PRISON, ENGLAND

The Prison Rules, 1949

1949 No. 1073

Made - - - - 2nd June, 1949
Coming into Operation 15th June, 1949

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SCHEDULE

RESTRICTED DIETS

In pursuance of the power conferred on me by section fifty-two of the Criminal Justice Act, 1948(a), I hereby make the following Rules :—

PART I

PRELIMINARY

Arrangement of Rules.

1. These Rules are divided into Parts as follows :—

I. Preliminary.
II. General rules for the treatment of prisoners.
III. Special rules for particular classes of prisoners other than those sentenced to corrective training or preventive detention.
IV. Special rules for prisoners sentenced to corrective training.
V. Special rules for prisoners sentenced to preventive detention.
VI. Staff.
VII. Visiting Committees and Boards of Visitors.

(a) 11 & 12 Geo. 6. c. 58.

Interpretation.

2.—(1) In these Rules unless the context otherwise requires words and expressions have the meanings respectively assigned to them as follows:—

"Central prison", "local prison", and "regional prison" have the meanings assigned by Rule 7;

"Chaplain" means a clergyman appointed chaplain under the Prison Acts, 1865 and 1877(a);

"Commissioners" means the Prison Commissioners, and "Assistant Commissioner" means a person appointed by the Secretary of State to assist the Prison Commissioners and to be an inspector of prisons;

"Legal adviser" means, in relation to a prisoner, the prisoner's counsel or solicitor, and includes a clerk authorized by his counsel or solicitor to interview the prisoner;

"Prison Minister" means a person appointed under section three of the Prison Ministers Act, 1863(b), as amended by the Prison Acts, 1865 to 1898;

"Officer" means an officer or servant of a prison;

"Special Rule" means a Rule in Part III, Part IV, or Part V, of these Rules.

(2) References to Visiting Committees shall, except in Part VII of these Rules, be read as including Boards of Visitors, and references to the Church of England include, in relation to a prison situated in Wales, or a prisoner who is a member of the Church in Wales, reference to the Church in Wales.

(3) The Interpretation Act, 1889(c), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

Citation and commencement.

3. These Rules may be cited as the Prison Rules, 1949, and shall come into operation on the fifteenth day of June, 1949.

Revocation.

4. The Rules made for the Government of Prisons under section two of the Prison Act, 1898(d), and dated 12th August, 1933(e), 27th April, 1936(f), 16th December, 1938(g), 18th June, 1943(h), and 8th February, 1945(i), are hereby revoked, but without prejudice to the continued operation of the Code of Discipline for Prison Officers which was formulated by the Prison Commissioners on the 1st December, 1945, and approved by the Secretary of State on the 6th December, 1945.

PART II

GENERAL RULES FOR THE TREATMENT OF PRISONERS

Application of Part I.

5. The Rules in this Part apply to all classes of prisoners except in so far as they are inconsistent with the Special Rules.

(a) 28 & 29 Vict. c. 126 and 40 & 41 Vict. c. 21.
(b) 26 & 27 Vict. c. 79.
(c) 52 & 53 Vict. c. 63.
(d) 61 & 62 Vict. c. 41.
(e) S.R. & O. 1933 (No. 809) p. 1566.
(f) S.R. & O. 1936 (No. 382) II, p. 2103.
(g) S.R. & O. 1938 (No. 1554) II, p. 2879.
(h) S.R. & O. 1943 (No. 878) I, p. 855.
(i) S.R. & O. 1945 (No. 148) I, p. 1014.

CLASSIFICATION AND TRAINING

6. The purposes of training and treatment of convicted prisoners shall be to establish in them the will to lead a good and useful life on discharge, and to fit them to do so. Purposes of training.

7.—(1) The Commissioners may set aside particular prisons or parts of prisons, called in these Rules central prisons, for such prisoners or classes of prisoners serving sentences of three years and upwards as they determine. Classes of prison.

Such prisoners shall normally be transferred to a central prison before two years of the sentence have been served.

(2) The Commissioners may set aside particular prisons or parts of prisons, called in these Rules regional prisons, for particular classes of prisoners or particular purposes, including—

(i) the special observation of either unconvicted or convicted prisoners for the purpose of classification, making reports to courts, or otherwise;

(ii) the training of such classes of prisoners sentenced to imprisonment or corrective training as they may from time to time determine.

(3) A prison which is not set aside as a regional or central prison is in these Rules called a local prison.

(4) Every prisoner shall be first received in a local prison.

(5) The Commissioners may, with the approval of the Secretary of State in each case, establish or set aside prisons, whether central, regional, or local, for the treatment in open conditions of selected prisoners or classes of prisoners who have been sentenced either to imprisonment or to corrective training.

8.—(1) At every prison there shall be a reception board consisting of the Governor and such other persons as the Commissioners determine, who shall, as soon as possible after his reception in the prison, interview every prisoner, and consider what arrangements are to be made for his training. Reception oards.

(2) At a local prison the reception board shall also, as soon as possible after reception, classify all prisoners sentenced to imprisonment, having regard to their age, character, and previous history.

9.—(1) In order so far as possible to prevent contamination and to facilitate training the arrangements set out in the following paragraphs of this Rule shall be made in classifying prisoners. Classification.

(2) Prisoners under 21 years of age shall be placed in the Young Prisoners' Class.

(3) Prisoners of 21 years of age and over who have not previously been in prison on conviction shall be placed in the Star Class unless the reception board considers that, in view of their record or character, they are likely to have a bad influence on others. The reception board may also place in the Star Class a prisoner of 21 years of age and over who has previously been in prison on conviction if they are satisfied, having regard to the nature of the previous offence, or to the length of time since it was committed, or to the prisoner's general record and character, that he is not likely to have a bad influence on others.

(4) Other prisoners shall be placed in the Ordinary Class.

(5) (*a*) The Governor may in his discretion at any time remove from the Young Prisoners' Class a prisoner of 17 years of age or over whom he regards as unsuitable by character for that class, and may place him in the Star Class.

(*b*) The Governor may in his discretion at any time remove from the Star Class to the Ordinary Class a prisoner whose character has shown him to be unfit to associate with other prisoners of the Star Class.

(6) Arrangements shall be made in all local prisons to provide so far as practicable for the effective separation at all times of the three classes of convicted prisoners.

(7) Prisoners of the Star Class transferred to a central prison shall normally be placed in a prison set aside for prisoners of that class and, where they are in the same prison as prisoners of the Ordinary Class, the two classes shall so far as practicable be effectively separated.

(8) The Commissioners may set up such other classes, or may authorize in particular cases or at particular prisons such departures from the provisions of this Rule, as may in their opinion be desirable for the purposes of paragraph (1) of this Rule.

Privileges.

10.—(1) The Commissioners shall, in the interest of good conduct and training, establish at every prison such system or systems of privileges as may be appropriate for different classes of prisoners and different methods of training.

(2) Every such system shall include arrangements under which sums paid to prisoners under these Rules may be spent on such articles and subject to such conditions as the Commissioners determine.

ACCOMMODATION

Sleeping accommodation.

11.—(1) No sleeping accommodation for prisoners shall be used unless it is certified by a Commissioner or Assistant Commissioner to be of such size and to be lighted, warmed, ventilated, and fitted in such a manner as is requisite for health, and when such accommodation is locked it shall be furnished with the means of enabling prisoners to communicate at any time with an officer. If the certificate of any cell, room, or ward so used is cancelled, that accommodation shall not be used for sleeping unless it is again certified. The certificate shall specify the maximum number of prisoners to be accommodated at any one time in such a room or ward and the number so specified shall not be exceeded without the authority of the Commissioners.

(2) Where sleeping accommodation is in separate cells each prisoner shall occupy a cell by himself:

Provided that where it is necessary for special reasons the Commissioners may authorize the accommodating of not more than three prisoners in a cell.

Beds and bedding.

12. Every prisoner shall be provided with a separate bed and with separate bedding adequate for warmth and health.

Women's accommodation.

13.—(1) In a prison for both men and women the whole of the premises allocated to women shall be entirely separate and shall be secured by locks different from those used in the men's prison.

(2) The keys of the premises allocated to women shall be under the control of women officers, and no male officer shall enter the premises except on duty and in the company of a woman officer.

Reception, Removal and Discharge

(i) *Reception*

Search.

14.—(1) Every prisoner shall be searched when taken into custody by an officer, on reception into prison, and at such subsequent times as are directed, and all unauthorized articles shall be taken from him.

(2) The searching of a prisoner shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by officers of the same sex as the prisoner.

Retention of property.

15. All money, clothing, or other effects belonging to a prisoner which he is not allowed to retain shall be placed in the custody of the Governor, who shall keep an inventory thereof, which shall be signed by the prisoner.

Recording of particulars.

16. The name, age, height, weight, particular marks, and such other measurements and particulars as may be required in regard to a prisoner shall upon his reception, and from time to time, be recorded in such manner as the Commissioners determine.

Photographs.

17. A prisoner may be photographed on reception and subsequently, but no copy of the photograph shall be given to a person who is not authorized to receive it.

Baths.

18. Every prisoner shall, unless exempted by the Governor or Medical Officer, take a hot bath on reception.

Medical examination.

19. Every prisoner shall, on the day of his reception, as soon as possible after his reception, be separately examined by the Medical Officer, who shall record the state of health of the prisoner and such other particulars as may be directed:

Provided that when a prisoner is received too late to be examined on the same day he shall be examined as soon as possible on the next day, and in any case within twenty-four hours of reception.

Babies.

20. Subject to such conditions as the Commissioners determine a woman prisoner may have her baby with her in prison during the normal period of lactation and longer if required in special circumstances, and the baby may be supplied with clothing and necessaries at the public expense.

(ii) *Information to prisoners*

Providing and explaining information.

21.—(1) Arrangements shall be made to ensure that every prisoner on reception is provided, in his cell or room or ward, with full information about the Rules governing the treatment of prisoners of his class and about any other regulations of which he should have knowledge, including those relating to earnings and privileges, to the proper methods of submitting petitions to the Secretary of State and of making complaints, to food, clothing, bedding, and other necessaries, and to the disciplinary requirements of the prison.

