PRISON RULES.

(CONVICT PRISONS.)

4.

DRAFT

OF

RULES PROPOSED TO BE MADE

UNDER THE

PRISON ACT, 1898.

Home Office,
7th February 1899.

(*Secretary*,
Sir Matthew White Ridley.)

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DRAFT OF PRISON RULES.

(Convict Prisons.)

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PRISON RULES.

(Convict Prisons.)

DRAFT OF RULES PROPOSED TO BE MADE UNDER THE PRISON ACT, 1898.

PART I.

General Rules for the Government of Prisons.

Buildings and Cells.

Cells.

1. A cell shall not be used for the separate confinement of a prisoner unless it is certified by a Director or one of Her Majesty's Inspectors of Prisons to be of such a size, and to be lighted, warmed, ventilated, and fitted up in such a manner as may be requisite for health, and furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison.

Infirmary.

2. In every prison an infirmary or proper place for the reception of sick prisoners shall be provided.

Locks.

3. The wards, cells, and yards where females are confined shall be secured by locks different from those securing the wards, cells, and yards allotted to male prisoners.

Admission, Discharge, and Removal.

Searching.

4.—(1.) Every prisoner shall be searched on admission and at such times subsequently as may be directed, and all prohibited articles shall be taken from him.

(2.) A prisoner shall not be allowed to have in his possession any article not supplied by the prison.

(3.) The searching of a prisoner shall be conducted with due regard to decency and self-respect, and in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(4.) No prisoner shall be searched in the presence of another prisoner.

Provision as to female prisoners.

5. A female prisoner shall be searched by female officers. In other respects the same course shall be pursued in reference to the admission, removal, or discharge of a female prisoner as in the case of a male prisoner.

Record of measurements and other particulars.

6. The name, age, height, weight, features, particular marks, general appearance, and such other measurements and particulars as may be required in regard to a prisoner shall, upon his admission, and from time to time, be recorded in such manner as may be directed.

Photographing of prisoners.

7. A photograph shall be taken of every prisoner on first reception into a prison, and afterwards as may be directed, but no copy of the photograph shall be given to any person unless he is officially authorised to receive it.

Medical examination on admission.

8. Every prisoner shall, as soon as possible after his admission, be separately examined by the medical officer, who shall record the state of health of the prisoner, and such other particulars as may be directed.

Medical examination on removal and discharge

9. Every prisoner shall be examined by the medical officer before being removed to any other prison, or being discharged from prison. No prisoner shall be removed to any other prison unless the medical officer certifies that he is fit for removal; and no prisoner labouring under any acute or dangerous illness shall be discharged from prison until, in the opinion of the medical officer, the discharge is safe, unless the prisoner requires to be discharged.

Bath.

10. Every prisoner shall take a bath on reception, unless it is otherwise directed in any particular case by the governor or medical officer.

Cutaneous disease or vermin.

11. If any prisoner is found to have any cutaneous disease, or to be infested with vermin, means shall be taken effectually to eradicate and destroy the same.

Notification of rules to prisoners.

12. After a prisoner is received at the prison, an abstract of the rules relating to the conduct and treatment of prisoners shall be read over to him, and proper means shall afterwards be taken by the governor for making him acquainted with the purport and effect of those rules.

Removal to or from prison.

13. A prisoner shall be exposed to public view as little as possible while being conveyed from or to prison. In order to avoid exposure while passing through the public streets, he shall, if necessary, be conveyed in a cab or other closed vehicle.

14. Any prisoner for whose production at any place an order is issued shall, while outside the prison, be kept in the custody of the officers directed to convey him to that place. Custody of prisoner outside prison.

15. Any gratuity granted to a prisoner on his discharge may be paid through a Prisoners' Aid Society, or in such manner and under such conditions as the directors may order for the purpose of preventing its being misapplied. Application of gratuity on discharge.

Food, Clothing, and Bedding.

16. No spirituous liquors of any kind shall be admitted for the use of any prisoner under any pretence whatever, except in pursuance of special rules, or of a written order of the medical officer, specifying the quantity to be admitted, and the name of the prisoner for whose use it is intended. This rule shall not apply to any stock of spirituous liquors kept in the prison for the use of the infirmary and under the control of the medical officer. Spirituous liquors.

17. Smoking shall not be allowed in, nor tobacco be introduced into, a prison except by the authority of the directors, or unless specially required for medical reasons, and then only under the written authority of the medical officer, a copy of which he shall enter in his journal. Smoking.

18. Each prisoner shall be supplied with sufficient quantity of wholesome food, according to a scale or scales of diet, in framing which regard shall be had to the sex and employment of the prisoner, and other circumstances which require consideration. Food.

19. A prisoner who has any complaint to make regarding the diet furnished to him, or who wishes his diet to be weighed or measured for the purpose of ascertaining whether he is supplied with the proper quantity, must make his request as soon as possible after the diet is handed to him, and it will be weighed or measured in his presence, and in that of the officer deputed for that purpose. Repeated complaints of a groundless nature made by any prisoner under colour of this rule, with the evident purpose of giving annoyance or trouble, shall be treated as a breach of prison discipline, and the offender will be liable to punishment accordingly. Complaints as to diet.

20. Any special addition to the food in the diet scale may, in the case of a prisoner not being a patient in the infirmary, be made only on the written recommendation of the medical officer. Special additions to food.

21. The governor shall consult the medical officer respecting the quality of the provisions furnished to the prisoners. Quality of provisions.

22. A prisoner shall not be allowed any wine, beer, or other fermented liquor, unless he is under treatment in the infirmary, and then only under a written order from the medical officer, which shall specify the quantity, and the name of the prisoner for whose use it is intended. Spirituous liquors.

Prison dress.

23. Every prisoner shall be provided with a complete prison dress, sufficient for warmth, and shall be required to wear it.

Private clothing.

24. Any clothing belonging to a prisoner which may be received into a prison may be disposed of, and on his discharge he shall be supplied with suitable clothing.

Occupation of separate cell.

25. Each prisoner shall usually occupy a cell by himself by day and by night (except as otherwise directed). If, for medical reasons, or other special circumstances, it is necessary that prisoners be associated, not fewer than three prisoners may be located in one room, in which each shall be supplied with a separate bed.

Clothing and bedding.

26. Every prisoner shall be supplied with sufficient bedding as may be directed, and such additional clothing and bedding may be issued during severe weather, or, in special cases, as the medical officer may deem requisite.

Mattress.

27. A male prisoner may not be required to sleep without a mattress except as a punishment.

Cleanliness.

Cleanliness.

28.—(1.) A prisoner shall be required to keep himself clean and decent in his person, and to conform to such regulations as may be laid down for that purpose.

(2.) Every prisoner shall obey such regulations as regards washing, bathing, and hair-cutting, as may be from time to time prescribed with a view to the maintenance of health and cleanliness.

(3.) A prisoner shall not be stripped or bathed in the presence of any other prisoner.

(4.) Each prisoner shall keep his cell, utensils, books, and other articles issued for his use, and his clothing and bedding clean and neatly arranged, and shall clean and sweep the yards, passages, and other parts of the prison as may be directed.

Classification and Remission.

Classification of prisoners.

29. There shall be a classification of prisoners as follows:—

(*a.*) Star Class. To consist of prisoners who have never been previously convicted, or who are not habitually criminal or of corrupt habits. Prisoners in this class shall at all times throughout their sentence be kept apart from all other classes of prisoners, but shall be removed to the Ordinary Class if found to exercise a pernicious influence over other prisoners.

(*b.*) Ordinary Class. To consist of prisoners who have been previously convicted of serious crime or are proved to be habitually criminal or are known to be of corrupt habits. Prisoners in this class shall, as far as may be practicable, be located and be associated for labour with due regard to age and degree of criminality.

(*c.*) Intermediate Class. To consist of prisoners within 12 months of release, viz.:—

(1.) Prisoners who by good conduct and industry have attained to the highest stage under the progressive stage system.

(2.) Other prisoners who may not be eligible for that stage, but whose age and antecedents and whose conduct in prison justify the hope that they may be helped on release to lead an honest life.

Intermediate Class.

