
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the [Prison Rules 1999 \(S.I. 1999/728\)](#) and the Young Offender Institution Rules 2000 ([S.I. 2000/3371](#)). The effect of the amendments in rule 2(2) and (3) and rule 3(2) and (3) is that where the governor has arranged for a prisoner or inmate to be removed from association for the maintenance of good order and discipline or in their own interests, removal for a period of more than 72 hours must be authorised by the governor in writing. Such authority may only authorise removal for a period of up to 14 days, but the governor may give authority for further subsequent periods of removal, in each case for up to 14 days. However, the governor may not give such authority for a period of removal for more than 42 days, starting with the date on which the prisoner or inmate was first removed, without leave in writing from the Secretary of State, which must be obtained for any subsequent period up to 42 days. The remaining amendments in rule 2(4) and 2(5) and 3(4) and 3(5) extend the requirement that the governor must fully consider any recommendation that the prisoner resumes association on medical grounds made by a registered medical practitioner or registered nurse working within the prison or young offenders institution. That requirement will apply to a decision by the governor to authorise removal from association for longer than 72 hours as well as, as is currently the case, to the exercise of the discretion by the governor to arrange for the prisoner or inmate to resume association.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.