the Governor, instructs this.

(3) Where a cell or room is used to accommodate 2 or more prisoners, the prisoners concerned shall be persons whom the Governor, or a medical officer on medical grounds, considers suitable to associate with each other in that accommodation.

Standard of accommodation

23.—(1) Each cell or room used to accommodate prisoners shall be fitted with means of communication with an officer.

(2) Each cell or room used to accommodate prisoners, and any other part of a prison in which prisoners are otherwise kept, or to which they ordinarily have access, shall be of an adequate size and be lighted, heated, ventilated and furnished as is necessary for the health and safety of prisoners.

(3) Every prisoner shall be required to keep the cell or room in which that prisoner is accommodated in a clean and tidy condition except when excused from doing so—

- (a) by a medical officer on medical grounds; or
- (b) by the Governor on any other ground.

Provision of bedding

24.—(1) The Governor shall provide beds and bedding to enable every prisoner to have a separate bed, and bedding sufficient for warmth and health.

(2) Notwithstanding paragraph (1), the Governor may, at the request of a prisoner, provide that prisoner with a mattress only instead of a bed.

(3) Every prisoner's bedding shall be changed as frequently as is necessary to ensure its cleanliness.

(4) Except with the consent of the Governor, no prisoner shall be permitted to receive or possess bedding other than that which is provided in terms of paragraph (1).

Entitlement of an untried prisoner to wear his or her own clothing

25.—(1) Subject to paragraph (2), every untried prisoner may wear his or her own clothing in prison and on those occasions when required or permitted to be outside the prison.

(2) Paragraph (1) does not apply to an untried prisoner where—

- (a) particular clothing may be required for the purposes of legal proceedings;
- (b) a medical officer considers that—
 - (i) the prisoner’s clothing is prejudicial to the prisoner’s health; or
 - (ii) special clothing is required on medical grounds;
- (c) the Governor considers that the prisoner’s clothing—
 - (i) is in poor condition;
 - (ii) may be prejudicial to security, good order or discipline within the prison, or
 - (iii) is incompatible with the facilities at, or management of, the prison;
- (d) special or protective clothing is required for particular work or activities being undertaken by the prisoner; or
- (e) the entitlement of a prisoner to wear his or her own clothing has been forfeited under rule 119(1)(e).

(3) Where the Scottish Ministers consider, in relation to any prison to which these Rules apply, that it is not appropriate to permit untried prisoners, or particular categories of untried prisoners, to wear their own clothing in that prison, they may specify in a direction that paragraph (1) shall not apply in relation to any untried prisoner, or any category of untried prisoner, in that prison.

Circumstances in which a prisoner other than an untried prisoner may wear his or her own clothing

26.—(1) The Governor may permit a prisoner other than an untried prisoner to wear his or her own clothing in prison and on those occasions when required or permitted to be outside the prison.

(2) In considering whether or not to exercise his or her discretion in accordance with paragraph (1), the Governor shall take into account the matters set out in sub paragraphs (a) to (d) of rule 25(2) as well as any other matters that appear to the Governor to be relevant.

(3) A permission given by the Governor may be withdrawn at any time if the Governor considers it appropriate.

Provision of clothing to prisoners

27.—(1) The Governor shall provide suitable clothing for every prisoner where the prisoner has insufficient clothing or does not wish, or is not permitted in terms of rule 25 or rule 26, to wear their own clothing.

(2) For the purposes of paragraph (1), suitable clothing shall mean clothing which—

- (a) is of good condition, appearance and fit; and
- (b) having regard to the circumstances, is suitable for the health and safety of the prisoner.

(3) Any clothing provided in terms of paragraph (1) shall—

- (a) so far as reasonably practicable, be issued by the Governor for use by the prisoner concerned on a personal basis;
- (b) where required to be worn by the prisoner on occasions when outwith the prison, not give any indication that the prisoner is such a person; and
- (c) be maintained in good repair in accordance with arrangements made by the Governor.

(4) If a medical officer is of the opinion that any article of clothing belonging to, or provided to, a prisoner requires disinfection—

- (a) where applicable, any officer may require the prisoner to change out of the article;
- (b) the prisoner shall be provided with such clean clothing as is necessary; and
- (c) the Governor shall arrange for the disinfection of the relevant article by such process as is necessary.

Changes of clothing

28.—(1) Subject to paragraph (2), the Governor shall ensure that every prisoner has sufficient clothing, whether of their own or provided pursuant to rule 27(1), to enable the prisoner—

- (a) to change daily his or her socks and underwear and such other articles of clothing as may be specified in a direction by the Scottish Ministers; and
- (b) to have a clean change of other clothing as often as is necessary for the purposes of health and hygiene.

(2) Where the Scottish Ministers consider that it is not practicable, by reason of the circumstances pertaining in, or facilities available at, any prison, to enable prisoners to change daily their socks and underwear or any other article of clothing, they may specify in a direction—

- (a) that paragraph (1)(a) shall not apply in relation to prisoners in that prison; or
- (b) that in the application of paragraph (1)(a) to prisoners detained in that prison, the frequency with which prisoners shall be able to change socks and underwear shall be at such lesser frequency as is specified in the direction.

Prisoners' food

29.—(1) The Governor shall ensure that every prisoner is provided with sufficient wholesome and nutritious food and drink, well prepared and presented, which takes into account the prisoner's age, health, and, so far as reasonably practicable, his or her religious, cultural or other requirements.

(2) Where by reason of exceptional circumstances pertaining in the prison, it is not practicable to provide food and drink to prisoners, or any particular group or category of prisoners, in terms of paragraph (1)—

- (a) subject to sub paragraph (b), the Governor shall seek to provide food and drink so far as reasonably practicable having regard to the circumstances; and
- (b) where the exceptional circumstances have existed for more than 48 hours, the Scottish Ministers may by direction provide that paragraph (1) shall not apply in relation to prisoners in that prison until such time as they consider that it is practicable for it to do so.

(3) The Governor shall, on a daily basis—

- (a) taste some food and drink prepared for prisoners for the purpose of checking its quality and condition;
- (b) check that the quantity of food and drink prepared for prisoners is adequate; and
- (c) ensure that the conditions under which such food and drink are prepared and served or reheated prior to serving are inspected by an officer.

(4) If an officer finds any deficiency as a result of any inspection or sampling in terms of paragraph (3), the Governor shall remedy the deficiency as soon as reasonably practicable.

(5) Except where the Governor or a medical officer so authorises, no prisoner shall receive or possess food or drink other than that which—

- (a) is provided in terms of this rule; or

- (b) the prisoner is permitted to purchase within the prison.

Personal hygiene

30.—(1) The Governor shall—

- (a) afford every prisoner the opportunity to keep clean; and
- (b) provide every prisoner with such toiletries, including—
 - (i) shaving materials if required; and
 - (ii) in the case of female prisoners, sanitary protection,as are necessary for the prisoner’s health and cleanliness.

(2) The Governor shall ensure that every prisoner has access at all reasonable times to such facilities for washing and bathing or showering as are necessary for health and cleanliness and which enable the prisoner to bathe or shower at least twice a week.

(3) A prisoner shall neither be prevented from growing nor be required to remove a moustache or beard, or both, nor shall the prisoner’s hair be cut without consent of the prisoner, unless a medical officer considers it necessary to do so on medical grounds.