30. A prisoner in the Intermediate Class will, wherever possible, be employed at the trade of which he has some knowledge and which he declares it to be his wish and intention to follow on release. He will be given special technical instruction in such trade and be encouraged to make himself proficient and thus to give himself the chance of employment at it on release.

Separate confinement

31.—(1.) Every male prisoner shall pass the first six months of his sentence in separate confinement, unless, in the opinion of the medical officer, his mental or physical condition is such as to render it advisable that he should be employed at associated labour.

(2.) He shall also, if eligible, receive school instruction daily, and shall be frequently visited by the governor, chaplain, and medical officer.

(3.) Subject to the above conditions, every female prisoner shall pass the first four months of her sentence in separate confinement.

Progressive stages.

32.—(1.) A system of progressive stages shall be established with specific privileges attached to each stage, and every prisoner shall have the opportunity of profiting by this system.

(2.) A prisoner while in any stage shall be entitled to every privilege attached to that stage, unless he forfeits any privilege as provided by this rule.

(3.) The promotion of a prisoner from one stage to another shall be gained by industry, but it may be postponed for idleness or misconduct, or he may be removed to a lower stage, or he may forfeit any of the privileges of his stage.

Remission.

33. By hard labour and industry with good conduct a male prisoner may render himself eligible for a licence when one-fourth of his sentence has yet to run. In like manner a female prisoner may render herself eligible for a licence when one-third of her sentence has yet to run. The case of a prisoner under sentence of penal servitude for life will be specially considered at the end of twenty years.

Refuge.

34. A female prisoner may be allowed, on such conditions as may be laid down, to pass the last nine months of her imprisonment in an approved refuge.

Record of ndustry.

35.—(1.) A daily record of the industry of every prisoner shall be kept in marks, the award of which shall be carefully supervised by the governor and deputy governor, and every prisoner shall be required to earn, as a condition of becoming eligible for a licence as above mentioned, the number of marks assigned to his sentence, and, in addition, any marks he may have forfeited for misconduct.

(2.) Every prisoner shall also be required to earn, as a condition of obtaining promotion to a higher stage, the number of marks assigned to his existing stage, and, in addition, any marks forfeited for stage.

(3.) Marks for remission of sentence, not earned by industry, in consequence of physical or mental weakness, or illness, shall be granted in every case where it is certified by the medical officer that the illness was actual, and not feigned, or was not the result of misconduct.

Employment.

Retrictions on employment of prisoners.

36. A prisoner may be employed in the service of the prison, but shall not be employed in the discipline thereof, or in the service of any officer or servant thereof, or in the service or education of any other prisoner.

Hours of work.

37. Every prisoner, whether in separate confinement or on public works, shall, unless prevented by sickness, be employed every day in such work as the governor may appoint. The hours of work in each day shall not exceed ten, exclusive of the time allowed for meals.

Certificate as to fitness for labour.

38.—(1.) No prisoner shall be required to perform any labour of any description unless certified by the medical officer to be fit for such labour.

Employment of aged and weak prisoners.

(2.) An aged prisoner in weak health, or any prisoner suffering from physical or mental infirmity shall be employed on such work only and in such way as the medical officer may direct.

Employment on Sunday, &c.

39.—(1.) On Sunday, Christmas Day, Good Friday, and General Fast or Thanksgiving Days, the employment of a prisoner shall be confined to what is strictly necessary for the service of the prison.

(2.) A prisoner who is a Jew shall not be compelled to labour on his Sabbath or on such days of Festival as may be prescribed.

Health.

Exercise.

40. A prisoner, when employed in cellular or indoor work, shall, when practicable, be permitted to take exercise daily in the open air for an hour, or for any longer period which the medical officer may deem necessary for his health, having regard to the nature of the work and the state of health of any particular prisoner.

Religious Instruction.

41. Notice of the nomination of a chaplain to a prison shall, within one month after it has taken place, be transmitted to the Bishop of the diocese in which the prison is situate; and no chaplain shall officiate in any prison until he has obtained a licence for that purpose from the Bishop, nor for any longer time than while the licence continues in force.

Notice and licence from Bishop in case of appointment as Chaplain.

42.—(1.) A form of service selected from the Liturgy of the Established Church, shall be read daily by the chaplain or, in his absence, by the governor or such other person as may be approved by the directors, and at such times as may be fixed by the directors.

Prayers and religious services.

(2.) The chaplain shall read prayers and preach a sermon in the chapel or other appointed place both morning and evening, on every Sunday in the year, and also on every Christmas Day and Good Friday, and on every day appointed for a general fast or thanksgiving, at such hours as may be prescribed.

(3.) The chaplain shall administer the Holy Sacrament of the Lord's Supper on suitable occasions to such prisoners as shall be desirous and as he may deem to be in a proper frame of mind to receive the same.

(4.) Prisoners shall attend prayers or religious services whenever performed, unless allowed by the governor to be absent for sufficient reason, or unless their attendance is dispensed with by the board of visitors or the directors. This rule shall not apply to any prisoner who is attended or visited by a minister of a church or persuasion differing from the Established Church. And no prisoner shall be compelled to attend any religious service held or performed or any religious instruction given, by the chaplain, minister, or religious instructor of a church or persuasion to which the prisoner does not belong.

43. The chaplain shall at once communicate to the governor and if necessary to the directors any abuse or impropriety in the prison which may come to his knowledge.

Duty to communicate abuses.

44. The chaplain shall keep a journal of occurrences of importance connected with his duties, and shall enter therein such matters, and keep such other records and make such reports, as may be ordered.

Duty to keep journal.

45. The chaplain shall, as soon as possible after the 31st March in each year, send to the directors a report with reference to the year ended on that day on the religious and moral condition of the prisoners, the result of the instruction given in the schools, and such other matters belonging to his department as he may be desired to report on. He shall report periodically, and from time to time, for the information of the directors, on such points connected with his department as he may think it desirable to bring before them, or as they direct. He may at any time offer any suggestion for improvements or for the advantage of the service, and need not reserve it for his annual report.

Annual and periodical reports.

Daily attendance at prison.

46. The chaplain shall attend the prison daily, recording in his journal the times of his arrival and departure, as well as of his presence in the chapel, and the duties he performed.

Duties of chaplain as to prisoners.

47.—(1.) The chaplain shall see and admonish the prisoners on admission and discharge. It shall also be his duty to see each prisoner individually from time to time during the period of his sentence, and he shall use his best endeavours to promote the reformation of the prisoners under his spiritual charge.

(2.) The chaplain shall read prayers to the sick in the infirmary daily, and shall daily visit any prisoner under punishment.

(3.) The chaplain is expected to allot a considerable portion of his time to visiting, admonishing, and instructing the prisoners, and shall attend at all reasonable times any prisoners who may require spiritual advice and assistance.

(4.) This rule does not apply to prisoners who are visited by a prison minister.

Burial service.

48.—(1.) The chaplain or the assistant chaplain shall read the burial service at the funeral of any prisoner of the Established Church who may die in the prison in case provision for the reading of such service is not otherwise made.

As to employment on discharge.

49. The chaplain shall, in conjunction with the governor, use his best endeavours to provide for the employment of prisoners on discharge.

Substitute.

50. In case of absence from the prison on leave, the chaplain shall name a substitute, to be approved by a director. He may, subject to the approval of a director, accept the occasional assistance of a clergyman in the discharge of any part of his duties in the chapel, inserting the name of that clergyman in his journal.

Duty to conform to rules.

51. The chaplain shall conform to the rules and regulations of the prison, and shall not interfere with the working of them as regards the safe custody, discipline, and labour of the prisoners, but shall support the governor in the maintenance thereof.

Assistant chaplain.

52. The assistant chaplain shall act under the orders of the chaplain, and shall be competent to perform any duty required to be performed by the chaplain, and when either the chaplain or assistant chaplain is absent from the prison, the other shall perform his duties. Subject as aforesaid, the rules as to the chaplain shall apply also to the assistant chaplain.

Visits by ministers of particular denominations.

53. If any prisoner, who is of a religious persuasion different from that of the Established Church specially so requests, the governor shall permit a minister of that persuasion to visit him at proper and reasonable times, under regulations approved by the directors. The governor shall cause such prisoners to be made acquainted with this privilege on their admission..

