
STATUTORY INSTRUMENTS

1995 No. 1599

**YOUNG OFFENDER INSTITUTIONS,
ENGLAND AND WALES**

**The Young Offender Institution
(Amendment) (No. 2) Rules 1995**

<i>Made</i>	- - - -	<i>24th June 1995</i>
<i>Laid before Parliament</i>		<i>26th June 1995</i>
<i>Coming into force</i>	- -	<i>17th July 1995</i>

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) (No. 2) Rules 1995 and shall come into force on 17th July 1995.
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
24th June 1995

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) and was extended by section 85(2) and (4) of the Criminal Justice Act 1991 (c. 53). The Criminal Justice Act 1988 (c. 33), Schedule 8, paragraph 1, contains amendments affecting these provisions.

(2) S.I.1988/1422; relevant amending instruments are S.I. 1992/513 and 1995/984 (which substituted a new rule 6).

SCHEDULE

Rule 2

AMENDMENTS TO THE YOUNG OFFENDER INSTITUTION RULES 1988

1. In rule 6 (temporary release) in sub-paragraph (3)(i) (visits in the locality of the young offender institution) for the words “as a reward for good behaviour or performance” there shall be substituted the words “as a privilege under rule 4 of these Rules”.

2. The following rule shall be substituted for rule 7:

“Privileges

7.—(1) There shall be established at every young offender institution systems of privileges approved by the Secretary of State and appropriate to the classes of inmates thereof and their ages, characters and circumstances, which shall include arrangements under which money earned by inmates may be spent by them within the young offender institution.

(2) Systems of privileges approved under paragraph (1) may include arrangements under which inmates may be allowed time outside the cells and in association with one another, in excess of the minimum time which, subject to the other provisions of these Rules apart from this rule, is otherwise allowed to inmates at the young offender institution for this purpose.

(3) Systems of privileges approved under paragraph (1) may include arrangements under which privileges may be granted to inmates only in so far as they have met, and for so long as they continue to meet, specified standards in their behaviour and their performance in work or other activities.

(4) Systems of privileges which include arrangements of the kind referred to in paragraph (3) shall include procedures to be followed in determining whether or not any of the privileges concerned shall be granted, or shall continue to be granted, to an inmate; such procedures shall include a requirement that the inmate be given reasons for any decision adverse to him together with a statement of the means by which he may appeal against it.

(5) Nothing in this rule shall be taken to confer on an inmate any entitlement to any privilege or to affect any provision in these Rules other than this rule as a result of which any privilege may be forfeited or otherwise lost or an inmate deprived of association with other inmates.”

3. In rule 10 (letters and visits generally) in paragraph (2) after the words “Secretary of State” there shall be inserted the words “or as a privilege under rule 7 of these Rules”.

4. In rule 11 (personal letters and visits) in paragraph (2) after the words “an additional letter or visit” there shall be inserted the words “as a privilege under rule 7 of these Rules or”.

5. In rule 16 (clothing) in paragraph (3) after the words “Secretary of State” there shall be inserted the words “or as a privilege under rule 7 of these Rules”.

6. In rule 42 (custody outside a young offender institution) the following paragraph shall be substituted for paragraph (3):

“(3) An inmate required to be taken in custody to any court shall, when he appears before the court, wear his own clothing or ordinary civilian clothing provided by the governor.”.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Young Offender Institution Rules 1988, as amended. They make two separate groups of changes.

First they make changes to the rules relating to privileges for inmates. Paragraph 2 of the Schedule substitutes a new rule 7 which makes more detailed provision in relation to the systems of privileges required to be established at every young offender institution. Paragraphs 1, 3, 4 and 5 of the Schedule make related provision.

Secondly paragraph 6 of the Schedule amends paragraph (3) of rule 42 to restrict the effect of its provisions, which relate to the clothing which an inmate wears when he is taken in custody to any court, to the time when the inmate appears before the court.