

SCHEDULE

AMENDMENTS TO THE YOUNG OFFENDER INSTITUTION RULES 2000

3. After rule 54, insert—

“Compulsory testing for alcohol

54A.—(1) This rule applies where an officer, acting under an authorisation in force under section 16B of the Prison Act 1952⁽¹⁾ (power to test prisoners for alcohol), requires an inmate to provide a sample for the purpose of ascertaining whether he has alcohol in his body.

(2) When requiring an inmate to provide a sample an officer shall, so far as is reasonably practicable, inform the inmate—

- (a) that he is being required to provide a sample in accordance with section 16B of the Prison Act 1952; and
- (b) that a refusal to provide a sample may lead to disciplinary proceedings being brought against him.

(3) An officer requiring a sample shall make such arrangements and give the inmate such instructions for its provision as may be reasonably necessary in order to prevent or detect its adulteration or falsification.

(4) Subject to paragraph (5) an inmate who is required to provide a sample may be kept apart from other inmates for a period not exceeding one hour to enable arrangements to be made for the provision of the sample.

(5) An inmate who is unable to provide a sample of urine when required to do so may be kept apart from other inmates until he has provided the required sample, except that an inmate may not be kept apart under this paragraph for a period of more than 5 hours.

(6) An inmate required to provide a sample of urine shall be afforded such degree of privacy for the purposes of providing the sample as may be compatible with the need to prevent or detect any adulteration or falsification of the sample; in particular an inmate shall not be required to provide such a sample in the sight of a person of the opposite sex.”.

(1) Section 16B was inserted by section 1 of the Prisons (Alcohol Testing) Act 1997 (c. 38) and applies to a Young Offender Institution by virtue of section 43(5) of the Prison Act 1952 (c. 52).