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STATUTORY INSTRUMENTS

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**1994 No. 1931**

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

**PART 15**

**OFFICERS AND EMPLOYEES**

**General duty of officers and employees**

**127.** It shall be the duty of every officer and employee—

- (a) to conform to these Rules;
- (b) to obey any lawful instructions of the Governor or of the Secretary of State; and
- (c) to inform the Governor promptly of any breach of these Rules or any abuse or impropriety which comes to his knowledge.

**Transactions with prisoners or in connection with the prison**

**128.—**(1) No officer or employee shall take part in any business or pecuniary transaction with, or on behalf of, a prisoner, except with the authority of the Secretary of State.

(2) Except with the authority of the Governor, no officer or employee shall—

- (a) bring in or take out, or attempt to bring in or take out, or knowingly allow to be brought in or taken out, to or for any prisoner; or
- (b) deposit in any place with intent that it shall come into the possession of any prisoner, any article whatsoever.

**Fees and gratuities**

**129.** No officer or employee shall—

- (a) receive any unauthorised fee, gratuity or other consideration in connection with his duties as an officer or employee;
- (b) directly or indirectly, have any interest in any contract in connection with the prison or any other prison; or
- (c) receive any fee, gratuity or other consideration from or on behalf of any contractor at, or any person tendering for a contract in connection with, the prison or any other prison.

**Searches of officers and employees**

**130.—**(1) If the Governor has reasonable grounds for suspecting that any officer or employee may have concealed, either on his person or in any place within the prison, anything which is or may be prejudicial to security, good order or safety, he may order the carrying out of a search—

- (a) of the officer or employee; and

- (b) of any article of property belonging to the officer or employee which is in his possession whilst he is in the prison, or which is kept by him in his locker or any other place within the prison.
- (2) The power of search conferred by paragraph (1) shall—
  - (a) not be construed as authorising the Governor to require an officer or employee to remove any of his clothing other than an outer coat, jacket, headgear and gloves; and
  - (b) include power to use reasonable force where necessary.
- (3) A search of an officer or employee shall be carried out within the prison—
  - (a) by at least 2 officers who shall be of the same sex as the officer or employee being searched;
  - (b) outwith the sight of any other person; and
  - (c) as expeditiously and decently as possible.

#### **Communications to the press etc.**

**131.**—(1) No officer or employee shall make, directly or indirectly, any unauthorised communication to a representative of the press or any other person concerning matters which have become known to him in the course of his duties.

(2) No officer or employee shall, without the authority of the Governor or, in such circumstances as the Secretary of State may specify in a direction, publish any matter or make any public pronouncement relating to the administration of any institution to which the Act applies or to any person who may be lawfully confined therein.

#### **Code of Discipline**

**132.** The Secretary of State may approve a Code of Discipline to have effect in relation to officers and employees, or such categories of officers and employees as it may specify, setting out the offences against discipline, the awards which may be made in respect of them and the procedure for dealing with charges and any appeals against findings of guilt or disciplinary awards.