(2) The Governor shall personally or through such officer as he may appoint ensure as soon as possible after reception, and in any case within twenty-four hours, that every prisoner who can read has read the information so provided. Where a prisoner cannot read or has difficulty in understanding the information so provided, it shall be so explained to him that he may understand both his rights and his obligations.

(iii) *Removal and Discharge*

Custody during removal, etc.

22. A prisoner whom the Secretary of State has directed to be taken to any place shall while outside the prison be kept in the custody of prison officers:

Provided that a prisoner directed to be brought before a court of summary jurisdiction may while outside the prison be in the custody of police officers.

Protection from public view.

23. When prisoners are being removed to or from prison, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult or curiosity.

Final interview with Governor.

24. Every prisoner shall before discharge or removal to another prison be interviewed by the Governor.

Final interview with Medical Officer.

25.—(1) Every prisoner shall as short a time as is practicable before discharge, or removal to another prison, be examined by the Medical Officer.

(2) A prisoner shall not be removed to another prison unless the Medical Officer certifies that he is fit for removal.

(3) A prisoner due for discharge who is suffering from an acute or dangerous illness shall, unless he refuses to stay, not be sent out of prison until in the opinion of the Medical Officer it is safe to send him out.

Return of clothes.

26. On the discharge of a prisoner, his own clothes shall be returned to him unless it has been found necessary to destroy or otherwise dispose of them, in which case proper clothing shall be provided.

(iv) *Deaths of prisoners*

Record of death.

27. The Medical Officer shall keep a record of the death of any prisoner which shall include the following particulars:—

At what time the deceased was taken ill, when the illness was first notified to the Medical Officer, the nature of the illness, when the prisoner died, and an account of the appearance after death (in cases where a *post mortem* examination is made) together with any special remarks that appear to him to be required.

Notice to Coroner, etc.

28. Upon the death of a prisoner the Governor shall give immediate notice thereof to the Coroner having jurisdiction, to the Visiting Committee, and to the Commissioners.

DISCIPLINE AND CONTROL

(i) *General*

General principles.

29. The Rules in this section shall be applied, due allowance being made for the differences of character and response to discipline of different types of prisoner, in accordance with the following principles:—

(i) Discipline and order shall be maintained with firmness, but with no more restriction than is required for safe custody and well ordered community life;

(ii) In the control of prisoners officers shall seek to influence them through their own example and leadership, and to enlist their willing co-operation ;

(iii) At all times the treatment of prisoners shall be such as to encourage their self-respect and a sense of personal responsibility.

Supervision by Governor.

30.—(1) The Governor shall exercise a close and constant personal supervision of the whole prison. He shall visit and inspect daily all parts of the prison where prisoners are working or accommodated, and shall give special attention to every prisoner who is a hospital patient.

(2) At least twice a fortnight the Governor shall during the night visit the prison and satisfy himself as to its state.

Performance of Governor's duties by other persons.

31.—(1) The Governor may depute any officer to act in his stead in his absence, and that officer shall in the Governor's absence perform all the duties of the Governor.

(2) The Governor may delegate to an Assistant Governor or Chief Officer such duties as from time to time the Commissioners approve.

Supervision, etc., of women.

32. Women prisoners shall be attended only by women officers and if working under a male instructor shall be supervised by a woman officer.

Women Assistant Governor, etc.

33.—(1) Where part of a prison is set aside for women that part shall be in the charge of a woman Assistant Governor or woman Chief Officer who shall have the care and superintendence of all women prisoners. The keys of all the locks of that part of the prison shall be in her custody.

(2) She shall exercise a close and constant personal supervision over the whole of the women's prison ; she shall visit and inspect daily all parts of the prison where women prisoners are working or accommodated, and she shall give special attention to every woman prisoner who is sick or under restraint or undergoing cellular confinement, or upon restricted diet No. 1.

(3) At least twice a fortnight she shall during the night visit the women's prison and satisfy herself as to its state.

(4) Whenever she is absent her duties shall be performed by a qualified woman officer approved by the Governor, and that officer shall have all the powers and perform all the duties of the Assistant Governor or Chief Officer.

Use of force.

34.—(1) No officer in dealing with prisoners shall use force unnecessarily and, when the application of force to a prisoner is necessary, no more force than is necessary shall be used.

(2) No officer shall deliberately act in a manner calculated to provoke a prisoner.

Prisoners not to hold disciplinary posts.

35. No prisoner shall be employed in any disciplinary capacity, but prisoners carefully selected by the Governor may be given positions of responsibility and leadership within such limits as the Commissioners determine.

Temporary work in cell.

36.—(1) If at any time it appears to the Visiting Committee or a Commissioner or Assistant Commissioner that it is desirable for the

maintenance of good order or discipline or in the interests of a prisoner that that prisoner should not work in association with others, the Governor may be authorized to arrange for that prisoner to work temporarily in a cell and not in association.

(2) It shall be within the discretion of the Governor to arrange for such a prisoner again to work in association whenever he considers this desirable, and he shall do so in any case if the Medical Officer so advises on medical grounds, or at the expiration of one month, unless further authority is given from month to month by the Visiting Committee or a Commissioner or Assistant Commissioner.

(ii) *Remission*

Conditions of remitting sentence.

37. Arrangements shall be made by which a prisoner sentenced to imprisonment, whether by one sentence or by consecutive sentences, for a period exceeding one month may by good conduct and industry become eligible for discharge when a portion of his sentence not exceeding one-third of the whole sentence has yet to run :

Provided that nothing in the said arrangements shall authorize the reduction of any period of imprisonment to a period less than thirty-one days.

(iii) *Offences against discipline*

Governor to deal with reports.

38. No report against a prisoner shall be dealt with by any officer except the Governor or an officer who by virtue of Rule 31 has authority to deal with such reports.

Separation of reported prisoner.

39. When a prisoner has been reported for an offence the Governor may order him to be kept apart from other prisoners pending adjudication.

Information to reported prisoner.

40. A prisoner shall, before a report against him is dealt with, be informed of the offence for which he has been reported and shall be given a proper opportunity of hearing the facts alleged against him and of presenting his case.

Unauthorized articles.

41. The Governor may deprive a prisoner of any unauthorized article found in his cell or in his possession.

Offences.

42. A prisoner shall be guilty of an offence against discipline if he—

(1) Disobeys any order of the Governor or of any other officer or any prison rule.

(2) Treats with disrespect any officer or any person authorized to visit the prison.

(3) Is idle, careless, or negligent at work, or refuses to work.

(4) Uses any abusive, insolent, threatening, or other improper language.

(5) Is indecent in language, act, or gesture.

(6) Commits any assault.

(7) Communicates with another prisoner without authority.

(8) Leaves his cell or place of work or other appointed place without permission.

(9) Wilfully disfigures or damages any part of the prison or any property which is not his own.

(10) Commits any nuisance.

(11) Has in his cell or possession any unauthorized article, or attempts to obtain such an article.

(12) Gives to or receives from any person any unauthorized article.

(13) Escapes from prison or from legal custody.

(14) Mutinies or incites other prisoners to mutiny.

(15) Commits gross personal violence against an officer.

(16) Makes repeated and groundless complaints.

(17) In any way offends against good order and discipline.

(18) Attempts to do any of the foregoing things.

Investigation of offences, and awards by Governor.

43.—(1) Save as provided by Rules 44 and 45, the Governor shall investigate every offence against discipline, and may determine thereupon and make one or more of the following awards :—

(*a*) forfeiture of remission of sentence for a period not exceeding fourteen days ;

(*b*) forfeiture or postponement of privileges for a period not exceeding twenty-eight days ;

(*c*) exclusion from associated work for a period not exceeding fourteen days ;

(*d*) cellular confinement for a period not exceeding three days ;

(*e*) *restricted diet No. 1 for a period not exceeding three days ;

(*f*) *restricted diet No. 2 for a period not exceeding fifteen days ;

(*g*) stoppage of earnings for a period not exceeding fourteen days.

(2) Every offence against discipline shall be reported forthwith, and the Governor shall investigate such reports not later than the following day, unless that day is a Sunday or a public holiday.

Investigation and awards by Visiting Committee.

44.—(1) Where a prisoner is reported for any of the following offences, namely :—

(*a*) escaping or attempting to escape from prison or from legal custody ;

(*b*) gross personal violence to a fellow prisoner ;

(*c*) any serious or repeated offence against discipline for which such award as the Governor is authorized to make is deemed insufficient,

the Governor may after investigation report the offence to the Visiting Committee, or to one of them, and thereupon the Committee, or one of them, shall inquire into the report (such inquiry if they or he think it desirable being on oath) and shall determine thereupon, and may make one or more of the awards provided in paragraph (2) of this Rule.

(2) The Visiting Committee, or one of them, may make one or more of the following awards :—

(*a*) forfeiture of remission of sentence ;

(*b*) forfeiture or postponement of privileges ;

(*c*) exclusion from associated work for a period not exceeding twenty-eight days ;

* For definitions of restricted diets see the Schedule.

(*d*) *restricted diet No. 1 for a period not exceeding fifteen days ;

(*e*) *restricted diet No. 2 for a period not exceeding forty-two days ;

(*f*) cellular confinement for a period not exceeding fourteen days or, where the prisoner is found guilty of mutiny or incitement to mutiny, or of gross personal violence to an officer, not exceeding twenty-eight days ;

(*g*) stoppage of earnings for a period not exceeding twenty-eight days.

(3) Offences may also be reported to the Commissioners and a Commissioner or Assistant Commissioner shall have authority to inquire into the report and deal with it in the same manner as the Visiting Committee.

Especially grave offences.

45.—(1) Where a prisoner is reported for one of the following offences, namely—

(*a*) mutiny or incitement to mutiny,

(*b*) gross personal violence to an officer,

the Governor shall forthwith report the same to the Visiting Committee and the Commissioners, and the chairman of the Visiting Committee shall, unless the Secretary of State otherwise directs in accordance with the proviso to subsection (3) of section fifty-four of the Criminal Justice Act, 1948(a), summon a special meeting of the Committee at which not more than five nor less than three members thereof, at least two being justices of the peace, shall be present.

(2) The Visiting Committee constituted as aforesaid shall inquire into the charges on oath and shall determine thereupon, and for this purpose may make one or more of the awards set out in paragraph (2) of Rule 44 or in the case of a male prisoner serving a sentence of imprisonment, corrective training, or preventive detention, order, subject to the restrictions imposed by the last-mentioned section, corporal punishment in addition to or instead of any such awards.

