PRISONS

1954 No. 240 (S. 26)

The Prison (Scotland) Rules, 1954

Made - - - - 1*st March*, 1954
Coming into Operation 15*th March*, 1954

In exercise of the powers conferred on me by section thirty-five of the Prisons (Scotland) Act, 1952(**a**), and of all other powers enabling me in that behalf, I hereby make the following Rules a draft of which has lain before both Houses of Parliament for a period of forty days:—

1.—(1) These Rules may be cited as the Prison (Scotland) Rules, 1954, and shall come into operation on the fifteenth day of March, 1954.

(2) In these Rules the expression "the principal Rules" means the Prison (Scotland) Rules, 1952(**b**).

2. In paragraph (1) of Rule 1 of the principal Rules in the definition of "Medical Superintendent" the words "and of the management of that Department" shall be omitted.

3. In Rule 9 of the principal Rules in the Table the entry relating to Kirkwall Prison shall be omitted.

4. For Rule 11 of the principal Rules there shall be substituted the following Rule:—

"**11.**—(1) Except as provided in the following paragraph, each prisoner shall occupy a cell by himself by night unless the Governor directs that for medical or other reasons it is necessary for him to be associated, in which case he shall occupy by night a cell, room or ward along with not fewer than two other prisoners.

(2) In prisons established or set aside under paragraph (2) of Rule 6 for the treatment of prisoners in open conditions, a prisoner may, if the Governor so directs, be associated by night in a room with not fewer than two other prisoners."

5. At the end of Rule 42 of the principal Rules (which sets out offences against discipline) the following two paragraphs shall be added:—

"(19) Makes false and malicious allegations against an officer;

(20) Fails to return to the prison on the expiry of the period of his parole or breaks any condition attached to his parole."

6. In sub-paragraph (*f*) of paragraph (2) of Rule 43 of the principal Rules (which relates to the punishments that may be awarded for offences against discipline) for the word "excluding" there shall be substituted the word "exceeding".

7. In Rule 165 of the principal Rules the words "one year and of not more than" shall be omitted.

8. For Rule 166 of the principal Rules there shall be substituted the following Rule:—

"**166.** At any time after the completion of two years of the sentence the Secretary of State may transfer a prisoner in the first stage to the second stage which shall be served in such prison or part of a prison as may be determined by the Secretary of State."

9. For Rule 215 of the principal Rules there shall be substituted the following Rule:—

"**215.**—(1) The Medical Superintendent shall visit and inspect daily all parts of the Criminal Lunatic Department where inmates are employed

(**a**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 61. (**b**) S.I. 1952/565 (1952 III, p. 2639).

or accommodated. He shall see every inmate daily and shall give special attention to any who are sick or under restraint or are temporarily confined in a special room.

(2) The Medical Superintendent shall from time to time visit the Criminal Lunatic Department during the night and satisfy himself as to its state."

10. For Rule 223 of the principal Rules there shall be substituted the following Rule:—

"**223.** The Medical Superintendent shall record all accidents and casualties at the time of their occurrence and shall report particulars immediately to the Secretary of State. The Governor, who shall be responsible for the security of the Criminal Lunatic Department, shall record all escapes at the time of their occurrence and shall report particulars immediately to the Secretary of State and the General Board of Control for Scotland."

11. In the Schedule to the principal Rules the provisions for the constitution of the Visiting Committee for the prison at Kirkwall shall be omitted. After the provisions for the constitution of the Visiting Committee for the prison at Inverness there shall be inserted the following:—

Name of Prison	Names of Appointing Authorities	Number of Members to be appointed
PENNINGHAME ...	Kirkcudbright County Council	3
	Wigtown County Council	3
	Aberdeen Town Council	1
	Dundee Town Council	1
	Edinburgh Town Council	1
	Glasgow Town Council	1
	Newton-Stewart Town Council	2
	Wigtown Town Council	2
		14
	Minimum number of Women	3

After the provisions for the constitution of the Visiting Committee for the legalised police cells at Kirkcaldy there shall be inserted the following:—

Cells at	Names of Appointing Authorities	Number of Members to be appointed
KIRKWALL ...	Orkney County Council	4
	Kirkwall Town Council	2
		6

Dated this first day of March, 1954.

James Stuart,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.