54. A prisoner will not be allowed to change his religion except in any special case in which a member of the board of visitors or a director is satisfied after due inquiry that the change is proposed from conscientious motives, and is not sought from any idle whim or caprice, or from a desire to escape from any prison regulations. Change of religion.

55. A prison minister, that is to say, a minister of any denomination other than the Established Church, appointed to attend any prison, may, when absent on leave or from any unavoidable cause, appoint a substitute with the consent of a director. Power for prison minister to appoint substitute.

56. A prison minister shall be made acquainted with the names of all prisoners of his persuasion, and with such other particulars respecting them as are necessary for the performance of his duties. Information to be given to prison minister.

57. Convenient hours shall be appropriated by the governor during which the prison minister shall have access to prisoners of his persuasion for the purpose of affording to them religious instruction, but he shall not hold communication with any prisoners other than those of his own persuasion. Access by prison minister to prisoners.

58. A prison minister shall perform divine service at such times as may be appointed, if it appears to the directors that there is a substantial number of prisoners to attend and the circumstances of the prison admit of the necessary arrangements for the purpose being made. Performance of divine service.

59.—(1.) A prison minister shall, so far as practicable, see and admonish every prisoner of his persuasion, both on admission and on discharge. Duties of prison minister as to prisoners.

(2.) A prison minister shall visit the sick prisoners of his persuasion, and those who are under punishment or under special discipline, as the exigencies of each case may require.

60. A prison minister shall have access to the catalogue of books to be issued to prisoners, and no book to which he makes objection shall be issued to any prisoner of his persuasion. Powers as to books.

61. A prison minister shall himself conform to the rules of the prison, and shall not interfere with the working of them, as regards the security, discipline, and labour of the prisoners, but shall support the governor in the maintenance of discipline and order. Conformity to rules.

62. No books or printed papers shall be admitted into any prison for circulation among the prisoners unless approved by the directors; and no books or printed papers intended for the religious instruction of prisoners belonging to the Established Church shall be admitted without the concurrence of the chaplain; provided that if there is a difference of opinion between the chaplain and the directors with respect to books or printed papers proposed to be admitted for the religious instruction of Rules as to books and printed papers.

a prisoner belonging to the Established Church, a reference may be made by the directors to the bishop of the diocese, whose decision on this class of books or printed papers shall be final. Subject to the permission of the directors as aforesaid, all books or printed papers admitted into any prison for the religious instruction of prisoners belonging to any other persuasion, and who are visited by a minister of that persuasion, shall be approved by that minister. The governor shall keep a catalogue of all books and printed papers admitted into the prison.

Supply of Bible and Prayer Book.

63. Each prisoner shall be furnished with a Bible and Prayer Book, such as is approved for the denomination to which he belongs.

Instruction.

Provision for instruction.

64. Provision shall be made in every prison for the instruction of prisoners in reading, writing, and arithmetic, during such hours and to such extent as may be appointed. It will be the duty of the chaplain to give daily his personal superintendence to that instruction.

Library books and books of instruction.

65.—(1.) A library shall be provided in each prison, consisting of books sanctioned by the directors, and no books other than those supplied to the prison library, shall be permitted for the use of prisoners, except in pursuance of special authority.

(2.) A prisoner during the first month of his sentence shall be allowed books of instruction in addition to the usual religious books.

(3.) A prisoner, after the first month of his sentence, shall, in addition to the usual books of instruction, secular and religious, be allowed library books, and the frequent exchange of such books shall be allowed according to his conduct and industry.

Penalties for failure to profit by instruction.

66. Prisoners who do not do their best to profit by the instruction afforded them may be deprived of any privileges, in the same way as if they had been idle or negligent at labour.

Visits and Communications.

General provisions as to visits and letters.

67.—(1.) Communications between prisoners and their friends by visits and letters will be allowed in accordance with the following rules, subject to restrictions imposed for the maintenance of discipline and order in the prison.

(2.) A prisoner will not be allowed to communicate with his friends when not entitled to do so by the rules, except by special permission; but, under urgent or pressing circumstances not admitting of delay, the governor may grant permission, which he shall record in his journal.

(3.) A prisoner, on conviction, shall be allowed to communicate with his friends by letter, and receive a visit, and after four months of the term of his sentence have expired, shall, provided his conduct and industry have been satisfactory, be allowed to

communicate with his relatives and respectable friends by letter, and to be visited by them in the prison, and this privilege shall be gradually increased according to his conduct and industry until the interval shall be reduced to one month. On reception into a convict prison, he shall be allowed to write a letter and receive a reply. Not more than three persons shall be admitted to visit a prisoner at one time. No other person shall be allowed to communicate with a prisoner except by special authority. These privileges may be forfeited at any time for idleness or misconduct or breach of the regulations of the prison.

(4.) The governor may allow any prisoner who is entitled to a visit to write a letter and receive a reply in lieu of such visit should his friends be unable to visit him; and also to allow any prisoner to write a special letter and to receive a reply under any of the following circumstances:—

(*a.*) The death of a near relative.

(*b.*) To give instructions as to his business or family affairs of an urgent nature.

(*c.*) To make arrangements for obtaining employment or assistance from friends on release.

(5.) The governor may at any time communicate to a prisoner or to his friends any matter of importance to such prisoner in case he should not be entitled to write or receive a letter.

(6.) A barrister or solicitor conducting any legal proceedings, civil or criminal, in which a convict is a party, or bonâ fide acting as legal adviser to the convict in any legal business, will be allowed to see the convict with reference to such business in the sight, but not in the hearing, of an officer.

(7.) Male prisoners shall be visited in the presence of a male officer; female prisoners in the presence of a female officer.

(8.) No person shall be allowed to visit a prisoner on a Sunday, except in cases of emergency.

Powers of governor as to visitors.

68.—(1.) The governor may demand the name and address of any visitor to a prisoner; and when he has any ground for suspicion may search or cause to be searched male visitors, and may direct a female officer to search female visitors, the search not to be in the presence of any prisoner or of another visitor; and, in case of any visitor refusing to be searched, the governor may deny him or her admission. The governor shall enter in his journal the grounds of any such proceeding, with the particulars thereof.

(2.) If there are reasonable grounds for suspecting that any person who comes to the prison for the purpose of seeing a prisoner brings in or takes out any articles for an improper purpose, or contrary to the prison rules, or that his conduct may tend to subvert the discipline or good order necessary to be maintained in the prison, the governor may suspend his visit, and remove him from the prison, duly recording the fact in his journal and reporting it to the directors.

Prisoners' letters.

69. Every letter to or from a prisoner shall be read by the governor or deputy governor; and if the contents are objectionable it shall not be forwarded, or the objectionable part shall be erased according to discretion.

Intercourse between prisoners.

70. The governor shall, subject to the provisions of these rules, prevent all intercourse or communication between the prisoners, so far as the conduct of the business of the prison or the labour of the prisoners will permit, and shall take care that all intercourse or communication between them shall be conducted in such manner only as he may direct: But the privilege of talking may be given after a certain period as a reward for good conduct on certain days, for a limited time, and under reasonable supervision, to such long-sentenced prisoners as have conducted themselves well, and who desire the privilege and are not deemed unsuitable for it.

Offences and Punishments.

Persons authorised to award punishments.

71. No punishment or privation of any kind shall be awarded to a prisoner by any officer of the prison except the governor, or in his absence the officer appointed to act for him.

Offences against prison discipline.

72. A prisoner shall be guilty of an offence against prison discipline if he—

(1.) Disobeys any order of the governor or of any other officer, or any prison rule.

(2.) Treats with disrespect any officer or servant of the prison, or any visitor, or any person employed in connection with the prison or works.

(3.) Is idle, careless, or negligent at work, or refuses to work.

(4.) Is absent without leave from Divine service, or prayers, or school instruction.

(5.) Behaves irreverently at Divine service or prayers.

(6.) Swears, curses, or uses any abusive, insolent, threatening, or other improper language.

(7.) Is indecent in language, act, or gesture.

(8.) Commits a common assault upon another prisoner.

(9.) Converses or holds intercourse with another prisoner without authority.

(10.) Sings, whistles, or makes any unnecessary noise, or gives any unnecessary trouble.