(3) Where an order for the infliction of corporal punishment is made, the order shall specify the number of strokes and the instrument with which they are to be inflicted, and shall be recorded in such manner as the Commissioners determine.

(4) The Visiting Committee may, when making an order for the infliction of corporal punishment, make such awards, being awards set out in paragraph (2) of Rule 44, as they consider ought properly to be made as alternative awards in the event of the Secretary of State's refusing to confirm the order for the infliction of corporal punishment.

Corporal punishment.

46.—(1) All corporal punishments shall be attended by the Governor and the Medical Officer.

(2) The Medical Officer shall immediately before the punishment is inflicted examine the prisoner and satisfy himself that he is both mentally and physically fit to undergo the punishment, and shall make such recommendations for preventing injury to the prisoner's health as he may deem necessary, and the Governor shall carry such recommendations into effect.

(3) At any time after the infliction of the punishment has begun the Medical Officer may, if he deems it necessary in order to prevent

* For definitions of restricted diets see the Schedule.

(a) 11 & 12 Geo. 6. c. 58.

injury to the prisoner's health, recommend that no further punishment be inflicted, and the Governor shall thereupon remit the remainder of the punishment.

(4) The Governor shall enter in the corporal punishment book the number of lashes or strokes inflicted and any remission which he may have ordered.

(5) Every instrument used for the infliction of corporal punishment shall be of a pattern approved by the Secretary of State.

Medical certificate, and visits by Governor, etc.

47.—(1) Cellular confinement, corporal punishment, or restriction of diet shall in no case be awarded unless the Medical Officer has certified that the prisoner is in a fit condition of health to sustain it.

(2) Every prisoner undergoing cellular confinement or subjected to restricted diet No. 1 shall be visited at least once a day by the Governor and the Medical Officer, and if he is undergoing cellular confinement he shall be visited by an officer appointed for that purpose at intervals of not more than three hours during the day.

Remission and mitigation of awards.

48.—(1) A disciplinary award may be remitted or mitigated by the Secretary of State.

(2) A disciplinary award under sub-paragraphs (*b*) to (*g*) of paragraph (1) of Rule 43 or sub-paragraphs (*b*) to (*g*) of paragraph (2) of Rule 44 may be determined or mitigated at any time during the currency thereof by the authority responsible for the award.

(iv) *Restraints*

Mechanical restraints.

49.—(1) Mechanical restraints shall not be used as a punishment or for any purpose other than safe custody during removal, except on medical grounds by direction of the Medical Officer, or in the circumstances and under the conditions stated in the following paragraphs of this Rule.

(2) When it appears to the Governor that it is necessary to place a prisoner under mechanical restraint in order to prevent his injuring himself or others, or damaging property, or creating a disturbance, the Governor may order him to be placed under mechanical restraint, and notice thereof shall forthwith be given to a member of the Visiting Committee and to the Medical Officer.

(3) The Medical Officer on receipt of the aforesaid notice shall forthwith inform the Governor whether he concurs in the order, and if on medical grounds he does not concur the Governor shall act in accordance with any recommendations which he makes.

(4) No prisoner shall be kept under mechanical restraint longer than is necessary, or for a longer period than twenty-four hours unless an order in writing from a member of the Visiting Committee or a Commissioner or Assistant Commissioner is given, specifying the cause thereof and the time during which the prisoner is to be so kept, which order shall be preserved by the Governor as his warrant.

(4) Particulars of every case of mechanical restraint shall be forthwith recorded by the Governor.

(5) No mechanical means of restraint shall be used except of such patterns and in such manner and under such conditions as may be approved by the Secretary of State.

Temporary confinement.

50. The Governor may order any refractory or violent prisoner to be temporarily confined in a special cell certified for the purpose in

the same manner as cells to which Rule 11 applies, but no prisoner shall be confined in such a cell as a punishment or after he has ceased to be refractory or violent.

(v) *Complaints by prisoners*

Complaints to be recorded and put forward.

51.—(1) Arrangements shall be made that every request by a prisoner to see the Governor, or a Commissioner or Assistant Commissioner, or a member of the Visiting Committee, shall be recorded by the officer to whom it is made and conveyed without delay to the Governor.

(2) The Governor shall at a convenient hour on every day, other than Sundays and public holidays, hear the applications of all prisoners who have made a request to see him, and shall inform the next Commissioner or Assistant Commissioner or member of the Visiting Committee who visits the prison of every request by a prisoner to see such Commissioner or Assistant Commissioner or member.

(vi) *Prohibited articles*

Prohibited articles generally.

52.—No person shall without authority convey into or throw into or deposit in a prison, or convey or throw out of a prison, or convey to a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any money, clothing, food, drink, tobacco, letter, paper, book, tool, or other article whatever. Anything so conveyed, thrown, or deposited may be confiscated by the Governor.

Drink and tobacco.

53.—(1) No prisoner shall be given or allowed to have any intoxicating liquor except in pursuance of a written order of the Medical Officer specifying the quantity to be given and the name of the prisoner for whose use it is intended.

(2) No prisoner shall be allowed to smoke or to have in his possession any tobacco except in accordance with such orders as may be given by the Governor with the approval of the Commissioners.

(vii) *Control of admission*

General restrictions.

54.—(1) All persons and vehicles entering or leaving the prison may be examined and searched.

(2) A person suspected of bringing any prohibited article into the prison, or of carrying out a prohibited article or any property belonging to the prison, or while in a prison of being in possession of a prohibited article, or in improper possession of any property belonging to the prison, shall be stopped and immediate notice thereof shall be given to the Governor, who may order that he shall be examined and searched.

(3) The Governor may refuse admission to the prison of a person who is not willing to be examined and searched.

(4) The Governor may direct the removal from the prison of a person who while in the prison is not willing to be examined and searched or whose conduct is improper.

Visitors viewing prisons.

55.—(1) The Governor shall not, except as provided by statute, or as directed by the Secretary of State or the Commissioners, allow any person to view the prison.

(2) The Governor shall ensure that no person authorized to view the prison makes a sketch, or takes a photograph or holds communication with a prisoner, unless authorized to do so by the Secretary of State or the Commissioners.

Work

General requirement of work.

56. Every prisoner shall be required to engage in useful work for not more than ten hours a day, of which so far as practicable at least eight hours shall be spent in associated or other work outside the cells :

Provided that the Medical Officer may excuse a prisoner from work on medical grounds, and no prisoner shall be set to any work unless he has been certified as fit for that type of work by the Medical Officer.

Payment.

57. Prisoners may receive payment for work in accordance with rates approved by the Commissioners.

Unauthorized work.

58.—(1) No prisoner shall be set to any type of work not authorized by the Commissioners.

(2) Except with the authority of the Commissioners, no prisoner shall work in the service of another prisoner or of an officer, or for the private benefit of any person.

Religion, Education and Welfare

(i) *Religion*

Recording of denomination.

59. The religious denomination of every prisoner shall be ascertained and recorded on his reception and he shall be treated as a member of the denomination then recorded unless and until he satisfies either a member of the Visiting Committee or a Commissioner or Assistant Commissioner that he has good grounds for desiring the record to be altered.

Visits by special ministers.

60. Where a prisoner is recorded as belonging to a religious denomination other than the Church of England for which no Prison Minister has been appointed to the prison, the Governor shall if the prisoner so requests arrange for him, so far as possible, to be visited by a minister of that denomination, and every such prisoner shall be informed of this Rule on reception.

Chaplain and ministers to hold services, etc.

61.—(1) The Chaplain shall conduct Divine Service for prisoners belonging to the Church of England at least once on every Sunday, and on Christmas Day and Good Friday, and such celebrations of Holy Communion and such services on weekdays as may be arranged.

(2) Prison Ministers shall conduct Divine Service for prisoners of their denominations at such times as may be arranged.

Visits by Chaplain, etc.

62. Every prisoner shall so far as practicable be regularly visited at proper and reasonable times by the Chaplain or, if he is recorded as belonging to a denomination other than the Church of England, by a minister of his own denomination.

Religious books.

63. There shall so far as practicable be available for the personal use of every prisoner such of the Scriptures and books of religious observance and instruction recognized for his denomination as are accepted by the Commissioners for use in prisons.

Interviews, visits to sick, etc.

64.—(1) The Chaplain or a Prison Minister shall—

(*a*) interview individually every prisoner recorded as belonging to the Church of England or to that Minister's denomination, as the case

may be, as soon as possible after the prisoner's reception, a short time before his discharge, and from time to time as often as practicable during his imprisonment, and

(*b*) if no other arrangements are made read the burial service at the funeral of such a prisoner dying in the prison.

(2) The Chaplain shall daily visit sick prisoners and prisoners under restraint or undergoing cellular confinement who are recorded as belonging to the Church of England, and a Prison Minister shall so far as possible do the same for prisoners recorded as belonging to his denomination.

(3) When a prisoner not recorded as belonging to the Church of England is sick, or under restraint or undergoing cellular confinement, and is not regularly visited by a minister of his own denomination, the Chaplain shall visit him if the prisoner is willing.

Sunday work, etc.

65. Arrangements shall be made for avoiding all unnecessary work by prisoners of the Christian religion on Sunday, Christmas Day, and Good Friday, and by prisoners recorded as belonging to other religions on their recognized days of religious observance.

Substitute for chaplain or minister.

66.—(1) Such person as the Commissioners approve may officiate in the Chaplain's absence.

(2) A Prison Minister may with the consent of the Commissioners appoint a substitute to act for him in his absence.

(ii) *Education and libraries*

Evening classes, etc.

67.—(1) At every prison programmes of evening educational classes shall be arranged, and reasonable facilities, under such conditions as the Commissioners determine, shall be allowed to prisoners who wish in their leisure time to improve their education by correspondence courses or private study, or to practise handicrafts.

(2) Special attention shall be paid to the education of illiterate prisoners, if necessary within the hours normally allotted to work.

(3) Every prisoner able to profit by the educational facilities provided shall be encouraged to do so.

Library.

68. A library shall be provided in every prison, and subject to such conditions as the Commissioners determine every prisoner shall be allowed to have library books and to exchange them as often as practicable.

