



STATUTORY INSTRUMENTS.

**S.I. No. 250 of 2020**



PRISON (AMENDMENT) RULES 2020

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PRISON (AMENDMENT) RULES 2020

I, HELEN MCENTEE Minister for Justice and Equality, in exercise of the powers conferred on me by section 35 of the Prisons Act 2007 (No. 10 of 2007) (as adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011)), hereby make the following rules:

1. (1) These Rules may be cited as the Prison (Amendment) Rules 2020.
  - (2) The Prison Rules 2007 to 2018 and these Rules may be cited together as the Prison Rules 2007 to 2020.
  - (3) These Rules shall come into operation on 20<sup>th</sup> July 2020.
2. In these Rules “Principal Rules” means the Prison Rules 2007 (S.I. No. 252 of 2007).
  3. The Principal Rules are amended by the insertion of the following rule after Rule 32:

“32A (1) Where the Director General is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) within a prison, he or she may direct the Governor of that prison to –

- (a) suspend the entitlement to physical recreation, exercise or training under Rule 32, or
- (b) restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements,

for a specified period or periods.

(2) Where the Governor is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) within his or her prison, subject to any direction made by the Minister or the Director General, he or she may –

- (a) suspend the entitlement to physical recreation, exercise or training under Rule 32, or
- (b) restrict or modify the entitlement to physical recreation, exercise or training under Rule 32, as regards frequency, duration and arrangements,

for a specified period or periods.”.

4. The Principal Rules are amended by the insertion of the following rule after Rule 36:

“36A (1) Where the Director General is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) within a prison, he or she may direct the Governor of that prison to –

- (a) suspend the entitlement to visits under Rule 35, or
- (b) restrict or modify the entitlement to visits under Rule 35, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits,

for a specified period or periods.

(2) Where the Governor is of the opinion, having regard to advice or guidelines issued by the Department of Health or the Health Service Executive, or a recommendation by the Director of Prison Healthcare Services or a prison doctor, that it is necessary to do so to prevent or limit the spread of an infectious disease specified in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) within his or her prison, subject to any direction made by the Minister or the Director General, he or she may-

- (a) suspend the entitlement to visits under Rule 35, or
- (b) restrict or modify the entitlement to visits under Rule 35, as regards frequency, duration and arrangements, particularly in relation to the number and age of visitors permitted to make visits,

for a specified period or periods.”.



GIVEN under my Official Seal,  
16 July, 2020.

HELEN MCENTEE,  
Minister for Justice and Equality.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This order amends the Prison Rules 2007 (S.I. No. 252 of 2007).

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