(11.) Leaves his cell or other appointed location, or his place of work, without permission.

(12.) In any way disfigures or damages any part of the prison, or any article to which he may have access.

(13.) Commits any nuisance.

(14.) Has in his cell or possession any article he is not allowed to have.

(15.) Gives to or receives from any prisoner any article whatever without leave.

(16.) In any other way offends against good orders and discipline.

(17.) Attempts to do any of the foregoing things.

Powers of governor as to offences against prison discipline.

73. The governor may examine any person touching any alleged offence against prison discipline, and determine thereupon, and punish the offence.

Punishment which may be imposed by governor.

74. For any offence with which the governor is competent to deal, he may order a prisoner to be punished by—

(*a.*) Close confinement for any period not exceeding three days.

(*b.*) No. 1 diet for ill-conducted and idle prisoners for a period not exceeding three days.

(*c.*) No. 2 diet for ill-conducted and idle prisoners for a period not exceeding 21 days, with intervals as laid down in the rules for dietaries.

(*d.*) No. 3 diet for ill-conducted and idle prisoners for a period not exceeding 42 days, with intervals as laid down in the rules for dietaries.

(*e.*) Reduction from a higher stage to a lower stage, or postponement of promotion to a higher stage for a period not exceeding three months.

(*f.*) Deprivation of mattress for any period not exceeding three days for idleness for refusing to work.

(*g.*) Forfeiture of remission of sentence for a period not exceeding 14 days.

Powers of director as to offences against prison discipline.

75. If any prisoner is charged with any serious or repeated offence for which the punishment the governor is authorised to inflict is deemed insufficient, or is charged with any offences with the aggravations mentioned in this rule, the governor shall, without loss of time, report the same to a director, who is empowered after inquiry into the same on oath, to determine concerning any matter so reported to him, and to order the offender to be punished. The offences referred to above are:—

(1.) Personal violence to a fellow prisoner.

(2.) Grossly offensive or abusive language to any officer or servant of the prison.

(3.) Wilfully or wantonly breaking the prison windows, or otherwise destroying the prison property.

(4.) When under punishment, wilfully making a disturbance tending to interrupt the order and discipline of the prison.

(5.) Any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.

(6.) Escaping or attempting to escape from prison.

Punishments which may be imposed by director.

76. A director may order a prisoner to be punished by—

(*a.*) Close confinement for a period not exceeding 28 days.

(*b.*) No. 1 diet for ill-conducted and idle prisoners for a period not exceeding 15 days, with intervals as laid down in the rules for dietaries.

(*c.*) No. 2 diet for ill-conducted and idle prisoners for a period not exceeding 42 days, with intervals as laid down in the rules for dietaries.

(*d.*) No. 3 diet for ill-conducted and idle prisoners for a period not exceeding 84 days, with intervals as laid down in the rules for dietaries.

(*e.*) Separate confinement for any term not exceeding six months.

(*f.*) Forfeiture of the privilege of remission of sentence or of the privileges of any stage.

Powers of Board of Visitors as to prison offences.

77. If any prisoner is charged with any of the following offences the governor shall, without loss of time report the same to the directors, who will specially summon and cause not less than three members of the Board of Visitors to assemble and inquire into the charges, as provided by Section 5 of the Prison Act, 1898:—

(1.) Mutiny or incitement to mutiny.

(2.) Gross personal violence to any officer or servant of the prison.

Powers of Board of Visitors as to punishments.

78.—(1.) The Board of Visitors, or one of them, shall for the purpose of punishment, have all the powers of a director.

Corporal punishment.

(2.) The Board of Visitors shall also have power to award corporal punishment, as provided by Section 5 of the Prison Act, 1898.

(3.) Whenever an order for corporal punishment is made, the authorities by whom the order is made shall forthwith furnish to the directors, for transmission to the Secretary of State, a copy of the notes of evidence, and a report of the sentence and of the grounds on which it was passed; and such order shall not be carried into effect until it has been confirmed by the Secretary of State.

Opportunities for defence.

79. A prisoner shall not be punished until he has had an opportunity of hearing the charges and evidence against him and of making his defence.

Record of punishments.

80. The governor shall enter in the Report and Punishment Sheet a statement of the nature of any offence punished by him or the Board of Visitors, with the addition of the name of the offender, the date of the offence, and the punishment inflicted, and the record shall be submitted to the directors for review at the end of every week.

Medical certificates.

81. Dietary punishment shall not be inflicted on any prisoner, nor shall he be placed in separate or close confinement, nor shall corporal punishment be inflicted, unless the medical officer has certified that the prisoner is in a fit condition of health to undergo the punishment.

82. All corporal punishments within the prison shall be attended by the governor and the medical officer. The medical officer shall give such orders for preventing injury to health as he may deem necessary, and it shall be the duty of the governor to carry them into effect, and the governor shall enter in the Punishment Book the hour at which the punishment is inflicted, the number of lashes or strokes ordered, and any orders which he or the medical officer may have given on the occasion. **Duties of governor and medical officer as to punishments.**

83. Corporal punishment, in the case of a prisoner over 18 years of age, shall be inflicted either with a cat-o'-nine-tails or with a birch rod, and in the case of a prisoner under 18 years of age, with a birch rod. The instrument in either case shall be of a pattern approved by the Secretary of State. **Rules as to corporal punishment.**

84. The number of lashes or strokes inflicted on a prisoner over 18 years of age shall not exceed 36, or on a prisoner under 18 years of age, 18. **Number of lashes.**

85. The order for corporal punishment shall be duly entered in the prescribed manner, and the number of lashes or strokes, and the instrument with which they are to be inflicted, shall in all cases be stated in the order. **Entry of order.**

86.—(1.) Any prisoner who assaults or attempts to assault any person, or who escapes or attempts to escape, may, by order in writing of a director, be made to wear a distinctive dress, and be restrained in leg chains or cross irons for any period not exceeding six months. **Use of irons and other means of restraint.**

(2.) For violence or insubordination, a prisoner may, if necessary, be restrained by the governor, in hand-cuffs, for not more than twenty-four hours, or, in the case of an invalid prisoner, with the concurrence of the medical officer, by the body belt; and the use of these restraints shall be recorded by the governor in his journal.

(3.) Irons or other means of restraint shall not be used except of such patterns and in such manner as may be approved by the Secretary of State.

Prison Officers.

87. Every officer of a prison shall hold his office during the pleasure of the Secretary of State. **Tenure of office.**

88. An officer shall not have any pecuniary or other dealing whatsoever with or on behalf of any prisoner, or employ any prisoner on his private account. **Dealings with prisoners.**

89. An officer shall not allow any prisoner under his charge to be employed, directly or indirectly, for the private benefit or advantage of any person, or in any way not in conformity to the prison rules. **Duties as to employment of prisoners.**

90. An officer of a prison shall not sell or let, nor allow to be sold or let, nor be interested in the selling or letting of, any article to any prisoner. **Prohibition of sale to prisoners.**

Contracts.

91. An officer shall not directly or indirectly have any interest in any contract for the supply of the prison; nor shall he receive, directly or indirectly, under any pretence whatsoever, any fee or gratuity or present from any contractor, or person tendering any contract with the establishment, or from any person whatever in relation to anything connected with the service of any prison.

Gratuities.

92. No officer of a prison shall at any time receive any money, fee, or gratuity of any kind for the admission of any visitors to the prison or to prisoners, or from or on behalf of any prisoner, on any pretext whatever.

Provisions as to female prisoners.

93. Female prisoners shall in all cases be attended by female officers. A male officer shall not enter a prison or division of a prison appropriated to female prisoners except on duty, nor unless accompanied by a female officer.

Obligation to obey directions.

94. All officers of the prison shall obey the directions of the governor, subject to the prison rules, and all subordinate officers shall perform such duties as may be directed by the governor, with the sanction of the directors, and the duties of each subordinate officer shall be inserted in a book to be kept by him.

Duties as to custody of prisoners.

95. An officer shall not be absent from the prison without leave from the governor. He shall use the utmost vigilance to insure the safe custody of the prisoners, and shall not take any key of the prison outside the gate.

Subordinate officers.