Books, etc., from outside.

69. Prisoners may receive books or periodicals from outside the prison under such conditions as the Commissioners determine.

(iii) *Social relations and after-care*

Family relationships, etc.

70.—(1) Special attention shall be paid to the maintenance of such relations between a prisoner and his family as are desirable in the best interests of both.

(2) So far as is practicable and in the opinion of the Governor desirable, a prisoner shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the prison as may promote the best interests of his family or the social rehabilitation of the prisoner.

(3) The Governor may at any time communicate to a prisoner, or to his family or friends, any matter of importance to such prisoner.

71. A prisoner shall be allowed to inform his family of his transfer to another prison. Information of transfer.

72. From the beginning of the sentence of every prisoner consideration shall be given, in consultation with the welfare officer of the appropriate Aid Society or After-care Association, to the future of the prisoner and the assistance to be given to him on and after his discharge. After-care, etc.

73. Upon the death or serious illness, or certification as insane or mentally defective, of a prisoner, or the sustaining by a prisoner of a serious accident, the Governor, if the prisoner is married to a person whose address is known, shall at once inform the wife or husband as the case may be, and otherwise shall at once inform the nearest relative whose address is known, and shall in any event inform any other person whom the prisoner has requested may be so informed. Information to family of death, etc.

(iv) *Letters and visits*

74.—(1) Every prisoner shall be allowed to write and receive a letter on reception and thereafter once in four weeks, to receive a visit once in four weeks if he is in the Young Prisoners' Class or Star Class, and to receive a visit once in eight weeks if he is in the Ordinary Class. Normal minimum provision.

(2) The letters and visits to which a prisoner is entitled under the foregoing paragraph of this Rule shall not be liable to forfeiture under Rules 43 and 44.

75.—(1) Without prejudice to the provisions of Rule 74, the Commissioners notwithstanding any provision of this and the nine following Rules or of any Special Rule may impose such restrictions upon and supervision over letters and visits as they consider necessary for securing discipline and good order, for the prevention of crime and criminal associations, and for the welfare of individuals. Letters and visits generally.

(2) Except as provided in these Rules, no person shall be allowed to communicate with a prisoner without special authority.

(3) Every letter to or from a prisoner shall (except as hereafter provided in these Rules in the case of certain communications to a legal adviser) be read by the Governor or by a responsible officer deputed by him for the purpose, and it shall be within the discretion of the Governor to stop any letter on the ground that its contents are objectionable or that it is of inordinate length.

76. Visits to a prisoner shall not except in an emergency take place on Sunday and, except as hereafter provided in these Rules in the case of a legal adviser or certain medical advisers, shall be in the sight and hearing of a prison officer: No Sunday or private visits.

Provided that the Commissioners may allow exceptions from this Rule either generally or as applied to particular prisons.

77. When a prisoner who becomes entitled to a letter or visit under any provision of these Rules is at the time undergoing cellular confinement, the letter or visit may in the Governor's discretion be deferred until such confinement has expired. Deferment in case of cellular confinement.

78. The Commissioners may allow such additional letters or visits as they determine, as a privilege for any class of prisoners. Additional letters or visits as privilege.

Letter instead of visit.

79. The Governor may allow a prisoner who is entitled to a visit to write a letter and receive a reply instead of such visit.

Discretionary letters and visits.

80. A prisoner may be allowed, at the discretion of the Governor, to have special letters and visits for any purpose which in the opinion of the Governor is likely to promote the best interests of the prisoner or his family either during his sentence or after discharge.

(v) *Visits for special purposes*

Visits by police.

81. An officer of police may visit any prisoner who is willing to see him on production of an order issued by or on behalf of the appropriate chief officer of police, and any such visit shall be additional to those allowed under the foreging Rules.

Persons imprisoned on default of payment.

82. A person committed to prison in default of the payment of a sum which in pursuance of any conviction or order he is required to pay shall be allowed to have an interview with his friends on a week-day at any reasonable hour, or to communicate by letter with them for the purpose of providing for a payment which would procure his release from prison, and every such prisoner shall on his reception be informed of this Rule.

Visits by legal adviser.

83.—(1) Reasonable facilities shall be allowed for the legal adviser of a prisoner who is party to legal proceedings, civil or criminal, to interview the prisoner with reference to those proceedings in the sight but not in the hearing of an officer.

(2) The legal adviser of a prisoner may, with the permission of the Commissioners, interview the prisoner with reference to any other legal business in the sight and hearing of an officer.

Special purpose visits not to be forfeited.

84. The visits for special purposes to which the last two foregoing Rules refer shall be additional to the visits allowed under any other of the foregoing Rules, and shall not be liable to forfeiture under Rules 43 and 44.

PHYSICAL WELFARE

(i) *Medical Services*

Hospital accommodation.

85. At every prison either a separate hospital building or a suitable part of the prison shall be equipped and furnished in a manner proper for the medical care and treatment of sick prisoners, and staffed by suitably trained officers.

Medical officer; general duties.

86. The Medical Officer shall have the care of the mental and physical health of the prisoners and shall every day visit every sick prisoner, every prisoner who complains of illness, and every other prisoner to whom his attention is specially directed.

Immediate attendance and consultations.

87.—(1) The Medical Officer shall attend at once on receiving information of the illness of a prisoner.

(2) The Medical Officer may at his discretion call into consultation another medical practitioner, and shall do so before a serious operation is performed upon a prisoner, unless in his opinion it is essential for the operation to be performed immediately.

(3) The Medical Officer shall keep a record of occasions on which in accordance with this Rule he consults another medical practitioner, and of the circumstances in which serious operations are performed without such consultation.

88. The Medical Officer shall report to the Governor any matter which appears to him to require the consideration of the Commissioners on medical grounds, and the Governor shall send such report to the Commissioners. Duty to report.

89. Whenever the Medical Officer has reason to believe that a prisoner's mental or physical health is likely to be injuriously affected by continued imprisonment or by any conditions of imprisonment, or that the life of a prisoner will be endangered by imprisonment, or that a sick prisoner will not survive his sentence or is totally or permanently unfit for imprisonment, he shall without delay report the case in writing to the Governor with such recommendations as he thinks fit, and the Governor shall forward such report and recommendations to the Commissioners forthwith. Report on danger to health, etc.

90. The Medical Officer shall report in writing to the Governor the case of any prisoner to which he thinks it necessary on medical grounds to draw attention, and shall make such recommendations as he deems needful for the alteration of the diet or treatment of the prisoner or for his separation from other prisoners, or for the supply to him of additional clothing, bedding, or other articles, and the Governor shall so far as practicable carry such recommendations into effect. Recommendations on diet, etc.

91. The Medical Officer shall draw the attention of the Governor to any prisoner who he may have reason to think has suicidal intentions in order that special observation may be kept on such prisoner, and the Governor shall, without delay, direct that such prisoner be observed at frequent intervals. Suicidal prisoners.

92. The Medical Officer shall keep under special observation every prisoner whose mental condition appears to require it, and shall take such steps as he considers proper for his segregation, and if necessary his certification under the Acts relating to lunacy or mental deficiency. Mental illness.

93. The Medical Officer shall give notice to the Governor and the Chaplain when a prisoner appears to be seriously ill. Serious illness.

(ii) *Hygiene*

94. The Medical Officer shall oversee and shall advise the Governor upon the hygiene of the prison and the prisoners, including arrangements for cleanliness, sanitation, heating, lighting, and ventilation. Supervision of hygiene.

95. Arrangements shall be made for every prisoner to wash at all proper times, to have a hot bath at least once a week, and for men (unless excused or prohibited on medical or other grounds) to shave or be shaved daily and to have their hair cut as required. The hair of a male prisoner may be cut as short as is necessary for good appearance but the hair of a female prisoner shall not be cut without her consent, except by direction of the Medical Officer for the eradication of vermin, dirt, or disease. Washing, shaving, and hair cutting.

96. Every prisoner shall be provided on admission with such toilet articles as are necessary for health and cleanliness, and arrangements shall be made for the replacement of these articles when necessary. Toilet articles.

(iii) *Exercise*

97.—(1) Prisoners who are not engaged in out-door work shall be given one hour's exercise in the open air, weather permitting: Exercise to be regular.

Provided that in special circumstances the Commissioners may authorize the reduction of the daily period to half an hour.

(2) Wherever practicable prisoners of suitable age and physical condition shall receive physical training under qualified instructors during some part of the daily exercise period.

(3) The Medical Officer shall decide on the fitness of every prisoner for exercise and to undergo physical training, and may on medical grounds modify the exercise of a prisoner or excuse a prisoner from exercise.

(iv) *Food*

Quality of food.

98. The food provided for prisoners shall be of a nutritional value adequate for health and strength and of wholesome quality, well prepared and served, and reasonably varied.

Inspection of food.

99. The Medical Officer shall frequently inspect the food, cooked and uncooked, provided for prisoners, and shall report to the Governor on the state and quality of the food and on any deficiency in the quantity or defect in the quality of the water.

No private food.

100. Except as determined by the Commissioners, or on medical grounds, no prisoner shall be allowed to have any food other than the normal prison diet.

Quantity of food.

101. Except as provided under Rules 43 and 44 for an offence against discipline, or on the written recommendation of the Medical Officer in the case of a prisoner who persistently wastes his food or on medical grounds by direction of the Medical Officer, no prisoner shall have less food than is provided in the normal prison diet.

(v) *Clothing*

No private clothing.

102. Every prisoner shall be provided with an outfit of clothing adequate for warmth and health, in accordance with a scale approved by the Commissioners, and shall wear such clothing and no other.

Protective clothing.

103. The clothing provided shall, where necessary, include suitable protective clothing for use at work.

PART III

SPECIAL RULES FOR PARTICULAR CLASSES OF PRISONERS OTHER THAN THOSE SENTENCED TO CORRECTIVE TRAINING OR PREVENTIVE DETENTION

UNTRIED PRISONERS

(i) *General*

Application of rules.

