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## STATUTORY INSTRUMENTS

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# 1999 No. 728

## The Prison Rules 1999

### PART II

### PRISONERS

#### *OFFENCES AGAINST DISCIPLINE*

#### **Offences against discipline**

- 51.** A prisoner is guilty of an offence against discipline if he—
- (1) commits any assault;
  - [<sup>F1</sup>(1A) commits any racially aggravated assault;]
  - (2) detains any person against his will;
  - (3) denies access to any part of the prison to any officer or any person (other than a prisoner) who is at the prison for the purpose of working there;
  - (4) fights with any person;
  - (5) intentionally endangers the health or personal safety of others or, by his conduct, is reckless whether such health or personal safety is endangered;
  - (6) intentionally obstructs an officer in the execution of his duty, or any person (other than a prisoner) who is at the prison for the purpose of working there, in the performance of his work;
  - (7) escapes or absconds from prison or from legal custody;
  - (8) fails to comply with any condition upon which he is temporarily released under rule 9 <sup>F2</sup>...;
  - [<sup>F3</sup>(9) is found with any substance in his urine which demonstrates that a controlled drug [<sup>F4</sup>, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]<sup>F5</sup>... has, whether in prison or while on temporary release under rule 9 <sup>F6</sup>..., been administered to him by himself or by another person (but subject to rule 52);]
  - [<sup>F7</sup>(10) is intoxicated as a consequence of consuming any alcoholic beverage (but subject to rule 52A);]
  - [<sup>F8</sup>(11) consumes any alcoholic beverage whether or not provided to him by another person (but subject to rule 52A);]
  - (12) has in his possession—
    - (a) any unauthorised article, or
    - (b) a greater quantity of any article than he is authorised to have;
  - (13) sells or delivers to any person any unauthorised article;
  - (14) sells or, without permission, delivers to any person any article which he is allowed to have only for his own use;

**Changes to legislation:** The Prison Rules 1999, Section 51 is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (15) takes improperly any article belonging to another person or to a prison;
- (16) intentionally or recklessly sets fire to any part of a prison or any other property, whether or not his own;
- (17) destroys or damages any part of a prison or any other property, other than his own;
- [<sup>F9</sup>(17A) causes racially aggravated damage to, or destruction of, any part of a prison or any other property, other than his own;]
- (18) absents himself from any place he is required to be or is present at any place where he is not authorised to be;
- (19) is disrespectful to any officer, or any person (other than a prisoner) who is at the prison for the purpose of working there, or any person visiting a prison;
- (20) uses threatening, abusive or insulting words or behaviour;
- [<sup>F10</sup>(20A) uses threatening, abusive or insulting racist words or behaviour;]
- (21) intentionally fails to work properly or, being required to work, refuses to do so;
- (22) disobeys any lawful order;
- (23) disobeys or fails to comply with any rule or regulation applying to him;
- (24) receives any controlled drug [<sup>F11</sup>, pharmacy medicine, prescription only medicine, psychoactive substance or specified substance]<sup>F12</sup>..., or, without the consent of an officer, any other article, during the course of a visit (not being an interview such as is mentioned in rule 38);
- [<sup>F13</sup>(24A) displays, attaches or draws on any part of a prison, or on any other property, threatening, abusive or insulting racist words, drawings, symbols or other material;]
- (a) (25) (a) attempts to commit,
- (b) incites another prisoner to commit, or
- (c) assists another prisoner to commit or to attempt to commit, any of the foregoing offences.

- F1** Rule 51(1A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(a\)](#)
- F2** Words in rule 51(8) omitted (25.3.2022) by virtue of [The Prison and Young Offender Institution \(Coronavirus\) \(Amendment\) \(No. 2\) Rules 2020 \(S.I. 2020/508\)](#), rules 1(2), **2(3)**
- F3** Rule 51(9) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(a\)](#)
- F4** Words in rule 51(9) inserted (8.12.2021 immediately after 2021 c. 18 comes into force) by [The Prison and Young Offender Institution \(Amendment\) Rules 2021 \(S.I. 2021/1279\)](#), rules 1(3), **2(4)**; S.I. 2021/1280, reg. 2
- F5** Words in rule 51(9) omitted (8.12.2021) by virtue of [Prisons \(Substance Testing\) Act 2021 \(c. 18\)](#), **ss. 2(3)(c)**, 3(2); S.I. 2021/1280, reg. 2
- F6** Words in rule 51(9) omitted (25.3.2022) by virtue of [The Prison and Young Offender Institution \(Coronavirus\) \(Amendment\) \(No. 2\) Rules 2020 \(S.I. 2020/508\)](#), rules 1(2), **2(3)**
- F7** Rule 51(10) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(b\)](#)
- F8** Rule 51(11) substituted (18.4.2005) by [The Prison \(Amendment\) Rules 2005 \(S.I. 2005/869\)](#), rule 1(1), [Sch. 1 para. 4\(c\)](#)
- F9** Rule 51(17A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(b\)](#)
- F10** Rule 51(20A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, [Sch. para. 3\(c\)](#)

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- F11** Words in rule 51(24) inserted (8.12.2021 immediately after 2021 c. 18 comes into force) by [The Prison and Young Offender Institution \(Amendment\) Rules 2021 \(S.I. 2021/1279\)](#), rules 1(3), **2(5)**; S.I. 2021/1280, reg. 2
- F12** Words in rule 51(24) omitted (8.12.2021) by virtue of [Prisons \(Substance Testing\) Act 2021 \(c. 18\)](#), **ss. 2(3)(c)**, 3(2); S.I. 2021/1280, reg. 2
- F13** Rule 51(24A) inserted (1.8.2000) by [The Prison \(Amendment\) Rules 2000 \(S.I. 2000/1794\)](#), rule 1, **Sch. para. 3(d)**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- rule 51(1A) substituted by [S.I. 2024/212 rule 2\(3\)\(a\)](#)
- rule 51(17A) substituted by [S.I. 2024/212 rule 2\(3\)\(c\)](#)
- rule 51(20A) substituted by [S.I. 2024/212 rule 2\(3\)\(d\)](#)
- rule 51(24A) substituted by [S.I. 2024/212 rule 2\(3\)\(f\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- rule 51(1B)-(1D) inserted by [S.I. 2024/212 rule 2\(3\)\(b\)](#)
- rule 51(23A) inserted by [S.I. 2024/212 rule 2\(3\)\(e\)](#)
- rule 55(1)(i) inserted by [S.I. 2024/212 rule 2\(5\)\(a\)](#)