
STATUTORY INSTRUMENTS

1994 No. 1931

**The Prisons and Young Offenders
Institutions (Scotland) Rules 1994**

PART 12

FEMALE PRISONERS

Separation of male and female prisoners

114. Female prisoners shall be accommodated in rooms or cells which are entirely separate from rooms or cells used for the accommodation of male prisoners.

Pregnancy and confinement

115.—(1) The medical officer shall notify the Governor if he considers that a prisoner is pregnant or if a prisoner is likely to give birth prior to the expiration of her sentence or period of committal.

(2) The Governor shall not notify any friend or relative of the prisoner of her pregnancy without her consent except where—

- (a) in the case of a young offender who is under 18 years of age, the Governor considers it appropriate to do so; or
- (b) in any other case, the prisoner is incapable of giving consent by reason of illness and the Governor has no reason to think that such consent would be refused.

(3) A prisoner who is pregnant shall—

- (a) not be required to undertake any work of a strenuous nature in the later stages of her pregnancy;
- (b) be provided with food and drink which take into account any dietary requirements during pregnancy; and
- (c) where by virtue of her condition she requires to be removed from association with other prisoners, be kept under supervision to such extent as is reasonably practicable or be required to share accommodation in a room or cell with a suitable prisoner where the Governor and the medical officer consider this is appropriate.

(4) The medical officer shall arrange for the transfer of any prisoner who is pregnant to a hospital outwith the prison for the purposes of giving birth.

Accommodation of female prisoners' babies

116.—(1) Subject to paragraph (2), the Governor may permit a female prisoner to have her baby with her in prison, and everything necessary for the baby's maintenance and care, including a suitable cot, shall be provided by the Governor.

(2) Subject to any direction by the Secretary of State for the purposes of this rule, the Governor may in granting permission under paragraph (1) impose such conditions as he thinks fit.

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(3) A female prisoner who is permitted to have her baby with her in prison may, with the consent of the Governor, arrange, at her expense or at the expense of some other person, for the provision of additional articles or food for the baby's maintenance or care.