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STATUTORY INSTRUMENTS

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**2000 No. 1795**

**YOUNG OFFENDER INSTITUTIONS,  
ENGLAND AND WALES**

**The Young Offender Institution  
(Amendment) (No. 2) Rules 2000**

<i>Made</i>	- - - -	<i>7th July 2000</i>
<i>Laid before Parliament</i>		<i>11th July 2000</i>
<i>Coming into force</i>	- -	<i>1st August 2000</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) (No. 2) Rules 2000 and shall come into force on 1st August 2000.
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  
7th July 2000

*Jack Straw*  
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) and is extended 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; amending instruments are 1989/331, 1989/2142, 1990/1763, 1992/513, 1992/2081, 1993/3076, 1994/3194, 1995/984, 1995/1599, 1996/1662, 1997/789, 1998/1545, 1999/729, 1999/962 and 2000/700.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Rule 2

### AMENDMENTS TO THE YOUNG OFFENDER INSTITUTION (AMENDMENT) (NO. 2) RULES 1988

1. In rule 50 there shall be inserted the following:

(a) after paragraph (1):

“(1A) commits any racially aggravated assault;”;

(b) after paragraph (14):

“(14A) causes racially aggravated damage to, or destruction of, any part of a young offender institution or any other property, other than his own;”;

(c) after paragraph (17):

“(17A) uses threatening, abusive or insulting racist words or behaviour;”;

(d) after paragraph (21):

“(21A) displays, attaches or draws on any part of a young offender institution, or on any other property, threatening, abusive or insulting racist words, drawings, symbols or other material;”.

2. After rule 50A there shall be inserted the following:

“**50B.** Interpretation of rule 50

(2) For the purposes of rule 50 words, behaviour or material are racist if they demonstrate, or are motivated (wholly or partly) by, hostility to members of a racial group (whether identifiable or not) based on their membership (or presumed membership) of a racial group, and “membership”, “presumed”, “racial group” and “racially aggravated”, shall have the meanings assigned to them by section 28 of the Crime and Disorder Act 1998(3).”.

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## EXPLANATORY NOTE

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

These Rules amend the Young Offender Institution Rules 1988 (“the 1988 Rules”). Rule 2 of these Rules introduces the Schedule, which sets out the amendments to the 1988 Rules. They provide for a number of new disciplinary offences relating to racist behaviour by prisoners. The new offences are racially aggravated assault; causing racially aggravated damage to, or destruction of, any part of a young offender institution or any other property, other than the young offender’s own; using threatening, abusive or insulting racist words or behaviour; and displaying, attaching or drawing on any part of a young offender institution, or any other property, threatening, abusive or insulting racist material.

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(3) 1998 c. 37.