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The Naval Detention Quarters Rules, 1959

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The Admiralty in exercise of the powers conferred upon them by sections 81 and 82 of the Naval Discipline Act, 1957(a), and by section 17 of the Courts-Martial (Appeals) Act, 1951(b), and of all other powers them enabling, hereby make the following Rules:—

PART I

Preliminary

Citation and commencement

1. These Rules may be cited as the Naval Detention Quarters Rules, 1959, and shall come into operation on the 17th day of January, 1959.

Interpretation

2.—(1) The Interpretation Act, 1889(c), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(2) In these Rules, unless the context otherwise requires:—

"the Act" means the Naval Discipline Act, 1957;

"board of visitors" means the officers appointed by the commander-in-chief in accordance with Rule 10;

(a) 5 & 6 Eliz. 2. c. 53. (b) 14 & 15 Geo. 6. c. 46. (c) 52 & 53 Vict. c. 63.

"commander-in-chief" means the officer in chief command of a command in which naval detention quarters are situated;

"commanding officer" means the officer appointed by the Admiralty or by the commander-in-chief to command the naval detention quarters or the officer detailed by the commander-in-chief to act as the commanding officer's substitute when he is absent for a period exceeding 48 hours;

"man under sentence" means a man serving a sentence of imprisonment or detention imposed under the Act or the Naval Discipline Act, and a man who is detained in naval detention quarters while serving a sentence of imprisonment or detention awarded under the Army Act, 1955(**a**), or the Air Force Act, 1955(**b**);

"medical officer" means a medical officer appointed or detailed for duty in naval detention quarters;

"monthly visitor" means an officer appointed by the commander-in-chief in accordance with Rule 7;

"naval detention quarters" means any premises or vessels or any parts of such premises or vessels under the control of and set apart by the Admiralty as naval detention quarters;

"room" means any cell or room and any other place of confinement within any premises or vessels or any premises comprised of huts or tents, or any part of such premises or vessels;

and other expressions have the same meanings as they have in the Act.

Revocation and Savings

3. The Regulations and Rules specified in the First Schedule to these Rules are hereby revoked without prejudice, however, to the validity of anything done thereunder or to any liability incurred in respect of any act or omission before the coming into operation of these Rules, and where before the coming into operation of these Rules any order, regulation, appointment, record, entry or certificate has been made, or any proceeding has been taken, or any punishment awarded, or any other thing has been done in the exercise of any power or jurisdiction under or by virtue of the said Regulations and Rules, it shall, if in force immediately before the date of the coming into operation of these Rules, and so far as it could have been made, taken, awarded or done immediately after the said date under or by virtue of these Rules, continue in force and have effect as if made, taken, awarded or done under or by virtue of these Rules.

PART II

Control and Inspection of Naval Detention Quarters

Control of Naval detention quarters

4. Naval detention quarters shall be under the command of the commander-in-chief in whose command they are situated.

Appointment of commanding officer

5. Each naval detention quarters shall be commanded by an officer appointed by the Admiralty or by the commander-in-chief.

Inspection by commander-in-chief

6. It shall be the duty of every commander-in-chief to inspect all naval detention quarters under his command and to report on them to the Admiralty at least once in every year.

(**a**) 3 & 4 Eliz. 2. c. 18. (**b**) 3 & 4 Eliz. 2. c. 19.

Appointment of detention quarters' monthly visitor

7. Every commander-in-chief shall appoint an officer to act as Detention Quarters' Monthly Visitor.

Visits by monthly visitor

8. It shall be the duty of the monthly visitor to visit all detention quarters in the command at least once in every month.

Duties of monthly visitor

9.—(1) The monthly visitor shall see all men under sentence and hear any complaints or requests which any man may wish to make.

(2) The monthly visitor may, at his discretion, hear any such complaints or requests in private.

Appointment of board of visitors

10. Every commander-in-chief shall appoint a board of visitors which shall consist of two Captains R.N., a medical officer, and such other additional officers as the commander-in-chief may consider desirable.

Duties of board of visitors

11. The board of visitors shall meet once in each quarter and shall inspect all detention quarters in the command throughout and examine the books kept for the purpose of these Rules.

Investigation of complaints by board of visitors

12.—(1) The board of visitors shall see all men under sentence and hear any complaints or requests which any man may wish to make.

(2) The board of visitors may, at their discretion, hear any such complaints or requests in private.

(3) The board of visitors shall report to the commander-in-chief on such complaints or requests if in their opinion it is necessary to do so.

Inspection of food by board of visitors

13.—(1) The board of visitors shall inspect the food provided for the men under sentence.

(2) The board of visitors shall report to the commander-in-chief for the information of the Admiralty if in their opinion any article of food is unsatisfactory.

(3) In the case of any report under paragraph (2) of this Rule the commanding officer shall take immediate steps to provide satisfactory food.

Enquiry into any abuses by board of visitors

14. The board of visitors shall enquire into any abuses in connection with the detention quarters that may come to their knowledge, and report to the commander-in-chief for the information of the Admiralty if in their opinion it is necessary to do so.

