



**Sir Bob Neill MP**  
Chair, Justice Select Committee

5 January 2022

Dear Bob,

**COVID-19: THE PRISON AND YOUNG OFFENDER INSTITUTION (CORONAVIRUS) (AMENDMENT)  
RULES 2022**

I am writing to inform you that the Government will be laying a Statutory Instrument (SI) before Parliament today. The SI will extend existing temporary modifications to the Prison Rules 1999 and Young Offender Institution (YOI) Rules 2000 until 24 March 2022 to provide an ongoing legal basis for the emergency measures necessary for the ongoing response to the coronavirus pandemic.

The current Rule modifications will provide flexibility for delivery in a number of key areas including prison visit entitlements, access to education, religious services, physical education, and the timings of close supervision centre placement reviews. This SI will also expire a previous modification which allows a chief magistrate to refer adjudications back to a governor. This amendment is no longer required due to the introduction of a new digital platform. Without this SI, all the modifications would automatically expire on 26 January 2022, however, the increased risk posed by the emergent Variant of Concern (Omicron) means that HMPPS requires these amendments to remain in place for an extended period.

Prisons are high risk, closed settings, with a vulnerable population. As you are aware from my letter of 15 December, we have already taken steps under the National Framework to bring back some restrictions and given the challenge from Omicron we anticipate we may need to go further. We continue to be guided by the advice of the UK Health Security Agency (UKHSA) and Public Health Wales. The SI will allow for the continued running of temporarily restricted regimes in prisons and YOIs where this is judged necessary to save lives and ensure the safety and security of the estate.

The instrument is subject to the negative resolution procedure and will come into force on 26 January 2022.

I have given this issue careful consideration, and together with the Secretary of State, believe that this SI is essential to allow us to continue to protect prisoners and staff and control the spread of the virus in prisons.

Yours ever

**VICTORIA ATKINS MP**