104.—(1) The sixteen following Rules apply to persons, therein called "untried prisoners", committed to prison in any of the following circumstances:

(*a*) on commitment for trial for an indictable offence;

(*b*) pending or in course of the hearing before a court of summary jurisdiction of a charge for an indictable offence, or pending or in course of the hearing of an information or complaint, otherwise than by virtue of subsection (1) of section twenty-five of the Criminal Justice Act, 1948(**a**);

(*c*) aliens not under sentence who are detained under the Aliens Order, 1920(**b**);

(*d*) on commitment to await extradition, or to await return to any place under the Fugitive Offenders Act, 1881(**c**);

(**a**) 11 & 12 Geo. 6. c. 58. (**b**) S.R. & O. 1920 (No. 448) I. p. 138.
(**c**) 44 & 45 Vict. c. 69.

(*e*) on commitment under section twenty-three or twenty-five of the Bankruptcy Act, 1914(a).

(2) Where any of the circumstances stated in the foregoing paragraph becomes applicable to a person who is already a convicted prisoner, Rules 117 and 118 shall apply to him as if he were an untried prisoner.

105. Untried prisoners shall so far as possible be kept apart from convicted prisoners. Separation.

106. Restrictions on the association of untried prisoners shall be limited to what is necessary to prevent contamination or conspiracy to defeat the ends of justice. Association.

107. The Governor or Visiting Committee may, on the application of an untried prisoner, allow him— Cells, cell cleaning, etc.

(*a*) to occupy, on payment of a small sum fixed by the Commissioners, a suitable room or cell specially fitted for such prisoners, and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells, and to have at his own cost the use of private furniture and utensils approved by the Governor;

(*b*) on payment of a small sum fixed by the Commissioners, to be relieved from the duty of cleaning his room or cell or from other such tasks or offices.

(ii) *Food and Clothing*

108. An untried prisoner may be supplied at his own expense or at the expense of friends with food and drink subject to such conditions as the Commissioners determine. Food.

109.—(1) An untried prisoner may wear his own clothing, and have necessary changes of his own underclothing supplied from time to time: Clothing.

Provided that—

(*a*) the clothing is sufficient and suitable,

(*b*) it is not required for the purposes of justice,

(*c*) it shall be disinfected if the Medical Officer so requires.

(2) An untried prisoner who does not wear his own clothing may be required to wear prison dress.

(3) The privilege of wearing his own clothing may under Rules 43 and 44 be forfeited by an untried prisoner for the offence under Rule 42 of escaping or attempting to escape.

(iii) *Health and Cleanliness*

110. An untried prisoner shall not be required to have his hair cut or, if he usually wears a beard, etc., to shave or to be shaved, unless the Medical Officer deems it necessary for purposes of health or cleanliness, and his hair shall not be cut closer than is necessary for those purposes. Hair cutting and shaving.

(a) 4 & 5 Geo. 5. c. 59.

Private medical attendant.

111. If an untried prisoner desires the attendance of a registered medical practitioner or dentist, and is able and willing to defray any expense thereby incurred, the Commissioners may, if they are satisfied that there is reasonable ground for the application, allow him to be visited and treated by that practitioner or dentist in consultation with the Medical Officer.

(iv) *Books, etc.*

Private property.

112. The Governor may, on the application of an untried prisoner, allow him, so far as is consistent with discipline and the good order of the prison, to have in his room or cell any articles which were in his possession at the time of his arrest and are not required for purposes of justice or reasonably suspected of forming part of property improperly acquired by him.

Supply of books, etc.

113.—(1) An untried prisoner may have supplied to him at his own expense books, newspapers, writing materials, or other means of occupation except such as appear objectionable to the Visiting Committee, or pending consideration by them to the Governor.

(2) The privilege allowed by this Rule may at any time be withdrawn by the Governor, the Commissioners, or the Visiting Committee on proof of an abuse thereof.

(v) *Work*

Work not to be compulsory.

114. An untried prisoner shall not be required to work in the service or industries of the prison, but may do so with his own consent, and in that event shall receive payment in accordance with rates to be fixed by the Commissioners.

(vi) *Visits and Communications*

Visits generally.

115. An untried prisoner may be visited during such hours and under such restrictions as the Commissioners determine.

Prisoners in default of bail.

116. Where an untried prisoner is in prison in default of bail facilities shall be given to him, for the purpose of providing bail, to have an interview on any week-day at a reasonable hour, or to communicate with friends.

Private medical adviser.

117. An untried prisoner may for the purposes of his defence receive a visit from a registered medical practitioner selected by him or by his friends or legal adviser, under the same conditions as apply to a visit by his legal adviser.

Letters and other facilities for defence.

118.—(1) An untried prisoner shall be allowed all reasonable facilities, including the provision of writing materials, for communicating by letter with his friends, or for conducting correspondence or preparing notes in connexion with his defence.

(2) A confidential written communication prepared as instructions for the legal adviser of an untried prisoner may be delivered personally to such legal adviser, and shall not be treated as a letter to which paragraph (3) of Rule 75 applies, unless the Governor has reason to suppose that it contains matter not relating to such instructions.

(vii) *Discipline*

Forfeiture of privileges.

119. The privileges allowed to untried prisoners by Rules 108, 113, 115, and 118, shall be liable to forfeiture under Rules 43 and 44:

Provided that such forfeiture shall not affect visits or letters required for the purposes of securing bail or preparing a defence.

Sale, etc., of articles.

120. The sale or transfer or attempted sale or transfer to any person by an untried prisoner of an article allowed to be introduced into the prison for his use shall be an offence under Rule 42, and upon proof of the offence Rule 41 shall apply as it applies to an unauthorized article.

APPELLANTS

Application of rules.

121. The five following Rules apply to prisoners who are appellants within the meaning of the Criminal Appeal Act, 1907(a), hereinafter called "appellants", but their application to prisoners who are under sentence of death shall be subject to the Special Rules applying to those prisoners.

Appellants absent from prison.

122.—(1) An appellant who, when in custody, is to be taken to, kept in custody at, or brought back from, any place at which he is entitled to be present for the purposes of the Criminal Appeal Act, 1907, or any place to which the Court of Criminal Appeal or any Judge thereof may order him to be taken for the purpose of any proceedings of that Court, shall while absent from prison be kept in the custody of the officer designated in that behalf by the Governor of the prison.

(2) An appellant when absent from prison under this Rule shall wear his own clothing or, if his own clothing cannot be used, clothing different from prison dress.

Earnings for work done.

123. If an appellant is ordered to be released by the Court of Criminal Appeal otherwise than on bail pending the hearing of his appeal, payment at a rate fixed by the Commissioners shall be made to him in respect of his work during the time he has been treated as subject to this section of these Rules.

Private medical adviser.

124. An appellant may for the purposes of his appeal receive a visit from a registered medical practitioner selected by him or by his friends or legal adviser, under the same conditions as apply to a visit by his legal adviser.

Other visitors.

125. An appellant may for the purposes of his appeal receive a visit from any other person.

Letters and other facilities for appeal.

126.—(1) Writing materials to such extent as the Governor considers reasonable shall be furnished to an appellant who requires them for the purpose of preparing his appeal.

(2) An appellant may write letters to his legal adviser or other persons for the purpose of his appeal.

(3) A confidential written communication prepared as instructions for the legal adviser of an appellant may be delivered personally to such

(a) 7 Edw. 7. c. 23.

legal adviser, and shall not be treated as a letter to which paragraph (3) of Rule 75 applies, unless the Governor has reason to suppose that it contains matter not relating to such instructions.

CONVICTED PRISONERS AWAITING SENTENCE, OR REMANDED FOR INQUIRY

Facilities for making representations.

127.—(1) This Rule applies to persons committed to prison in any of the following circumstances :—

(*a*) where a court of assize or quarter sessions postpones sentence on a convicted prisoner until a later date, or

(*b*) on commitment by a court of summary jurisdiction for sentence under section twenty-nine of the Criminal Justice Act, 1948(a), or

(*c*) on commitment under subsection (3) of section twenty of the Criminal Justice Act, 1948, or

(*d*) on commitment by a court of summary jurisdiction for inquiries under section twenty-five or on remand under section twenty-six of the Criminal Justice Act, 1948.

(2) A prisoner to whom this Rule applies shall, if he so desires, for the purpose of preparing any representations to the Court before which he is to appear to be sentenced or otherwise dealt with, be granted any or all of the facilities which are accorded to appellants under Rules 124 to 126 of these Rules.

PRISONERS CONVICTED OF SEDITION, &C.

(i) *General*

Application of rules.

128. The eleven following Rules apply to prisoners who have been sentenced to imprisonment on conviction for sedition, seditious libel, or seditious conspiracy.

Separation.

129. Upon the reception of such a prisoner special arrangements shall be made to ensure that he is dealt with apart from other prisoners, and as soon as possible after reception he shall be placed in the room or cell most appropriate for prisoners of his class, unless there is reason to believe that he is verminous or suffering from some infectious or contagious disease, in which case he shall be detained in a reception cell until he can be examined by the Medical Officer.

Association.

130. Such a prisoner shall not be required to associate with other prisoners.

Cells, cell cleaning, etc.

131. The Governor or Visiting Committee may, on the application of such a prisoner, allow him—

(*a*) to occupy, on payment of a small sum fixed by the Commissioners, a room or cell specially fitted for such prisoners, and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells, and to have at his own cost the use of private furniture and utensils approved by the Governor ;

(*b*) on payment of a small sum fixed by the Commissioners, to be relieved from the duty of cleaning his room or cell or from other such tasks or offices.

(a) 11 & 12 Geo. 6. c. 58.

132. If such a prisoner desires the attendance of a registered medical practitioner or dentist, and is able and willing to defray any expense thereby incurred, the Commissioners may, if they are satisfied that there is reasonable ground for the application, allow him to be visited and treated by that practitioner or dentist in consultation with the Medical Officer. **Private medical attendant.**

(ii) *Food and Clothing*

133. Such a prisoner may be supplied at his own expense or at the expense of friends with food and drink subject to such conditions as the Commissioners determine. **Food.**

134.—(1) Such a prisoner may wear his own clothing, and have necessary changes of his own underclothing supplied from time to time: Provided that— **Clothing.**

(*a*) the clothing is sufficient and suitable,

(*b*) it shall be disinfected if the Medical Officer so requires.

(2) Such a prisoner who does not wear his own clothing may be required to wear prison dress.

(3) The privilege of wearing his own clothing may under Rules 43 and 44 be forfeited by such a prisoner for the offence under Rule 42 of escaping or attempting to escape.

