
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Prison Rules 1999 (S.I. 1999/728) (“the 1999 Rules”), the Young Offender Institution Rules 2000 (S.I. 2000/3371) (“the 2000 Rules”) and the Prison and Young Offender Institution (Coronavirus) (Amendment) Rules 2020 (S.I. 2020/508) (“the 2020 Rules”). The Rules provide for the following categories of amendments:

- clarification in relation to directions made providing for coronavirus restricted temporary release of certain offenders directed by the Secretary of State in response to the coronavirus pandemic;
- additions to the list of specified drugs for the purposes of section 16A (testing prisoners for drugs) of the Prison Act 1952 (c. 52) (“the Act”); and
- amendments to the definition of a transition period in the 2020 Rules.

Rules 2(2) clarifies that the framing of a direction describing a class or classes of prisoners who will be released under Rule 9A of the 1999 Rules may only be in accordance with the other provisions of rule 9A. Rule 3(2) provides the same clarification for directions made under rule 5A of the 2000 Rules.

Rules 2(3) and 3(3) add one substance to the lists of specified drugs in Schedule 2 to the 1999 Rules and the 2000 Rules for the purposes of section 16A of the Act.

Rules 4 and 5 amend Schedules 1 and 2 to the 2020 Rules to change the transition period at the end of a transmission control period to 3 months.

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

Changes to legislation:

There are currently no known outstanding effects for the The Prison and Young Offender Institution (Coronavirus, etc.) (Amendment) (No. 3) Rules 2020.