
STATUTORY INSTRUMENTS

1993 No. 3076

**YOUNG OFFENDER INSTITUTIONS,
ENGLAND AND WALES**

The Young Offender Institution (Amendment) Rules 1993

Made - - - - 5th December 1993
Laid before Parliament 10th December 1993
Coming into force - - 1st January 1994

In exercise of the powers conferred upon me by section 47 of the Prison Act 1952(1), I hereby make the following Rules:

1. These Rules may be cited as the Young Offender Institution (Amendment) Rules 1993 and shall come into force on 1st January 1994.

2. The Young Offender Institution Rules 1988(2) shall have effect subject to the amendments set out in the Schedule to these Rules.

Home Office
5th December 1993

Michael Howard
One of Her Majesty's Principal Secretaries of
State

(1) 1952 c. 52; section 47 was affected by an amendment to section 52(2) of that Act by section 66(4) of the Criminal Justice Act 1967 (c. 80). Paragraph 1 of Schedule 8 to the Criminal Justice Act 1988 (c. 33) contains amendments affecting these provisions.
(2) S.I.1988/1422; relevant amending instruments are S.I. 1989/331, 1989/2142, 1992/513 and 1992/2081.

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SCHEDULE

Rule 2

1. For rule 14 there shall be substituted the following rule—

“Correspondence with legal advisers and courts

14.—(1) An inmate may correspond with his legal adviser and any court and such correspondence may only be opened, read or stopped by the governor in accordance with the provisions of this rule.

(2) Correspondence to which this rule applies may be opened if the governor has reasonable cause to believe that it contains an illicit enclosure and any such enclosure shall be dealt with in accordance with the other provisions of these Rules.

(3) Correspondence to which this rule applies may be opened, read and stopped if the governor has reasonable cause to believe its contents endanger prison or young offender institution security or the safety of others or are otherwise of a criminal nature.

(4) An inmate shall be given the opportunity to be present when any correspondence to which this rule applies is opened and shall be informed if it or any enclosure is to be read or stopped.

(5) An inmate shall on request be provided with any writing materials necessary for the purposes of paragraph (1) of this rule.

(6) In this rule, “court” includes the European Commission o Human Rights, the European Court of Human Rights and the European Court of Justice; and “illicit enclosure” includes any article possession of which has not been authorised in accordance with the other provisions of these Rules and any correspondence to or from a person other than the inmate concerned, his legal adviser or a court.”.

2. In rule 24, there shall be added after paragraph (3) the following—

“(4) Subject to any directions given in the particular case by the Secretary of State, a registered medical practitioner selected by or on behalf of an inmate who is a party to any legal proceedings shall be afforded reasonable facilities for examining him in connection with the proceedings, and may do so out of hearing but in the sight of an officer.”.

3. In rule 53(1)(f), there shall be substituted for the words “3 days”, the words “7 days”.
4. In rule 60(1)(i)(f), there shall be substituted for the words “3 days”, the words “14 days”.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Young Offender Institution Rules 1988 as amended in three respects.

Firstly, the Rules substitute a new rule for rule 14 dealing with legal correspondence. The rule now applies to all correspondence between an inmate and his legal adviser or a court, whether or not legal proceedings have been commenced and sets out the circumstances in which such correspondence may be opened, read or stopped.

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Secondly, the Rules increase the maximum period for which a governor may impose a punishment of cellular confinement on an inmate under 21 years of age from 3 to 7 days.

Thirdly, the Rules increase the maximum period for which a governor may impose a punishment of cellular confinement on a woman prisoner of 21 years of age or over from 3 to 14 days.