
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 331

**The Prisons and Young Offenders
Institutions (Scotland) Rules 2011**

PART 4

ACCOMMODATION, CLOTHING, HYGIENE AND FOOD

Untried and civil prisoners wearing their own clothing

- 32.**—(1) An untried or civil prisoner may wear his or her own clothing.
- (2) Paragraph (1) does not apply if—
- (a) the prisoner has received a punishment under rule 114(1)(e); or
 - (b) the Governor has ordered the prisoner to wear other appropriate clothing for any of the reasons specified in paragraph (4).
- (3) The Governor may revoke any order under paragraph 2(b) when it is appropriate to do so.
- (4) For the purposes of paragraph (2)(b) the reasons are that—
- (a) the Governor considers that the prisoner’s clothing—
 - (i) is in poor condition or too unsanitary to clean;
 - (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;
 - (b) the Governor receives advice from a healthcare professional that—
 - (i) the prisoner’s clothing is prejudicial to the prisoner’s health; or
 - (ii) special clothing is required on health grounds;
 - (c) special or protective clothing is required for particular work or activities being undertaken by the prisoner;
 - (d) particular clothing is or may be required for the purposes of legal proceedings; or
 - (e) a direction made under paragraph (5) is in force.
- (5) The Scottish Ministers may make a direction for the purposes of specifying—
- (a) the types of clothes that a prisoner may or may not wear;
 - (b) whether it is appropriate to allow prisoners to wear or be prohibited from wearing their own clothing;
 - (c) that the matters in sub-paragraphs (a) and (b) apply to specific prisoners, categories or classes of prisoner; and
 - (d) that the matters in sub-paragraphs (a) and (b) apply to parts of a prison, within a particular prison or across a class of prisons.