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STATUTORY INSTRUMENTS

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**1994 No. 1931**

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

**PART 3**

**PHYSICAL AND PERSONAL ENVIRONMENT**

**Accommodation of prisoners in cells and rooms**

**15.**—(1) Subject to the following provisions of this rule, every prisoner shall be accommodated by himself in a cell or room.

(2) Two or more prisoners may be required to share accommodation in a cell or room where—

- (a) the nature of the accommodation in the prison, or the circumstances pertaining in that or any other prison to which these Rules apply, make such sharing necessary; or
- (b) either the Governor or the medical officer considers it desirable.

(3) Where a cell or room is used to accommodate 2 or more prisoners, the prisoners concerned shall be persons whom the Governor or the medical officer considers suitable to associate with each other in that accommodation.

**Standard of accommodation**

**16.**—(1) Each cell or room used to accommodate prisoners shall be fitted with means of communication with an officer.

(2) Each cell or room used to accommodate prisoners, and any other part of a prison in which prisoners are otherwise kept, or to which they ordinarily have access, shall be of an adequate size and be lighted, heated, ventilated and furnished as is necessary for the health and safety of prisoners.

(3) Every prisoner shall be required to keep his cell or room in a clean and tidy condition except when he is excused from doing so—

- (a) by the medical officer on medical grounds; or
- (b) by the Governor on any other ground.

**Provision of bedding**

**17.**—(1) The Secretary of State shall provide beds and bedding to enable every prisoner to have a separate bed, and bedding sufficient for his warmth and health.

(2) Every prisoner's bedding shall be changed as frequently as is necessary to ensure its cleanliness.

(3) Except with the consent of the Governor, no prisoner shall be permitted to receive or possess bedding other than that which is provided in terms of paragraph (1).

### **Entitlement of a prisoner to wear his own clothing**

**18.**—(1) Subject to paragraphs (2) and (3), every prisoner may wear his own clothing in prison and on those occasions when he is required or permitted to be outwith the prison.

(2) Paragraph (1) does not apply to a prisoner where—

- (a) particular clothing may be required for the purposes of legal proceedings;
- (b) the medical officer considers that—
  - (i) the prisoner’s clothing is prejudicial to his health; or
  - (ii) special clothing is required on medical grounds;
- (c) the Governor considers that the prisoner’s clothing—
  - (i) is in poor condition;
  - (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;
- (d) special or protective clothing is required for particular work or activities being undertaken by the prisoner; or
- (e) the entitlement of a prisoner to wear his own clothing has been forfeited under rule 100(1)(g).

(3) Where the Secretary of State considers, in relation to any prison to which these Rules apply, that it is not appropriate to permit prisoners, or particular categories of prisoner, to wear their own clothing in that prison, he may specify in a direction that paragraph (1) shall not apply in relation to any prisoner, or any category of prisoner, in that prison.

### **Provision of clothing to prisoners**

**19.**—(1) The Secretary of State shall provide suitable clothing for every prisoner where the prisoner has insufficient clothing or does not wish, or is not permitted in terms of rule 18, to wear his own clothing.

(2) For the purposes of paragraph (1), suitable clothing shall mean clothing which—

- (a) is of good condition, appearance and fit; and
- (b) having regard to the circumstances, is suitable for the health and safety of the prisoner.

(3) Any clothing provided in terms of paragraph (1) shall—

- (a) so far as reasonably practicable, be issued by the Governor for use by the prisoner concerned on a personal basis;
- (b) where required to be worn by the prisoner on occasions when he is outwith the prison, not give any indication that the prisoner is such a person; and
- (c) be maintained in good repair in accordance with arrangements made by the Governor.

(4) If the medical officer is of the opinion that any article of clothing belonging to, or provided to, a prisoner requires disinfection—

- (a) where applicable, any officer may require the prisoner to change out of the article;
- (b) the prisoner shall be provided with such clean clothing as is necessary; and
- (c) the Governor shall arrange for the disinfection of the relevant article by such process as is necessary.

### **Changes of clothing**

**20.**—(1) Subject to paragraph (2), the Governor shall ensure that every prisoner has sufficient clothing, whether of his own or provided pursuant to rule 19(1), to enable the prisoner—

- (a) to change daily his socks and underwear and such other articles of clothing as may be specified in a direction by the Secretary of State; and
- (b) to have a clean change of other clothing as often as is necessary for the purposes of health and hygiene.

(2) Where the Secretary of State considers that it is not practicable, by reason of the circumstances pertaining in, or facilities available at, any prison, to enable prisoners to change daily their socks and underwear or any other article of clothing, he may specify in a direction—

- (a) that paragraph (1)(a) shall not apply in relation to prisoners in that prison; or
- (b) that in the application of paragraph (1)(a) to prisoners detained in that prison, the frequency with which prisoners shall be able to change socks and underwear shall be at such lesser frequency as is specified in the direction.

### **Prisoners' food**

**21.**—(1) The Governor shall ensure that every prisoner is provided with sufficient wholesome and nutritious food and drink, well prepared and presented, which takes into account the prisoner's age, health, and, so far as reasonably practicable, his religious, cultural or other requirements.

(2) Where the Secretary of State considers that it is not practicable to provide food to prisoners due to exceptional circumstances pertaining in a prison, he may by direction provide that paragraph (1) shall not apply in relation to prisoners in that prison until such time as he considers that it is so practicable.

(3) The Governor shall ensure, on a daily basis, that—

- (a) he tastes some food and drink prepared for prisoners for the purpose of checking its quality and condition;
- (b) he checks that the quantity of food and drink prepared for prisoners is adequate; and
- (c) the conditions under which such food and drink are prepared and served are inspected by an officer.

(4) If an officer finds any deficiency as a result of any inspection or sampling in terms of paragraph (3), the Governor shall remedy the deficiency as soon as reasonably practicable.

(5) Except where the Governor or the medical officer so authorises, no prisoner shall receive or possess food or drink other than that which—

- (a) is provided in terms of this rule; or
- (b) he is permitted to purchase within the prison.

### **Personal hygiene**

**22.**—(1) The Governor shall—

- (a) afford every prisoner the opportunity to keep himself clean; and
- (b) provide every prisoner with such toiletries, including—
  - (i) shaving materials if required; and
  - (ii) in the case of female prisoners, sanitary protection,as are necessary for the prisoner's health and cleanliness.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(2) The Governor shall ensure that every prisoner has access at all reasonable times to such facilities for washing and bathing or showering as are necessary for his health and cleanliness and which enable him to bathe or shower at least twice a week.

(3) A prisoner shall neither be prevented from growing nor be required to remove a moustache or beard, or both, nor shall his hair be cut without his consent, unless the medical officer considers it necessary to do so on medical grounds.