96.—(1.) A subordinate officer shall not receive any visitors within the prison without permission of the governor.

(2.) A subordinate officer shall frequently examine the state of the cells, bedding, locks, bolts, &c., and shall seize all prohibited articles, and deliver them to the governor forthwith.

Officers' quarters.

97.—(1.) Every officer shall occupy such quarters as may be assigned to him.

(2.) If an officer is discharged or dismissed, or resigns, he shall immediately give up the quarters he has occupied. Any officer who occupies quarters shall at any time vacate them if required to do so. On the death of an officer, his family shall give up his quarters when required to do so.

(3.) An officer occupying Government quarters shall not keep a shop or a school or let lodgings therein, nor shall any subordinate officer permit any person not being a regular member of his family to remain for the night in his quarters without the permission of the governor, which permission the governor shall record in his journal.

Gatekeeper.

98. The officer acting as gatekeeper shall examine all articles carried into or out of the prison, and may stop any person suspected of bringing in spirits or other prohibited articles into the prison, or of carrying out any property belonging to the prison, giving immediate notice thereof to the governor.

99. It is the duty of all officers to treat prisoners with kindness and humanity, to listen patiently to and report their complaints or grievances, at the same time being firm in maintaining order and discipline, and enforcing complete observance of the rules and regulations of the prison. The great object of reclaiming the criminal should always be kept in view by all officers, and they should strive to acquire a moral influence over the prisoners, by performing their duties conscientiously, but without harshness. They should especially try to raise the prisoners' minds to a proper feeling of moral obligation, by the example of their own uniform regard to truth and integrity, even in the smallest matters. General duties of officers.

100. An officer shall, without delay, inform the governor of any prisoner who desires to see him, or to make any complaint or to prefer any request to him or to any superior authority. Duty to give information to governor.

101. It is the duty of every officer to direct the attention of the governor to any prisoner who appears to be out of health, although he does not complain, or whose state of mind appears to be deserving of special notice and care, in order that the opinion and instructions of the medical officer may be taken on the case. Duties as to prisoners out of health.

102.—(1.) Officers shall at all times carefully watch the prisoners in their various movements and employments, shall give the necessary directions thereon, and shall use the utmost alacrity and vigilance to promote industry, and to maintain order and silence among them and to prevent the escape of any prisoner. Duties as to supervision

(2.) Officers shall carefully observe the character, habits, and industry of the prisoners under their charge, and shall carefully and impartially keep such records as may be ordered, and shall afford at all times to their superiors unreserved information on such subjects.

103.—(1.) An officer shall not strike a prisoner, unless compelled to do so in self-defence. Rules as to striking prisoners or using force or inflicting punishment.

(2.) In any case in which the application of force to a prisoner is needful, no more force than is necessary shall be used.

(3.) An officer shall not inflict any punishment or privation of any kind upon any prisoner unless ordered by the governor.

104. An officer shall not fail on any pretence whatever, through favour, or mistaken notions of kindness, to make an immediate report to the governor or other his superior officer, of any misconduct or wilful disobedience of orders. Duties as to reporting misconduct

105.—(1.) An officer shall not allow any familiarity on the part of a prisoner towards himself or any other officer or servant of the prison, nor shall he on any account speak of his duties, or of any matters of discipline or prison arrangement, within the hearing of a prisoner. Familiarity with prisoners or intercourse with their friends forbidden.

(2.) An officer shall not speak to a prisoner unnecessarily, nor shall he, by word, gesture, or demeanour, do anything which may tend to irritate any prisoner.

(3.) An officer shall not correspond with or hold any intercourse with the friends or relatives of any prisoner, unless expressly authorised by the governor.

Communications as to prisoners or prison matters forbidden.

106.—(1.) An officer shall not make any unauthorised communication concerning the prison or prisoners to any person whatever, and shall not, without authority, communicate to the public press information derived from official sources or connected with his duties or the prison, and any such communication by an officer without authority will be regarded as a breach of confidence and will render him liable to dismissal.

(2.) An officer shall not publish a book on matters relating to the prison department without the sanction of the Secretary of State.

Duties as to rules and orders.

107. An officer will be held responsible for being fully acquainted with the rules and orders relating to his duties. He shall strictly conform to and obey the orders of the governor in every respect, and shall assist him in maintaining order and discipline among the prisoners.

Duty to superiors

108. Every officer shall treat members of the Board of Visitors with the greatest courtesy and respect, and shall at all times treat his superiors with respect. He shall be respectful to the authorities of other departments of government, and shall afford all proper assistance to those with whom his duty calls on him to co-operate; taking care, in so doing, not to lose sight of the rules and regulations of the prison, or of the special orders he may receive from the prison authorities.

Appeal against decision.

109. An officer desiring to appeal against any decision which affects him, or wishing to bring any matter before superior authority shall, without unnecessary delay, state his complaint to the governor for the consideration of the directors.

Duty when under suspension.

110. An officer who is suspended from duty for misconduct shall immediately give up his keys and quit the prison, but shall afterwards attend daily at the prison at such hour as the governor may appoint until otherwise directed.

Tobacco and spirituous liquors.

111. An officer shall not use tobacco or spirituous or fermented liquors within the prison walls, except under such restrictions as to time and place as may be laid down by the governor, and approved by a director.

Prohibited articles.

112. If an officer, contrary to orders, brings in or carries out, or endeavours to bring in or carry out, or knowingly allows to be brought in or carried out, to or for any prisoner, any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever, he shall be forthwith suspended from his office by the governor of the prison, who shall report the offence to the directors.

113. An officer may, if the terms of the contract permit it, purchase from any contractor provisions for the use of himself and his family at the contract rates. Purchases from contractor.

Governor.

114. The governor shall reside in the house assigned to him. Residence.

115. The governor shall strictly conform to the law relating to prisons and to the prison rules, and shall be responsible for the due observance of them by others. He shall observe the conduct of the prison officers, and enforce on each of them the due execution of his duties, and shall not permit any subordinate officer to be employed in any private capacity, either for any other officer of the prison or for any prisoner. Duty to conform to law, rules, &c., and to supervise officers.

116. The governor, in case of misconduct, may suspend any subordinate officer, and shall report the particulars without delay to the directors. Power to suspend officers.

117.—(1.) The governor shall visit and inspect daily the wards, cells, yards, and divisions of the prison; also the bakehouse, kitchen, and workshops, and every cell or other place in which any prisoner is undergoing punishment or special discipline, or charged with any offence, and as far as practicable shall see every prisoner once at least in every twenty-four hours. It shall be his duty to visit daily all prisoners while employed on public works, and see that they are industrious, and that all orders respecting the application of labour are duly enforced; and in default of such daily visits and inspections, he shall state in his journal how far he has omitted them, and the cause thereof. Duties as to inspecting prison and prisoners.

(2.) When visiting the prison in which female prisoners are kept he shall be attended by a female officer.

118. The governor shall take every precaution to prevent the escape of prisoners, and shall take care that all officers are well instructed as to their duties and responsibilities in this respect, and vigilant in fulfilling them. Duties as to precautions to prevent escape.

119. The governor shall require reports to be made to him accounting for all prisoners in his custody night and morning at the closing and opening of the prison respectively, at such hours as they go to and return from labour, and at such other times as may be necessary. Duties as to requiring reports.

120. The governor shall assure himself that all gates are locked at the proper times, and that all keys of the prison are kept in the authorised place or in the possession of the authorised officers, and he shall not allow any key of the prison to be taken outside the gate. Duties as to locking up of gates and custody of keys.

121. The governor and the deputy governor shall, each, at least once during the week, go through every part of the prison at an uncertain hour of night; which visits, with the hour and state of the prison at the time, the governor shall record in his journal. Duties as to night visits.

Omission of any duty to be recorded in journal.

122. If the governor omits to perform any duty or routine prescribed he shall record such omission in his journal with the cause thereof.

Duties as to making prisoners acquainted with rules.

123.—(1.) The governor shall cause an abstract, approved by the Secretary of State, of the regulations relating to the treatment and conduct of prisoners, with a copy of the prison dietaries (printed in legible characters) to be posted in each cell, and shall read them or cause them to be read to every prisoner who cannot read within twenty-four hours after his admission.

