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STATUTORY INSTRUMENTS

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**1992 No. 513**

**YOUNG OFFENDER INSTITUTIONS,  
ENGLAND AND WALES**

**The Young Offender Institution (Amendment) Rules 1992**

<i>Made</i>	- - - -	<i>6th March 1992</i>
<i>Laid before Parliament</i>		<i>10th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</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 1992 and shall come into force on 1st April 1992.

2.—(1) The Young Offender Institution Rules 1988(2) (“the principal Rules”) shall have effect subject to the amendments set out in the Schedule to these Rules. (2) In relation to charges referred to the board of visitors by the governor pursuant to rule 54(1) of the principal Rules and applications to remit or mitigate punishments made to them pursuant to rule 59(2) of the principal Rules before the coming into force of these Rules, the board of visitors shall continue to exercise their powers under rules 54 and 59(2), as appropriate, as if these Rules had not been made.

Home Office  
6th March 1992

*Kenneth Baker*  
One of Her Majesty’s Principal Secretaries of  
State

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(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). Paragraph 1 of Schedule 8 to the Criminal Justice Act 1988 (c. 33) contains amendments affecting these provisions.

(2) S.I. 1988/1422; relevant amending instruments are S.I. 1989/331 and 1989/2142.

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## SCHEDULE

Rule 2(1)

1. In rule 11(1)(b), there shall be substituted for the words “once in four weeks”, the words “twice in every period of four weeks, but only once in every such period if the Secretary of State so directs”.
2. Rule 50(8)(a) shall be omitted.
3. In rule 50(8)(b), there shall be substituted for the words “so released”, the words “temporarily released under rule 6 of these rules”.
4. Rule 51(2) shall be omitted.
5. In rule 51(3), the words “in the first instance” shall be omitted.
6. After rule 51(4), there shall be inserted the following paragraph—

“(5) An inmate who is to be charged with an offence against discipline may be kept apart from other inmates pending the governor’s first inquiry”.
7. For rule 53(1)(e) there shall be substituted “stoppage of or deduction from earnings for a period not exceeding 28 days of an amount not exceeding 14 days’ earnings”.
8. Rule 54 shall be omitted.
9. Rule 55 shall be omitted.
10. In rule 58(2), the words “or board” shall be omitted.
11. In rule 59(2), there shall be substituted for the words “and a board of visitors may remit or mitigate any punishment”, the words “or the board of visitors”.
12. For rule 60(1)(i)(e), there shall be substituted “stoppage of or deduction from earnings for a period not exceeding 56 days of an amount not exceeding 28 days’ earnings”.
13. Rule 60(1)(ii) and rule 60(2) shall be omitted.
14. In rule 60(3), there shall be substituted for the words “180 days”, the words “28 days”.
15. In rule 74(2), the words “other than those under rule 54 of these Rules” shall be omitted.
16. In rule 75(5), the words “(other than rules 54, 59 and 60(ii))” shall be omitted.

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Young Offender Institution Rules 1988, as amended, for three main purposes. Firstly, the Rules remove the disciplinary functions of boards of visitors. Transitional provision is made so that boards of visitors have continuing jurisdiction to deal with cases referred to them before the coming into force of these Rules. Secondly, the Rules increase the entitlement of a young offender to receive visits from once every four weeks to twice every four weeks. Thirdly, the Rules abolish the separate disciplinary offence of failing to return to a young offender institution after a period of temporary release, which duplicates, in part, the offence of failing to comply with a condition of release.

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