
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 94

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

PART 6

RELIGION

Facilities for religious practice

43.—(1) Every prisoner shall be allowed to observe the requirements of the prisoner's religious and moral beliefs subject to and in accordance with the provisions of the Act, these Rules and of any direction made for the purposes of these Rules.

(2) The Governor shall ensure that every prisoner is informed of the facilities or arrangements which exist or may be made for the purposes of paragraph (1).

Duties of members of the chaplaincy team

44.—(1) Each member of the chaplaincy team shall, for the purposes of prisoners of their respective religious denomination—

- (a) visit each such prisoner as soon as practicable after reception into prison and at such other times thereafter as the prisoner and the member may agree;
- (b) conduct religious services or meetings at such times as the member after consultation with the Governor considers appropriate;
- (c) with the approval of the Governor, make any other arrangements which the member considers necessary for the provision of religious ministrations to such prisoners.

(2) Subject to the approval of the Governor, any person may—

- (a) act on behalf of the member of the chaplaincy team in the member's absence; or
- (b) assist the member,

for the purposes of carrying out any of the duties specified in paragraph (1).

(3) A member of the chaplaincy team may make arrangements, with the approval of the Governor, for the purpose of enabling a prisoner to be visited by a minister of any religious denomination or an authorised representative.

Visiting ministers

45. Where a visiting minister is allowed to visit prisoners, the Governor shall make arrangements, so far as practicable, to enable the minister—

- (a) to conduct religious services or meetings for such prisoners; and
- (b) to make any other arrangements which the minister considers necessary for the provision of religious ministrations to such prisoners,

in accordance with such guidance as the Governor may give.

Religious services and visits

46.—(1) Subject to rule 94(1) and to paragraph (2) below, every prisoner who belongs to a religion or a religious denomination may attend such services or meetings of their denomination as may, with the consent of the Governor, be arranged by the chaplain or minister concerned.

(2) The Governor may prevent a prisoner from attending any service or meeting of his or her religious denomination if, in exceptional circumstances, the Governor considers it is necessary to do so in the interests of good order.

(3) The Governor shall notify the chaplain or the appropriate prison minister as soon as practicable following receipt of any request by a prisoner to receive a visit by the chaplain or, as the case may be, the prison minister.

(4) Any visit to a prisoner by a member of the chaplaincy team shall be held outwith the sight and hearing of an officer except where—

- (a) the member concerned requests otherwise; or
- (b) the Governor considers it would be prejudicial to the interests of security or to the safety of the member for an officer not to be present.

Religious books, items and practices

47.—(1) The Governor shall provide such literature and other materials as the Governor considers appropriate for prisoners' religious needs.

(2) Every prisoner shall, so far as reasonably practicable, be allowed—

- (a) to have in their possession and for their personal use, religious books, items and materials appropriate to his or her religious denomination; and
- (b) to engage in the practices of his or her religious denomination.