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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 39**

**The Public Services Reform (Inspection and Monitoring of Prisons) (Scotland) Order 2015**

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

**4.—**(1) The Prisons and Young Offenders Institutions (Scotland) Rules 2011<sup>(1)</sup> are amended as follows.

(2) In rule 2(1) (interpretation), after the entry “healthcare professional” insert—

““independent prison monitor” means an independent prison monitor appointed under section 7B(2)(a) of the Act;”.

(3) In rule 120 (requests to speak to certain persons)—

(a) for paragraph (1)(b) substitute—

“(b) an independent prison monitor;”; and

(b) for paragraph (3) substitute—

“(3) A prisoner may write to an independent prison monitor and for that purpose the Governor must ensure that—

(a) the prisoner is supplied with paper; and

(b) the letter is posted, or otherwise delivered, to an independent prison monitor without delay.”.

(4) In rule 122 (complaints to the residential first line manager)—

(a) in paragraph (1)(a), delete “120;”; and

(b) after paragraph (2) insert—

“(2A) Where a prisoner makes a request to an independent prison monitor for assistance in making an oral or written complaint under paragraph (2), the independent prison monitor may provide such assistance to the prisoner as the independent prison monitor considers appropriate.”.

(5) In rule 123 (referral of complaints to the Internal Complaints Committee)—

(a) after paragraph (2) insert—

“(2A) Where a prisoner makes a request to an independent prison monitor for assistance in making a written referral to the ICC under paragraph (1), the independent prison monitor may provide such assistance to the prisoner as the independent prison monitor considers appropriate.”; and

(b) in paragraph (5)(b)(i), for “a member of the visiting committee” substitute “an independent prison monitor”.

(6) In rule 124 (complaints to the Governor in relation to confidential matters), after paragraph (2) insert—

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**Status:** This is the original version (as it was originally made).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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“(2A) Where a prisoner makes a request to an independent prison monitor for assistance in making a complaint to the Governor under paragraph (2), the independent prison monitor may provide such assistance to the prisoner as the independent prison monitor considers appropriate.”

- (7) Part 17 (visiting committees) is revoked.
- (8) Schedule 2 (constitution of visiting committees) is revoked.
- (9) Schedule 3 (constitution of visiting committees for legalised police cells) is revoked.