(iii) *Books, etc.*

135.—(1) Such a prisoner may have supplied to him at his own expense books, newspapers, writing materials, or other means of occupation except such as appear objectionable to the Visiting Committee, or pending consideration by them to the Governor. **Supply of books, etc.**

(2) The privilege allowed by this Rule may at any time be withdrawn by the Governor, the Commissioners, or the Visiting Committee on proof of an abuse thereof.

(iv) *Work, remission, and privileges*

136.—(1) Such a prisoner shall not be required to work in the service or industries of the prison, but may do so with his own consent, and in that event shall receive payment in accordance with rates to be fixed by the Commissioners. **Work at own trade, remission, etc.**

(2) Such a prisoner may work at his own trade, employment, or profession, so far as the conditions of the prison and the requirements of discipline and safe custody permit.

(3) Such a prisoner shall not be eligible to earn any remission of his sentence unless he works regularly in the service or industries of the prison.

(4) Such a prisoner eligible to earn remission under paragraph (3) of this Rule shall be subject to the general Rules relating to remission, and may forfeit remission for misconduct as provided by those Rules.

(5) The general Rules relating to privileges shall not apply to such prisoners.

(v) *Visits and Communications*

Visits and letters.

137.—(1) Such a prisoner may be visited during such hours and under such restrictions as the Commissioners determine, and may write one letter and receive one letter in each week:

Provided that the Governor or the Visiting Committee may, in a special case for special reasons, allow additional letters to such reasonable extent as they deem advisable.

(2) The place in which such prisoners receive their visits shall not be the same as that in which other prisoners ordinarily receive their visits, if any other suitable place can conveniently be arranged.

(vi) *Discipline*

Forfeiture of privileges.

138. The privileges allowed to such prisoners by Rules 133, 135, and 137 shall be liable to forfeiture under Rules 43 and 44:

Provided that notwithstanding such a forfeiture the writing or receiving of one letter and the receiving of one visit in two weeks shall be allowed.

Sale, etc., of articles.

139. The sale or transfer or attempted sale or transfer to any person by such a prisoner of an article allowed to be introduced into the prison for his use shall be an offence under Rule 42, and upon proof of the offence Rule 41 shall apply as it applies to an unauthorized article.

Young Prisoners

Young prisoners' centres.

140.—(1) In order to secure the more complete separation of young prisoners from other classes, the Commissioners may remove young prisoners from the prison in which they are received to such prisons or parts of prisons as under paragraph (2) of Rule 7 they set aside for the training of young prisoners, hereinafter referred to as young prisoners' centres.

(2) In all young prisoners' centres, and so far as practicable in local prisons which are not young prisoners' centres, special provision shall be made for the education and for the moral, physical, and industrial training of the prisoners.

Young prisoners' committees.

141.—(1) At all young prisoners' centres the Commissioners shall establish young prisoners' committees, which shall include not less than three members of the Visiting Committee with such other persons as the Commissioners appoint.

(2) Where the centre is in a prison set apart for the purpose the Board of Visitors shall act in place of the young prisoners' committee.

(3) The young prisoners' committee, and in a local prison the Visiting Committee, shall pay special attention to the training, welfare, and after-care of young prisoners, and shall make an annual report thereon to the Commissioners.

Insane or Mentally Defective Prisoners

Medical attention and care.

142. A person detained in a prison after being found guilty but insane or insane upon arraignment, or while awaiting the presentation of a petition under section eight of the Mental Deficiency Act, 1913(**a**), or so detained under section five of the Mental Deficiency Act, 1927(**b**), shall receive the special attention of the Medical Officer and until such person is removed to an appropriate institution such steps for his care and accommodation shall be taken as the Medical Officer considers necessary.

(**a**) 3 & 4 Geo. 5. c. 28. (**b**) 17 & 18 Geo. 5. c. 33.

PRISONERS UNDER SENTENCE OF DEATH

Search.

143. A prisoner under sentence of death shall immediately on his reception be specially searched and every article shall be taken from him which the Governor deems it dangerous or inexpedient to leave in his possession.

Separation and supervision.

144.—(1) A prisoner under sentence of death shall be confined in a separate cell and shall be kept apart from all other prisoners.

(2) He shall be kept by day and by night in the constant charge of two prison officers.

(3) He shall not be subject to the requirements of Rule 56 on the subject of work.

Visits.

145.—(1) A prisoner under sentence of death may be visited by such of his relations, friends, and legal advisers as he desires to see and as are authorized to visit him by an order in writing from a member of the Visiting Committee or from the Commissioners.

(2) The Chaplain shall have free access to every such prisoner, unless the prisoner is recorded as not belonging to the Church of England, in which case—

(*a*) the Chaplain shall have free access to him if the prisoner so desires, and

(*b*) if the prisoner is recorded as belonging to a denomination other than the Church of England a minister of that denomination shall have free access to him.

(3) No other person except a member of the Visiting Committee and an officer shall have access to the prisoner except by the permission of the Commissioners.

(4) All visits to prisoners under sentence of death shall take place in the sight and hearing of an officer, notwithstanding that such visit is by the prisoner's legal adviser or is in relation to an appeal.

(5) Such a prisoner shall be allowed special facilities to correspond with his legal advisers, his relatives, and friends.

CIVIL PRISONERS

Application of rules.

146. The four following Rules apply to civil prisoners, that is to say persons detained in a prison who are not serving a sentence, are not imprisoned in default of payment of a sum adjudged to be paid on conviction, and are not the subject of special treatment under any of the foregoing provisions in this Part of these Rules.

Association and separation.

147.—(1) Civil prisoners may associate among themselves at such times and in such manner as the Commissioners determine.

(2) They shall not be allowed to associate with other than civil prisoners except as provided by paragraph (3) of this Rule.

(3) Where owing to the small numbers of civil prisoners or otherwise suitable arrangements for association of such prisoners cannot be made, such a prisoner may if he so desires, with the approval of the Governor, be allowed to associate with prisoners of the Star Class at such times and in such manner as the Commissioners determine.

Clothing.

148.—(1) A civil prisoner may, if he so desires, wear his own clothing and have necessary changes of his own underclothing supplied from time to time :

Provided that—

(*a*) the clothing is sufficient and suitable,

(*b*) it shall be disinfected if the Medical Officer so requires.

(2) A civil prisoner who does not wear his own clothing may be required to wear prison dress.

(3) The privilege of wearing his own clothing may under Rules 43 and 44 be forfeited by a civil prisoner for the offence under Rule 42 of escaping or attempting to escape.

Remission.

149. The general Rules relating to remission shall not apply to civil prisoners.

Visits and letters.

150.—(1) A civil prisoner may be visited during such hours and under such restrictions as the Commissioners determine, and may write one letter and receive one letter in each week:

Provided that the Governor or the Visiting Committee may, in a special case for special reasons, allow additional letters to such reasonable extent as they deem advisable.

(2) These privileges shall be liable to forfeiture under Rules 43 and 44, provided that notwithstanding such a forfeiture the writing or receiving of one letter and the receiving of one visit in four weeks shall be allowed.

PART IV

SPECIAL RULES FOR PRISONERS SENTENCED TO CORRECTIVE TRAINING

Place of serving sentence.

151. A sentence of corrective training shall be served in—

(*a*) a regional prison set aside under sub-paragraph (ii) of paragraph (2) of Rule 7, or

(*b*) some other prison or part of a prison set aside for the purpose.

Assessment of suitability.

152.—(1) When a prisoner sentenced to corrective training is received in a local prison his suitability for training in a regional prison shall be considered, and for this purpose he may be removed for special observation to a prison set aside under sub-paragraph (i) of paragraph (2) of Rule 7.

(2) If the character or previous history of a prisoner are such that he appears to be unsuitable for a regional prison, he shall serve his sentence in some other prison or part of a prison set aside for the purpose.

Treatment in local prison.

153. A prisoner sentenced to corrective training shall before removal to the prison in which he is to serve his sentence be treated as a prisoner of the Ordinary Class.

Training in regional prison.

154. The training in a regional prison of prisoners so sentenced shall be designed to carry out the purposes specified in Rule 6, and shall include—

(i) the provision of work which will so far as practicable help to fit them to earn their living after release, with technical training in skilled trades for suitable prisoners;

(ii) special attention to education;

(iii) the exercise of personal influence on the character and training of individuals by members of the prison staff;

(iv) the provision of every opportunity for the development of a sense of personal responsibility, including for suitable prisoners training in open conditions.

155. The training in other prisons set aside for the purpose of corrective training shall be designed to carry out the purpose of the foregoing Rule, with such modifications of method as are necessary for ensuring closer supervision and safe custody. Training in other prisons.

156. From the reception of a prisoner in the prison in which he is to serve his sentence consideration shall be given, in consultation with the Central After-care Association, to the provision to be made for his welfare and supervision after release. After-care.

157. A prisoner sentenced to corrective training shall become eligible for release on licence after he has served two-thirds of his sentence of corrective training. Release on licence.

158. In the application to prisoners serving sentences of corrective training of the Rules relating to offences against discipline the following modifications shall be made :— Discipline.

(i) For sub-paragraph (*a*) of paragraph (1) of Rule 43 the following shall be substituted—

(*a*) postponement, for a period of not more than fourteen days at any one time, of the date on which the prisoner becomes eligible under Rule 157 for release on licence ;

(ii) For sub-paragraph (*a*) in paragraph (2) of Rule 44 the following shall be substituted—

(*a*) postponement, for a period of not more than six months at any one time, of the date on which the prisoner becomes eligible under Rule 157 for release on licence.

159.—(1) A prisoner sentenced to corrective training who has been recalled after release on licence shall on his return to prison in consequence of such recall remain in a local prison and be treated as a prisoner of the Ordinary Class until such time as the Commissioners, in their discretion, order his removal to a prison or part of a prison set aside for prisoners sentenced to corrective training. Service of sentence after recall.

(2) A prisoner who has been so recalled shall not be eligible for release on licence until he has served two-thirds of the unexpired portion of his sentence.

PART V

SPECIAL RULES FOR PRISONERS SENTENCED TO PREVENTIVE DETENTION

160. A sentence of preventive detention shall be served in three stages in accordance with the eight following Rules. Stages of detention.

