
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 356

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

Citation and commencement

1. These Rules may be cited as the Prisons and Young Offenders Institutions (Scotland) Amendment Rules 2011 and come into force on 1st November 2011.

Amendment of the Prison Rules

2.—(1) The Prisons and Young Offenders Institutions (Scotland) Rules 2011(1) are amended as follows.

(2) In the definition of “appellant” in rule 2(1)—

(a) for “Courts-Martial (Appeals) Act 1968” substitute “Court Martial Appeals Act 1968”;
and

(b) for “Courts-Martial Appeal Court” substitute “Court Martial Appeal Court”.

(3) For rule 2(3)(e), substitute—

“(e) in the case of an appeal as mentioned in sub-paragraph (d) of that definition, from the time the prisoner lodges the appeal;”.

(4) In rule 3(3)(j), for “Courts-Martial (Appeals) Act 1968” substitute “Court Martial Appeals Act 1968”.

(5) For rule 4(1)(f) substitute—

“(f) rules 106(8), 108(8), 141(b) and (c) and 142(7) do not apply;”.

(6) In rule 26(d), for “35” substitute “25”.

(7) For rule 60 substitute—

“**60.**—(1) Any person who does not want to receive any communication from a prisoner may make a request to the Governor to prevent or restrict that prisoner from communicating with that person.

(2) Where the Governor receives a request under paragraph (1), the Governor may take such reasonable steps as the Governor considers appropriate to prevent or restrict communication from that prisoner to that person.

(3) The Scottish Ministers may make provision in a direction made under rule 55(5) in relation to the operation of this Rule.

(4) For the purposes of this rule “communication” includes written correspondence and telephone calls.”.

(8) In rule 85—

(a) in paragraph (1), after “educational class” insert “or counselling”; and

- (b) in paragraph (2), after “undertakes work” insert “, an educational class or counselling”.
- (9) In rule 86(b), after “rule 84” insert “or 85”.
- (10) In rule 95(10), for “or other official” substitute “, employee or any other person who ordinarily works at the prison but is not employed by the Scottish Ministers”.
- (11) In rule 105(5), for “paragraph (2)” substitute “paragraph (4)”.
- (12) In rule 125(2)(d), for “SPSO” substitute “Scottish Public Services Ombudsman”.
- (13) In the definition of “temporary release for work” in rule 136—
 - (a) after paragraph (a) insert “or”;
 - (b) in paragraph (b) for “class; or” substitute “class;”; and
 - (c) omit paragraph (c).

St Andrew’s House,
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11th October 2011

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