(2.) The governor shall take an early opportunity of seeing all prisoners after their admission, and satisfy himself that they understand the rules and regulations to which they are required to conform, the privileges they may gain by industry and good conduct, and the consequences of idleness and misconduct.

Duty to call attention of medical officer to prisoners requiring his attention.

124.—(1.) The governor shall without delay call the attention of the medical officer to any prisoner whose state of mind or body appears to require attention, and shall carry into effect the written directions of the medical officer respecting alterations of the discipline or treatment of any such prisoner.

(2.) The governor shall notify to the medical officer without delay the illness of any officer or prisoner, and shall furnish to him daily a list of the prisoners reported sick in the prison.

Duty to provide chaplain and medical officer with list of prisoners under punishment.

125. The governor shall daily provide for the chaplain and the medical officer a list of prisoners under punishment.

Duty to visit infirmary daily.

126. The governor shall visit the infirmary daily, and see all prisoners therein, and shall take care that proper arrangements are made for the safe custody of the sick prisoners, and that discipline is maintained, so far as is consistent with the medical treatment prescribed for them. He shall on all occasions support the medical officer in the performance of his duties.

Duty as to notices of death of prisoner.

127. Upon the death of a prisoner the governor shall give immediate notice thereof to the coroner having jurisdiction, also to the Board of Visitors, the directors, and the nearest relative of the deceased, where practicable.

Duties as to inquests.

128.—(1.) The governor shall see that no officer of the prison, nor any prisoner, nor any person who is under contract to supply anything for the service of the prison, is a juror on any inquest held on the body of a prisoner who has died in his custody.

(2.) The governor shall supply to the coroner the name of any prisoner who tenders his evidence in the case of an inquest about to be held on the body of any prisoner.

(3.) The governor shall report to the directors in respect of any inquest on a prisoner the finding of the jury or other circumstances which may occur at the inquest.

129. The governor shall, without delay, report to the directors any case of insanity or apparent insanity occurring among the prisoners, or any case in which the medical officer is of opinion that the life of any prisoner will be endangered by further imprisonment, or that any sick prisoner will not survive his sentence, or is totally and permanently unfit for prison discipline, or has reason to believe that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment. Duties as to reporting cases of mental or physical disorder.

130.—(1.) The governor shall keep and be responsible for such books and records as may from time to time be prescribed. Duties as to books and records.

(2.) The governor shall enter in a book called the "Governor's Order Book," all his orders relative to the management and discipline of the prison, and shall cause such orders to be communicated to the proper officers.

131. The governor shall keep the prescribed records of the conduct of officers, and may fine subordinate officers and servants in any amount, not exceeding five shillings, for neglect of duty or other offence against the prison rules; and the fines shall be applied as may be directed by the directors. Power to fine officers.

132.—(1.) The governor shall not, without permission in writing from a director, be absent from the prison for a night, except from unavoidable necessity. If from unavoidable necessity he is absent for a night, and has not been able to obtain leave for such absence, he shall at once inform the directors of the fact, and the cause of it, and shall record it in his journal. He shall also enter his leave of absence, with the authority for it, in his journal. Before leaving the prison at any time, he shall give over the charge of it to the deputy governor, or to the officer acting in his place. Absence from prison.

(2.) When the governor is absent from the prison the deputy governor shall perform all his duties, and on such occasions the deputy governor shall be competent to perform any duty required to be performed by the governor.

(3.) If under any circumstances the governor and deputy governor are both absent, the charge of the prison shall devolve on the chief warder or senior principal warder, to whom it shall be regularly delivered over; but the omission of such delivery shall not justify such chief or principal warder in neglecting the charge, if he is aware that the governor and deputy governor are actually absent from the prison.

133. The governor may, if the terms of the contract permit it, purchase articles from any contractor, for the use of his family, at the contract rate; but, with this exception, he shall not have for his own use, or that of any other person, any dealings with any tradesman supplying the prison. Purchases from contractor.

134.—(1.) The governor shall take care that the labour of all the prisoners is made use of in such a way as to be to the best advantage to the public service, and shall not employ or allow Duties as to prisoners' labour.

to be employed any prisoner in any private work whatever, for himself or for any other officer of the prison.

(2.) The governor shall promote the useful employment and industrial training of the prisoners.

Duties as to identification of prisoners.

135. The governor shall use his best endeavours to assist in the identification of prisoners, and with that object shall furnish to the governors of other prisons and to the police any information in his power.

Admission of persons to the prison.

136.—(1.) The governor shall not allow any person besides the authorised officers to pass into or out of the prison after the gates are locked for the night, nor until the hour appointed for opening the prison on the following morning, except in some special case, which latter shall be entered in his journal.

(2.) Except under special circumstances, and as permitted by his instructions, the governor shall not allow any person, except a Judge of the High Court and the Bishop of the diocese, to enter the prison, or hold any communication with a prisoner, without a written order from the Secretary of State or a director.

(3.) The governor may examine all persons and vehicles going in or out of the prison, and may exclude any person who refuses to be examined.

(4.) The governor may remove from the prison any visitor to the prison or to a prisoner whose conduct is improper, recording the same in his journal.

Duties as to notifying cases to chaplain and medical officer.

137. The governor shall notify to the chaplain or prison minister and medical officer the case of any prisoner whose life is in danger, or whose state of health in mind or body appears to require their attention.

Duties as to carrying out recommendations of medical officer.

138.—(1.) The governor shall carry into effect the written recommendation of the medical officer for the alteration of the discipline or treatment of any prisoner, or for the supply of any additional articles to any prisoner on medical grounds.

(2.) The governor shall carry into effect the written recommendation of the medical officer for separating from the other prisoners any prisoner labouring, or suspected of labouring, under any infectious, contagious, or mental disease; and shall immediately take such steps as may be necessary to prevent the spread of any contagious or infectious disease.

Duties as to notifying dangerous illness of prisoner.

139. In any case in which the sickness of any prisoner has, in the opinion of the medical officer, assumed an aspect of danger, the governor shall whenever practicable inform the relatives of the prisoner thereof.

Duties as to sanitary condition of prison.

140. The governor shall pay attention to the ventilation, drainage, and sanitary condition of the prison, and take such measures as may be necessary for their being maintained in perfect order.

Duties as to prevention of fire.

141. The governor shall take care that proper precautions against fire are adopted, and that the fire engine and other appliances for the extinction of fire are at all times kept in good

order and ready for use. He shall take care that instructions are given as to the steps to be taken in case of fire, and that the officers concerned are acquainted with their duties on such occasions.

Duties as to reports, complaints, or applications.

142.—(1.) The governor shall hear reports every day at such hour as may be most convenient.

(2.) The governor shall take care that every prisoner having a complaint to make or request to prefer to him shall have ample facilities for doing so, and he shall redress any grievance, or take such steps as may seem necessary, recording the same in the prescribed manner.

(3.) The governor shall forward to the directors without delay any report or complaint which any officer of the prison desires to make to them, and shall on no account suppress it, but he may offer any explanation with it which it may seem to require.

(4.) The governor shall forward to the directors any report or complaint against an officer, with which he is not competent or willing to deal; but, in every such case, the officer shall be permitted to see the charge against him, and to reply to it, for the information of the director.

Duties in relation to Board of Visitors.

(5.) The governor shall inform the Board of Visitors of the desire of any prisoner to see them. He will afford any member of the Board of Visitors visiting the prison full information on all matters connected with the prison, and will give him free access to all parts of the prison and to all prisoners. He will acquaint the visitor that any prisoner whom he may wish to see, in addition to those who have applied to see him, will be brought before him, and that he may, if he prefers it, see such prisoners in their cells or in a room out of sight and hearing of prison officers.

(6.) The governor will lay before the Board of Visitors, or any one of them visiting the prison, any books of the prison that they may wish to see.

(7.) The governor shall inform a director of the desire of any prisoner to see him.

Duties as to prisoners under punishment.

143.—(1.) The governor shall see that every prisoner under punishment is visited during the day at intervals of not more than three hours by the appointed officer.

(2.) The governor shall take care that no prisoner is subjected to any punishment which the medical officer is not satisfied he is capable of undergoing.

