
STATUTORY INSTRUMENTS

1998 No. 1545

**YOUNG OFFENDER INSTITUTIONS,
ENGLAND AND WALES**

The Young Offender Institution (Amendment) Rules 1998

<i>Made</i>	- - - -	<i>20th June 1988</i>
<i>Laid before Parliament</i>		<i>29th June 1998</i>
<i>Coming into force</i>	- -	<i>20th July 1998</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) Rules 1998 and shall come into force on 20th July 1998.

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
20th June 1998

Jack Straw
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) by section 43(5) of the Prison Act 1952. 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. 1989/331, 1989/2142, 1996/1662 and 1997/789.

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SCHEDULE

AMENDMENTS TO THE YOUNG OFFENDER INSTITUTION RULES 1988

- 1.—(1) Rule 17 (Food) shall be amended as follows.
 - (2) In paragraph (1), after the words “medical officer” there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
 - (3) For paragraph (3), there shall be substituted the following—

“The medical officer, a medical practitioner such as is mentioned in rule 24(3) or any person deemed by the governor to be competent, shall from time to time inspect the food both before and after it is cooked, and shall report any deficiency or defect to the governor.”.
2. In rule 18 (Alcohol and tobacco), in paragraph (1), after the words “medical officer” there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
3. In rule 21 (Hygiene), in paragraph (3), the words “or, as directed by the medical officer, for health and cleanliness” shall be omitted.
4. In rule 24 (Medical attendance), the following shall be substituted for paragraph (3)—
 - “(3) The medical officer may consult a medical practitioner who is a fully registered person within the meaning of the Medical Act 1983(3). Such a practitioner may work within the prison under the general supervision of the medical officer.
 - (3A) The medical officer shall consult another medical practitioner, if time permits, before performing any serious operation.”.
- 5.—(1) Rule 25 (Special illnesses and conditions) shall be amended as follows.
 - (2) In paragraph (1), after the words “medical officer” there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
 - (3) In paragraph (2), after the words “medical officer” there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
 - (4) Paragraph (3) shall be omitted.
6. In rule 34 (Regime activities), in paragraph (3), after the words “medical officer” both times that they appear, there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
7. In rule 46 (Removal from association), in paragraph (3), after the words “medical officer” there shall be inserted “or a medical practitioner such as is mentioned in rule 24(3)”.
- 8.—(1) Rule 49 (Restraints) shall be amended as follows.
 - (2) In paragraph (2), after the words “medical officer” there shall be inserted “or to a medical practitioner such as is mentioned in rule 24(3)”.
 - (3) For paragraph (3) there shall be substituted the following paragraph—

“(3) On receipt of the notice, the medical officer, or the medical practitioner referred to in paragraph (2) above, shall inform the governor whether there are any reasons why the inmate should not be put under restraint. The governor shall give effect to any recommendation which may be made under this paragraph.”.
 - (4) In paragraph (6), after the words “medical officer” there shall be inserted “or of a medical practitioner such as is mentioned in rule 24(3)”.

(3) 1983 c. 54.

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9. In rule 56 (Confinement to a cell or room), for paragraph (1) there shall be substituted the following paragraph—

“(1) When it is proposed to impose a punishment of confinement in a cell or room, the medical officer, or a medical practitioner such as is mentioned in rule 24(3), shall inform the governor whether there are any medical reasons why the inmate should not be so dealt with. The governor shall give effect to any recommendation which may be made under this paragraph.”

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Young Offender Institution Rules 1988 (“the 1988 Rules”), as amended. Rule 2 of these Rules introduces the Schedule, which sets out the amendments to the 1988 Rules. The amendments in the Schedule make changes to the 1988 Rules to allow for the functions of a medical officer within a Young Offender Institution to be carried out by another medical practitioner under the general supervision of the medical officer.