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STATUTORY INSTRUMENTS

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**1999 No. 728**

**The Prison Rules 1999**

**PART II**

**PRISONERS**

*COMMUNICATIONS*

**[<sup>F1</sup>Visits from] legal advisers**

**38.**—(1) [<sup>F2</sup>Where] the legal adviser of a prisoner in any legal proceedings, civil or criminal, to which the prisoner is a party [<sup>F2</sup>visits the prisoner, the legal adviser] shall be afforded reasonable facilities for interviewing him in connection with those proceedings, and may do so out of hearing but in the sight of an officer.

(2) [<sup>F3</sup>On such a visit,] a prisoner's legal adviser may, subject to any directions given by the Secretary of State, interview the prisoner in connection with any other legal business out of hearing but in the sight of an officer.

**Textual Amendments**

- F1** Words in rule 38 heading inserted (1.1.2010) by [The Prison and Young Offender Institution \(Amendment\) Rules 2009 \(S.I. 2009/3082\)](#), rule 1, **Sch. 1 para. 6(a)**
- F2** Words in rule 38(1) inserted (1.1.2010) by [The Prison and Young Offender Institution \(Amendment\) Rules 2009 \(S.I. 2009/3082\)](#), rule 1, **Sch. 1 para. 6(b)**
- F3** Words in rule 38(2) inserted (1.1.2010) by [The Prison and Young Offender Institution \(Amendment\) Rules 2009 \(S.I. 2009/3082\)](#), rule 1, **Sch. 1 para. 6(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Prison Rules 1999, Section 38.