(3.) The governor shall attend every corporal punishment inflicted within the prison; and he shall enter in his journal the hour at which the punishment was inflicted, the number of lashes or strokes given, and any order which he or the medical officer has given on the occasion.

(4.) The governor may, after the infliction of two-thirds of any sentence of corporal punishment, remit the remainder or any portion thereof.

Duties as to mechanical restraints.

144. In a case of absolute necessity he may put a prisoner in irons, as a restraint, but not as a punishment. If he considers it necessary to keep a prisoner in irons or under mechanical constraint for a longer period than 24 hours, he shall apply to a director, who may by order in writing direct the prisoner to be kept in irons for such period as he may think necessary, and this order shall be preserved by the governor as his warrant.

Conditions on which special permissions may be granted.

145. Before granting any permission for any purpose to any prisoner by authority of the rules applicable to the class to which the prisoner belongs, the governor shall satisfy himself that it can be granted without interfering with the security, good order, and government of the prison and the prisoners therein, and if after it has been granted its continuance seems likely to cause any such interference, or the prisoner has abused such permission or has been guilty of any misconduct, he may suspend or withdraw such permission. Further, where such permission has been granted by the Board of Visitors, he may, in the like circumstances, suspend it if the case is urgent, provided that he reports the suspension within 24 hours to them. He shall enter in his journal all cases, where such permission has been granted, suspended, or withdrawn, stating the reasons.

Duties as to letters to and from prisoners.

146. The governor or the deputy governor shall read every letter addressed to or written by a prisoner, and every such letter shall be marked with the initials of the governor or deputy governor, as the case may be. The governor shall use his discretion in communicating to or withholding from a prisoner at any time the contents of any letter addressed to the prisoner; but shall note in his journal every case in which he thinks it proper to withhold a letter which, according to the rules, might be communicated to or written by a prisoner.

Duties as to communicating with directors.

147.—(1.) The governor shall freely and confidentially communicate with the directors on all matters relating to the prison, apprising them of any occurrence of importance; and, in case of any emergency not sufficiently provided for in the rules, he shall apply to them, and conform to their orders; acting, if necessary, in the meantime, to the best of his own judgment, according to the circumstances of the case.

(2.) The governor may at any time offer any suggestion for improvements or for the advantage of the service, and need not reserve it for his annual report.

Duties as to attendance at divine service and reading prayers.

148.—(1.) The governor shall attend divine service in the prison whenever it is performed, inserting in his journal any omission, and the cause thereof. He shall see that the subordinate officers and prisoners attend such service as directed by the rules.

(2.) The governor shall deliver or cause to be delivered to the chaplain a list of prisoners absent from divine service, with a statement of the causes of their absence.

(3.) If no clergyman is present as a substitute in the absence of the chaplain, the governor, or such other person as may be approved by the directors, shall read the daily prayers, and the governor shall record the fact in his journal.

Duties as to education and reformation of prisoners.

149.—(1.) The governor shall use his best endeavours to promote the efforts made to advance the education of the prisoners.

(2.) The governor shall assist with his influence and authority the exertions of the chaplain for the reformation of the prisoners.

Annual report.

150. The governor shall submit to the directors, as soon as possible after the 31st March in each year, a report in writing, specifying, with reference to the year ended on that date, the conduct of the subordinate officers; the number of prisoners admitted to his custody, and their disposal; the conduct of the prisoners, and the number of punishments and restraints imposed on them; the number of escapes or attempts at escape; the labour in which the prisoners have been employed; the particulars of their labour and the value thereof; the state and condition of the buildings, fences, &c.; the repairs or alterations which have been made in the prison buildings; and such other particulars as may be directed; together with a certificate, signed by himself, stating whether the rules laid down for the government of the prison have been complied with in every instance, except in such cases as have been distinctly reported to, or brought under the notice of, a director.

Duties as to discharged prisoners.

151. The governor shall use his endeavours by communicating with discharged prisoners' aid societies and otherwise, to assist in providing prisoners with employment on their discharge in order to prevent them from falling again into crime.

Lady Superintendent.

Residence.

152. The lady superintendent or senior female officer shall reside in the prison. She shall have the care and superintendence of the whole of the female prisoners. The keys of all the locks of the female prison shall be kept in her custody.

Duties as to inspecting prisons and prisoners.

153. The lady superintendent shall, so far as practicable, visit and inspect every part of the prison occupied by females, and see every female prisoner once at least in every twenty-four hours, and in default of such daily visits and inspections she shall state in her journal how far she has omitted them, and the cause thereof. She shall, at least once during the week, go through every such part of the prison at an uncertain hour of the night, and this visit, with the hour and state of the part visited at the time, shall be recorded in her journal.

Absence from prison.

154.—(1.) The lady superintendent shall not be absent from the prison for a night without permission in writing from a director on the recommendation of the governor.

(2.) Whenever the lady superintendent is absent, her duties shall, with the approval of the governor, be performed by the senior qualified female officer, to whom she shall give over all charge; and that officer shall have all the powers and perform all the duties of the lady superintendent.

Duties as to keeping journal.

155. The lady superintendent shall keep a journal in which she shall record all occurrences of importance within her department, and lay it before the governor daily.

Duties as to male visitors.

156. The lady superintendent shall take care that no male officer or visitor enters the division of the prison allotted to females unless accompanied by herself or some other female officer.

Medical Officer.

Duties as to residence and attendance.

157. The medical officer shall reside in the house assigned to him, and attend all sick prisoners, and all officers and servants of the prison, resident at the prison or within such distance as may be prescribed by the directors. He shall also attend the families of officers and servants of the prison, subject to such conditions and limitations as may be prescribed by the directors.

Duties as to rules and regulations.

158. The medical officer shall himself conform to the rules and regulations of the prison, and shall support the governor in the maintenance of discipline and order and the safe custody of the prisoners.

Duties as to visiting prison and prisoners.

159.—(1.) The medical officer shall visit the prison at least once every day and shall see every prisoner at least once a week, so as to ascertain his general state of health, and whether he is clean in his person, and free from disease.

(2.) The medical officer shall every day see such prisoners as complain of illness, reporting to the governor in writing their fitness or otherwise for labour. He shall daily visit the sick in the infirmary at such times as may be necessary. He shall attend at once on receiving information of the serious illness of any prisoner or officer.

(3.) The medical officer shall once every day, or oftener, visit every prisoner under punishment, or under special discipline, or any other prisoners to whom his attention is specially directed.

(4.) The medical officer shall examine every prisoner on reception, and shall record his state of health, and such facts connected therewith as may be directed.

(5.) The medical officer shall frequently examine the washing-places, baths, and other provision for purposes of cleanliness or sanitation, and see whether they are in efficient working order, and report at once to the governor any defect or insufficiency therein.

Duties as to monthly inspections.

160. As early as practicable in every month, he shall inspect every part of the prison, for the purpose of ascertaining that

nothing exists therein likely to be injurious to the health of the prisoners, and especially that the ventilation is sufficiently provided for and properly attended to. The result of this inspection shall be recorded in his journal.

Duties as to inspection of food, &c.

161. The medical officer shall frequently inspect the food of the prisoners, cooked and uncooked, and shall report to the governor as to the quality of the provisions; and also as to sufficiency of clothing, bedding, any deficiency in the quantity or defect in the quality of the water, or any other cause which may affect the health of the prisoners.

Duties as to journal.

162.—(1.) The medical officer shall enter, in the English language, day by day, in his journal, to be kept in the prison, an account of the state of every sick prisoner, the name of his disease, a description of the medicines and diet, and any other treatment which he orders for such prisoner.

(2.) The medical officer shall also record such matters connected with his duties as may be directed.

Duties as to special observation of prisoners and reports as to mental and physical disorder.

163.—(1.) When the medical officer has any reason to suspect that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment, he shall take the prisoner under his special observation; and should there be good reason to believe that, either from the conduct of the prisoner, or from his manner and habits, there are signs of incipient insanity he shall report the circumstances to the governor for the information of the directors, stating, in cases of doubt, whether he desires any special or additional advice.

(2.) Whenever the medical officer has reason to believe that a prisoner's health is likely to be injuriously affected by the discipline or treatment, he shall report the case in writing to the governor, together with such recommendations as he thinks proper, and he shall call the attention of the chaplain to any prisoner who appears to require his special notice.