First Stage

161.—(1) The first stage shall be served either in a regional prison set aside under sub-paragraph (i) of paragraph (2) of Rule 7, or in a local prison, and shall be for not less than one year nor more than two years. First stage.

(2) A prisoner in the first stage shall be treated in all respects under the Rules applicable to prisoners serving a sentence of imprisonment.

162. The Governor of the regional or local prison shall report to the Commissioners on the expiration of the first twelve months of the sentence, and thereafter at such intervals not exceeding three months as the Commissioners determine, on the suitability of the prisoner for removal to the second stage. Periodical reports.

Second Stage

Second stage.

163. The second stage shall be served in a central prison and the arrangements in this stage shall be such that the treatment of a prisoner (other than a prisoner in the penal grade) shall be not less favourable than that of a prisoner serving a sentence of imprisonment in a central prison.

Accommodation during second stage.

164. Prisoners serving sentences of preventive detention in a central prison shall so far as practicable be accommodated in a separate part of the prison and shall not be allowed to associate with prisoners serving sentences of imprisonment except in the course of industrial or agricultural employment.

Privileges during and after second stage.

165. Arrangements shall be made under which a prisoner who has passed into the second stage may become eligible to earn privileges over and above those allowed to a prisoner serving a sentence of imprisonment, including—

(*a*) payment for work done at a higher rate,

(*b*) facilities for spending money earned in prison either at a prison store or on such articles, including newspapers and periodicals, purchased outside the prison as may be approved,

(*c*) the cultivation of garden allotments and the use or sale of the produce in such manner as may be approved,

(*d*) the practice in the prisoner's own time of arts or crafts of such kinds and in such a manner as may be approved,

(*e*) additional letters and visits,

(*f*) association in common rooms for meals and recreation.

Third Stage

Admission to third stage.

166.—(1) The question whether a prisoner in the second stage shall be admitted to the third stage, and the date of his admission, shall be decided by the advisory board established under Rule 171 :

Provided that the date of admission of any prisoner to the third stage shall not be more than twelve months before the date on which he will have served two-thirds of his sentence.

(2) The advisory board, when a prisoner is brought before them under paragraph (1), shall consider not only his conduct in the second stage, but whether they expect to be able, within the period to be served in the third stage, to recommend his release on licence.

(3) Where the advisory board defer their decision under paragraph (2), the case shall be reconsidered at intervals of not less than three months.

Length of third stage.

167. The period to be served in the third stage shall not in any case be less than six months and shall not normally exceed twelve months.

Training, etc., in third stage.

168.—(1) The third stage shall be designed both to fit the prisoner for release and to test his fitness therefor, and may be served in such conditions of modified security as are available for the purpose, whether in connexion with a central prison or elsewhere.

(2) During this stage every effort shall be made, by special industrial and social training and otherwise, to fit a prisoner to take his place in normal social life on discharge.

(3) As and when suitable arrangements can be made, prisoners in this stage, or in the latter part thereof, may be permitted to live in conditions of modified security designed to form a transition from prison life to freedom.

(4) The advisory board may at any time order the return of a prisoner to the second stage if it appears to them to be in the interests of himself or of others to do so, and the Governor, if he considers it necessary, may so order in his discretion subject to confirmation by the board at its next meeting.

(5) The intention of paragraph (2) of this Rule shall so far as practicable be carried out for prisoners who are not selected for the third stage during the last period of six to twelve months before their date of release on licence under Rule 172.

Discipline

169.—(1) The Rules governing offences against prison discipline shall apply to prisoners serving sentences of preventive detention in a central prison with the following modifications:— Discipline rules to apply.

(i) In place of the awards which may be made by the Governor under Rule 43 the following shall be substituted:—

(*a*) restricted diet No. 1 for a period not exceeding three days;

(*b*) cellular confinement for a period not exceeding three days;

(*c*) removal to the penal grade for such period as may be necessary but not exceeding twenty-eight days;

(*d*) stoppage or reduction of earnings for a period not exceeding fourteen days;

(*e*) for the abuse of any privilege or for any offence arising from the enjoyment of a privilege (in addition to any other award) suspension of that privilege for a period not exceeding twenty-eight days, subject in the case of letters and visits to the provisions in paragraph (2) of Rule 74 and in Rule 77.

(ii) In place of the awards which may be made by the Visiting Committee under Rule 44 the following shall be substituted:—

(*a*) restricted diet No. 1 for a period not exceeding fifteen days;

(*b*) cellular confinement for a period not exceeding fourteen days;

(*c*) stoppage or reduction of earnings for a period not exceeding twenty-eight days;

(*d*) any award that may be made under paragraph (1) (*e*) of this Rule;

(*e*) removal to the penal grade for such period as may be necessary, provided that no prisoner shall be kept in the penal grade for more than three months consecutively unless he has again been brought before the Board and the Board has continued the order;

(*f*) postponement, for a period of not more than six months at any one time, of the date at which the prisoner becomes eligible under Rule 172 for release on licence.

(2) Where a prisoner in the second stage persistently misconducts himself, and his conduct is not influenced by reprimand or punishment,

the Board of Visitors may recommend to the Commissioners that he be returned to the first stage in a local prison. The Commissioners shall consider the case of a man so returned at intervals of not less than three months, and shall order his return to the second stage as soon as they consider it expedient and in any case within twelve months.

Penal Grade

Separation, forfeiture, etc.

170.—(1) Prisoners in the penal grade shall be accommodated in a separate part of the prison, and shall not be set to work outside the prison.

(2) They shall not be allowed to associate among themselves or with other prisoners:

Provided that the Governor shall allow a prisoner to engage in his normal work in association unless he considers it necessary to exclude him in the interests of the prisoner himself or of others.

(3) They shall forfeit all privileges earned under Rule 165 but when working in association shall be eligible for earnings at the rate for prisoners sentenced to imprisonment unless their earnings have been stopped or reduced by an award under Rule 169. When excluded from associated work, their earnings shall be at the minimum rate for the work of a prisoner sentenced to imprisonment.

(4) The diet of prisoners in the penal grade may be restricted, so long as it is not reduced below a nutritional standard adequate for health and strength at normal work.

Release on Licence

Reports, and advisory board.

171.—(1) The Board of Visitors shall consider the character, conduct, and prospects of every prisoner serving a sentence of preventive detention, and shall report to the Commissioners on the advisability of his release on licence.

(2) For this purpose the Board of Visitors shall be assisted by an advisory board consisting of three members of the Board of Visitors approved by the Secretary of State, and such other persons not exceeding four, of whom one may be a Commissioner or Assistant Commissioner, as the Secretary of State may appoint. The chairman of the advisory board shall be appointed by the Secretary of State.

(3) The advisory board shall meet at the prison at least once a quarter.

Eligibility.

172.—(1) Every prisoner, whether or not he is admitted to the third stage, shall be eligible for release on licence when he has served five-sixths of his sentence of preventive detention.

(2) A prisoner admitted to the third stage shall be eligible for release on licence, subject to the provisions of this Rule, when he has served two-thirds of his sentence of preventive detention.

(3) The advisory board shall at each quarterly meeting consider the case of every prisoner who has served three months or more in the third stage, with a view to recommending his release on licence within three months thereafter if they are satisfied, having regard to his

conduct in the third stage and his prospects on release, that there is a reasonable probability that he will not revert to a criminal life.

(4) Where a prisoner has under paragraph (4) of Rule 168 been returned to the second stage, and has again been placed by the advisory board in the third stage, he shall be considered for the purpose of release on licence as if he had entered the third stage for the first time.

(5) The Governor shall at once report to the Commissioners any circumstances arising in the case of a prisoner in whose favour a recommendation has been made which may affect their decision on that recommendation, and may if necessary remove the prisoner to the second stage pending the Commissioners' decision.

Orders of Recall

Service of sentence after recall.

173.—(1) A prisoner who has been recalled from release on licence shall on his return to prison in consequence of such recall be placed in the first stage, and may at the discretion of the Commissioners be removed to the second stage within a period of twelve months from his return to prison as aforesaid:

Provided that if the unexpired period of the sentence is less than two years, the whole of it may be served in the first stage.

(2) A prisoner who has been recalled shall not again be eligible for release on licence before he has served five-sixths of the unexpired portion of his sentence and, if that period is completed in the first stage, the question whether he shall be released on licence shall be decided by the Commissioners on a recommendation of the Governor of the local prison.

PART VI

STAFF

General obligations.

174.—(1) Every officer shall conform to these Rules and to the regulations of the prison and shall support the Governor in the maintenance thereof.

(2) Every officer shall obey the lawful instructions of the Governor.

(3) Every officer shall at once communicate to the Governor any abuses or impropriety which may come to his knowledge.

Sick prisoners.

175. Every officer shall direct the attention of the Governor to any prisoner (whether he complains or not) who appears to be out of health or whose state of mind appears to be deserving of special notice and care, and the Governor shall without delay bring such cases to the notice of the Medical Officer.

Business transactions.

176.—(1) No officer shall without the authority of the Commissioners carry out any pecuniary or business transaction with or on behalf of a prisoner.

(2) No officer shall without authority bring in or carry out, or attempt to bring in or carry out, or knowingly allow to be brought in or carried out, to or for a prisoner, or deposit in any place with intent that it shall come into possession of a prisoner, any article whatsoever.

Gratuities.

177. No officer shall receive any unauthorized fee, gratuity, or other consideration in connexion with his duty.

Ex-prisoners, etc.

178. No officer shall knowingly communicate with an ex-prisoner or with the friends or relatives of a prisoner or ex-prisoner except with the knowledge of the Governor.

Search if required.

179. Every officer shall submit himself to be searched in the prison if called upon to do so by the Governor.

Communications to Press, etc.

180.—(1) No officer shall, directly or indirectly, make any unauthorized communication to representatives of the Press or other persons in reference to matters which have become known to him in the course of his duty.

(2) No officer shall without authority publish any matters or make any public pronouncement relating to the administration or the inmates of an institution to which the Prison Acts, 1865 to 1898, apply.

Quarters.

181.—(1) Every officer shall occupy such quarters as may be assigned to him and shall at any time vacate them if required to do so.

(2) On the termination of an officer's service he shall give up the quarters he has occupied as soon as he is required to do so; and on the death of an officer his family shall give up the quarters when required to do so.