(3.) The medical officer shall give notice to the governor and the chaplain when the sickness of any prisoner appears to him to assume an aspect of danger.

(4.) The medical officer shall report in writing to the governor the case of any prisoner to which he thinks it necessary on medical grounds to draw attention, and shall make such recommendation as he deems needful for the alteration of the discipline or treatment of the prisoner, or for the supply to him of additional articles.

(5.) Whenever the medical officer is of opinion that the life of any prisoner will be endangered by his continuance in prison, or that any sick prisoner will not survive his sentence, or is totally and permanently unfit for prison discipline, he shall state the opinion, and the grounds thereof, in writing, to the governor, who shall duly forward the same to the directors.

Power to call in additional aid.

164. If any case of peculiar difficulty or danger occurs, the medical officer may call in additional aid, referring previously to a director for approval, if the case will reasonably admit of such reference. No serious operation shall be performed without a previous consultation with another medical practitioner, except under very urgent circumstances not admitting of delay, which circumstances the medical officer shall record in his journal.

Particulars of death to be entered in ournal.

165. The medical officer shall, forthwith on the death of any prisoner, enter in his journal the following particulars, viz., at what time the deceased was taken ill, when the illness was first communicated to the medical officer, the nature of the disease, when the prisoner died, and an account of the appearances after death (in cases where a post-mortem examination is made), together with any special remarks that appear to him to be required.

Duties as to substitute.

166. The medical officer, if prevented from attending to his duties by illness, shall communicate the circumstance without delay to the governor, and shall, if necessary, submit, through him, to a director, the name and address of a substitute for approval; and shall in like manner, when applying for leave of absence, submit the name of a substitute who will perform his duties during such leave.

Conditions as to application of painful test.

167. Where the medical officer considers it necessary to apply any painful test to a prisoner to detect malingering or otherwise, the test shall only be applied by authority of an order from a director.

Duties as to examination of prisoners on removal.

168. When any prisoner is about to be removed from the prison, the medical officer shall duly examine him, and certify as to his fitness to leave the prison, and as to such other particulars regarding him as may be required.

Duties as to infectious cases, &c.

169. The medical officer shall give directions in writing for separating from the other prisoners any prisoner labouring under any infectious, contagious, or mental disease, or suspected thereof, and shall immediately take such steps as may be necessary to prevent the spread of any contagious or infectious disease.

Duties as to identification of prisoners.

170. The medical officer shall inform the governor of any particular point of which he may become aware in regard to the person of any prisoner which might assist in identifying him.

Duties as to prisoners sentenced to hard labour.

171. The medical officer shall examine every prisoner, and shall report if he is unfit to be kept at hard labour or at any particular kind of labour, and shall assist when called on, in assigning the task of labour acording to the physical capacity of a prisoner. He shall from time to time examine the prisoners during the time of their being employed at hard labour, and shall report and enter in his journal the name of any prisoner whose health he thinks to be endangered by a continuance at hard labour of any particular kind, and report the same to the

governor; and thereupon that prisoner shall not again be employed at such labour until the medical officer certifies that he is fit for such employment.

172. The medical officer shall have the general care of the health of the prisoners; and shall report to the directors, and make known to the governor, any circumstance connected with the prison, or the treatment of the prisoners, which at any time appears to him to require consideration on medical grounds. Duties as to health of prisoners.

173.—(1.) Before a prisoner is placed in close confinement, or is subjected to corporal or dietary punishment, the medical officer shall examine him, and certify whether or not he is fit for the punishment. Duties as to punishment of prisoners.

(2.) The medical officer shall attend every corporal punishment inflicted in the prison, and his instructions thereon for preventing injury to health shall be obeyed.

174.—(1.) The medical officer shall keep such statistical records and furnish such returns as may be directed relative to the health and medical treatment of officers and prisoners, and to the sanitary condition of the quarters of the officers and of the prison buildings. Duties as to statistical records, returns, and reports.

(2.) The medical officer shall report periodically, and from time to time as may be directed, on the general health and sanitary condition of the establishment, the health of the officers, their capability for performing their duties, the health of the prisoners, and in reference to any other point upon which he may be directed to report.

(3.) The medical officer shall submit to the directors, as soon as possible after the 31st March in each year, a report in writing, with reference to the year ended on that day, with statistics of sickness, mortality, removals on medical grounds, insanity, suicide, and hospital treatment among the prisoners, and such other particulars as may be directed.

(4.) The medical officer may at any time offer any suggestion for improvements or for the advantage of the service, and need not reserve it for his annual report.

175. Where a deputy medical officer is appointed to a prison he shall assist the medical officer in the performance of his duties as may be directed, and in his absence shall perform his duties. Duties of deputy medical officer.

PART II.

Board of Visitors.

Appointment and tenure.

176. The Board of Visitors appointed by the Secretary of State shall hold office for three years.

Chairman.

177. Each Board of Visitors shall, at their first meeting, appoint a chairman.

Filling of vacancies.

178. Their powers shall not be affected by vacancies. The Secretary of State shall, as soon as possible, fill any vacancy by making a new appointment.

Minutes.

179. They shall keep a book of minutes of their proceedings.

Visits.

180. One or more of them, shall, if possible, visit the prison once a month and they shall meet as a board as often as practicable.

Co-operation with directors.

181. They shall co-operate with the directors of convict prisons in promoting the efficient working of the prison, and shall make inquiry into any matter specially referred to them by the Secretary of State or the directors, and report their opinion thereon.

Duties as to abuses.

182. They shall take care that any abuses in connexion with the prison which come to their knowledge are brought to the notice of the directors immediately, and in case of urgent necessity they may suspend any officer of the prison until the decision of the directors is made known.

Duties as to adjudication on prison offences.

183. They shall hear and adjudicate on such prison offences as may be referred to them by the directors.

Duties as to complaints by prisoners, and access to prison and prisoners.

184. They shall hear and investigate any complaint which any prisoner may desire to make to them, and, if necessary, report the same, with their opinion, to the directors. They shall have free access to all parts of the Prison, and to all prisoners, and may see any such prisoners as they desire, either in their cells or in a room out of sight and hearing of prison officers.

Duties as to inspection of diets.

185. They shall occasionally inspect the diets of the prisoners, and if they find that the quality of any article does not fulfil the terms of the contract under which it is supplied, they shall report the circumstances to the directors, and note the same in their minute book, and the governor shall thereupon take such steps as may be immediately necessary to provide the prisoners with suitable food.

Power as to inspection of prison books.

186. They may inspect any of the books of the prison.

Powers as to letters and visits.

187. They may, in any case of special importance or urgency, allow a prisoner an additional visit or letter or prolong the period of a visit.

188. They shall make an annual report at the beginning of each year to the Secretary of State with regard to all or any of the matters referred to in these rules or to any other matters appertaining to the prison, and they shall make such reports to the directors as they consider necessary concerning any matter to which, in their opinion, the attention of the directors should be called. Annual report.

189.—(1.) They are requested to give such assistance as may be in their power towards securing the proper disposal of any gratuities which may be earned by prisoners, especially in places where there is no Discharged Prisoners' Aid Society, according to such instructions as may from time to time be issued. Duties as to prisoners' gratuities and arrangements for prisoners on discharge.

(2.) They are requested to devote special attention to prisoners about to be discharged, and to co-operate with the governor and chaplain with the object of securing that all reasonable steps are taken, so far as possible, to provide against a relapse into crime on the part of any prisoner where it might be averted, either by a judicious expenditure of his gratuity, or by communication with the Aid Society of the district to which the prisoner is going, or by correspondence with any charitable person or agency who, or which, appears likely, after personal communication with the prisoner, to assist him in his attempt to gain an honest living.

190. It will also be their duty to interest themselves especially in such classification of prisoners as may from time to time be established by the rules, and to co-operate with the governor in this and all other matters when their assistance and advice is likely to be of use to him. Duties as to classification of prisoners.

DRAFT OF PRISON RULES.

(CONVICT PRISONS.)

Draft of Rules proposed to be made Under the Prison Act, 1898.

(*Secretary*, Sir Matthew White Ridley.)

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