Code of discipline.

182. A code of discipline, setting out the offences against discipline, the procedure for dealing therewith, and the awards therefor, shall be formulated by the Commissioners with the approval of the Secretary of State and shall apply to such classes of officers as are stated in the code.

PART VII

VISITING COMMITTEES AND BOARDS OF VISITORS

1. *Visiting Committees*

Constitution.

183. The Visiting Committee constituted in pursuance of subsection (1) of section fifty-three of the Criminal Justice Act, 1948(a), for a prison to which persons may be committed directly by a court shall be appointed in accordance with the following Rules.

Appointment of members and chairman.

184.—(1) The members of a Visiting Committee to be appointed by quarter sessions shall be appointed at the quarter sessions held within the twenty-one days immediately preceding or immediately following the twenty-fifth day of December, except that the members appointed by quarter sessions for the county of London shall be appointed at a session or adjourned session held in the month of January, not later than the twenty-fifth day of the month.

(2) The members of a Visiting Committee to be appointed by the justices of a borough shall be appointed at special sessions held in the first whole week after the twenty-eighth day of December.

(3) If for any reason the requisite number of members of a Visiting Committee is not appointed at the proper time or if from any cause a vacancy occurs in a Visiting Committee, the appointing authority may at any subsequent sessions or meeting appoint to the vacancy, and the appointment when so made shall have effect as if it had been made at the time fixed for the annual appointment of the Committee.

(a) 11 & 12 Geo. 6. c. 58.

(4) (*a*) The Visiting Committee shall at its first meeting in each year of office appoint a chairman, and shall if a casual vacancy occurs in the office of chairman fill the vacancy as soon as possible.

(*b*) The chairman shall report to the Secretary of State the names and addresses of the members of the Visiting Committee, immediately after the first meeting, and thereafter when a change occurs.

Term of office.

185. Members of the Visiting Committee shall hold office until their successors hold their first meeting.

First meeting.

186. The first meeting of a Visiting Committee shall be held at the prison on the first Monday in the month of February:

Provided that a Visiting Committee may, by standing order, alter the date of the first meeting in future years to a day not earlier than the first Monday after all the members of the Visiting Committee have been appointed, and not later than the seventh day of February.

2. *Boards of Visitors*

Constitution and chairman.

187.—(1) The members of a Board of Visitors appointed by the Secretary of State under subsection (2) of section fifty-three of the Criminal Justice Act, 1948(a), shall hold office for such period, not exceeding three years, as he may fix.

(2) When a Board of Visitors is initially constituted one of the members shall be appointed by the Secretary of State to be chairman for twelve months. Thereafter the Board shall appoint a chairman, and fill any casual vacancy in the office of chairman.

3. *Visiting Committees and Boards of Visitors*

Visits to prisons.

188. Members of a Visiting Committee and of a Board of Visitors shall pay frequent visits to the prisons for which they are appointed, and—

(*a*) at least one member of a Visiting Committee shall visit the prison once in each week;

(*b*) at least one member of a Board of Visitors shall visit the prison once between each meeting of the Board and the next meeting.

Interpretation.

189. In the remainder of these Rules the expression "Committee" means a Visiting Committee or a Board of Visitors, and the word "member" shall be construed accordingly.

Times of meeting.

190. A Committee shall meet at the prison once a month to discharge its functions under these Rules or, if the Committee resolves that, for reasons specified in the resolution, less frequent meetings are sufficient, not less than eight times in twelve months.

Rota and quorum.

191. The Committee shall at its first meeting arrange a rota of attendance at the prison and fix a quorum not less than three for the purpose of carrying out its duties, and may at that or a later meeting appoint a vice-chairman.

Vacancies.

192. The powers of a Committee shall not be affected by vacancies, so long as the quorum for meetings is sufficient.

Minutes.

193. The Committee shall keep minutes of its proceedings.

Inquiries, etc.

194. The Committee shall co-operate with the Commissioners and with the Governor in promoting the efficiency of the prison, and shall

(a) 11 & 12 Geo. 6. c. 58.

make inquiry into any matter specially referred to the Committee by the Secretary of State or the Commissioners, and report thereon.

Abuses.

195. The Committee shall bring all abuses in connexion with the prison which come to its knowledge to the notice of the Commissioners immediately, and in case of urgent necessity, may suspend an officer until the decision of the Commissioners is made known.

Adjudication, report, etc.

196.—(1) The Committee shall hear and adjudicate on such offences as under Rules 44 and 45 are reported to them.

(2) They shall furnish such information with respect to the offences reported to them, and their awards, as may from time to time be required by the Commissioners or the Secretary of State.

Access to prison.

197.—(1) The Committee and all members of the Committee shall have free access to all parts of the prison and to all prisoners, and may see such prisoners as they desire, either in their cells or in a room out of sight and hearing of officers.

(2) They shall hear and investigate any application which a prisoner desires to make to them, and if necessary shall report the same, with their opinion, to the Commissioners.

Sick prisoners.

198. The Committee shall attend to any report which they receive to the effect that the mind or body of a prisoner is likely to be injured by the conditions of his imprisonment, and shall communicate their opinion to the Commissioners. If the case is urgent, they shall give such directions thereon as they deem expedient, communicating the same to the Commissioners.

Restraint.

199.—(1) If the Governor represents to a member of the Committee that he or the Medical Officer has, in a case of urgent necessity, put a prisoner under mechanical restraint, and that it is necessary that the prisoner be so kept for more than twenty-four hours, such member may authorize the continuance of that restraint by order in writing, which shall specify the cause thereof and the time during which the prisoner is to be so kept.

(2) If the Governor represents to a member of the Committee that he has arranged for a prisoner to work temporarily in his cell and not in association, such member may authorize the arrangement by order in writing, and such order may be renewed from month to month by the Committee or one of them.

Diet.

200. The Committee shall inspect the dietary of prisoners and if they find the quality of the food unsatisfactory they shall report the matter to the Commissioners and note the same in their minutes, and the Governor shall immediately take such steps thereupon as may be necessary.

Books.

201. The Committee may inspect any of the books of the prison and a note of any such inspection shall be made in their minutes.

Additional letters, etc.

202. The Committee may, in any case of special importance or urgency, allow a prisoner an additional visit or letter or prolong the period of a visit.

Denominational records.

203. The Committee shall investigate and decide on every application from a prisoner to change the record of his religious denomination. Before granting such an application, they shall satisfy themselves that it is made from conscientious motives, and not from caprice or a desire to escape any prison regulations.

Buildings.

204. The Committee may inquire into the state of the prison buildings, and if any repairs or additions appear to them to be necessary shall report thereon with their advice and suggestions to the Secretary of State or the Commissioners.

Annual and other reports.

205. The Committee shall make an annual report at the end of each year to the Secretary of State with regard to all or any of the matters referred to in these Rules, with their advice and suggestions upon any such matter, and they may make such other reports to the Secretary of State or to the Commissioners as they consider necessary concerning any matter relating to the prison to which, in their opinion, attention should be drawn.

Permissions and consultation.

206. The Committee shall, before granting any permission which they have power to grant under these Rules, satisfy themselves by consultation with the Governor that it can be granted without interfering with the security, good order, and proper government of the prison and the prisoners therein, and if after such permission has been granted its continuance seems likely to cause such interference, or a prisoner has abused permission granted to him or has been guilty of misconduct, they may suspend or withdraw the permission.

Contracts.

207. A member of a Committee shall not have any interest in any contract made in respect of a prison of which he is on the Committee.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

2nd June, 1949.

SCHEDULE

Restricted Diets

The restricted diets which may be awarded under Rules 43 and 44 shall be as follows:—

(1) *No.* 1 *Diet*

(*a*) This diet, when given for a period of three days, or less, shall consist of:—

1 lb. bread per diem with water.

(*b*) This diet when given for more than three days shall consist for alternate periods of three days of:—

(i) 1 lb. bread per diem with water;

(ii) the diet prescribed for prisoners employed on ordinary industrial labour according to sex.

(*c*) No task of labour shall be enforced on any one of the days on which bread and water constitute the sole food supplied to the prisoner, who may, nevertheless, be allowed the option of performing suitable labour in the cell.

(*d*) No prisoner who has been on No. 1 diet shall be placed upon this diet for a fresh offence until an interval has elapsed equal to the period already passed by the prisoner on No. 1 diet.

(2) *No. 2 Diet*

(*a*) This diet when given for a period of twenty-one days, or less, shall consist of:—

Breakfast	Bread, 8 oz. with water.
Dinner	1 pint of porridge containing 3 oz. Oatmeal. Potatoes, 8 oz. Bread, 8 oz. with water.
Supper	Bread, 8 oz. with water.

(*b*) This diet when given for a period of more than twenty-one days shall consist of:—

(i) For the first twenty-one days, the diet as at (2) (*a*).

(ii) For the next seven days the diet prescribed for prisoners employed on ordinary industrial labour according to sex.

(iii) For the remainder of the period, the diet as at (2) (*a*).

(*c*) If a prisoner while on No. 2 diet is guilty of misconduct, No. 2 diet may be temporarily interrupted, and the prisoner may be placed on No. 1 diet for a period not exceeding three days; on the expiration of the period awarded on No. 1 diet the prisoner shall resume the diet originally ordered, and the period passed upon the No. 1 diet shall count as part of the period originally awarded on No. 2 diet, provided that no prisoner who has been upon No. 2 diet for a period of twenty-one days continuously shall be again placed on either No. 1 or No. 2 diet until after the expiration of one week.

PRISON, SCOTLAND

The Discontinuance of Legalised Police Cells (Scotland) Rules, 1949

1949 No. 871 (S. 48)

Made - - - -	*9th March*, 1949
Laid before Parliament	*15th March*, 1949
Coming into Operation	*5th May*, 1949*

In exercise of the powers conferred on me by section 30 of the Prisons (Scotland) Act, 1877(a) and of all other powers enabling me in that behalf I hereby make the following Rules:—

1. These Rules may be cited as the Discontinuance of Legalised Police Cells (Scotland) Rules, 1949.

(a) 40 & 41 Vict. c. 53.

* In accordance with the provisions of section 58 of the Prisons (Scotland) Act, 1877, these Rules have lain before both Houses of Parliament for a period of forty days before coming into operation.