Reports by board of visitors

15. The board of visitors shall render a report of each visit to the commander-in-chief for the information of the Admiralty. They shall also record in the visitors' minute book their visits and any observations they may wish to make.

PART III

Admission to, and removal and release from, Naval Detention Quarters

Admission of men under sentence to naval detention quarters

16.—(1) The committal order shall be produced as the authority for admission. It shall be examined and any omission or irregularity shall be reported to the commanding officer.

(2) Except for that amount of his clothing and other articles which a man under sentence is authorised to have in his possession, his equipment and every other article or thing which accompanies the man on admission (whether the same is his own property or not) shall be taken from him. Clothing, equipment, and any other public or service property shall be dealt with in accordance with the regulations or instructions of the Service to which the man under sentence belongs, and the remainder shall be retained by the commanding officer for safe custody. A record of such property shall be kept and the said record shall be signed by the man under sentence and by a member of the staff of the naval detention quarters. The said property (other than perishable articles) shall be returned to the man under sentence on release if he is willing to acknowledge its return by signing a record that it has been delivered up to him. Money shall be kept in safe custody or paid into an account at a bank, and the equivalent amount paid to the man on release, or disposed of at the discretion of the commanding officer by sending it to any person at the request of the man under sentence. Perishable articles shall be disposed of at the discretion of the commanding officer who shall, so far as practicable, take account of the man's wishes in relation to them.

(3) At the discretion of the commanding officer, any property which he holds in safe custody on behalf of a man under sentence may be delivered or sent to a relative or friend of the man.

(4) The man under sentence shall be weighed and his weight recorded.

(5) The man under sentence shall be searched in accordance with these Rules to ensure that he has not in his possession any article or thing which he is not authorised to have.

(6) Within twenty-four hours of admission (or within forty-eight hours in a case where the man under sentence has been medically examined and certified as fit to undergo his sentence either on the day of admission or the previous day) the man under sentence shall be medically examined by a medical officer.

(7) The religious denomination (if any) of a man under sentence shall be recorded, and a chaplain of that denomination shall be informed of his admission. If the man under sentence has not declared his religious denomination, or if no chaplain of that denomination has been appointed in respect of the naval detention quarters, notification of the man's admission shall be given to the Church of England chaplain or, as the case may be, to a chaplain of a denomination other than that of the man under sentence.

(8) Within twenty-four hours of admission the commanding officer or a member of the staff of the naval detention quarters shall satisfy himself that a man under sentence has read, or has had explained to him, the Rules governing his conduct, treatment, employment and discipline, and the means by which he may bring complaints to the notice of his commanding officer, the monthly visitor and the board of visitors, in accordance with the Act and these Rules.

Searching of persons in naval detention quarters

17. The following provisions of this Rule shall be observed in relation to the search of any person in a naval detention quarters:—

(*a*) Every search shall take place in the presence of at least two members of the staff;

(*b*) No person shall be present at any search except the commanding officer or members of the staff of the naval detention quarters and, in particular, no man under sentence shall be present at the search of any other man under sentence.

Temporary custody of person under naval sentence

18. Subject to sections 83 and 84 of the Act where a man on whom a naval sentence of imprisonment or detention has been passed—

(1) is awaiting admission to any prison or other establishment or is in transit from one prison or establishment to another; or

(2) has appealed against his conviction to the Courts-Martial Appeal Court and is entitled or ordered to be present at any place for the purposes of Part I of the Courts-Martial (Appeals) Act, 1951; or

(3) is required or entitled to be present at any civil court, court-martial or inquiry; or

(4) is for any other reason required to be removed temporarily from the prison or other establishment where he is for the time being serving his sentence to some other place;

he may—

(*a*) be taken to and brought back from any such place in naval, military or air force custody; and

(*b*) be detained temporarily—

(i) in civil custody for a period not exceeding seven days in accordance with sub-section (1) of section 107 of the Act; or

(ii) on the written order of the commanding officer or other person in charge of the prison or other establishment where he is for the time being, in any military, naval or air force establishment or other form of military, naval or air force custody determined by the commanding officer or other person in charge of the prison or other establishment where he is for the time being:

Provided that a man under sentence of detention shall not be detained in a prison for longer than seven days on any one occasion.

Transfer of persons under naval sentence

19.—(1) A written order by the Admiralty or the commander-in-chief or the senior naval officer present at the place where the man is confined shall be sufficient authority for the transfer of a man under a naval sentence of imprisonment or detention from one naval detention quarter to another or to any other place where he may be required to serve the sentence.

(2) The original committal warrant shall be attached to the order for transfer.

Removal of persons under naval sentence

20.—(1) A written order from the Admiralty or the commander-in-chief or the senior naval officer at the place where the man is confined or an order

of a court of competent jurisdiction shall be sufficient authority for the removal of a man under a naval sentence of imprisonment or detention from naval detention quarters for the purpose of any proceedings under the Naval Discipline Act, 1957, the Army Act, 1955, the Air Force Act, 1955, or the Courts-Martial (Appeals) Act, 1951, or before any civil court of competent jurisdiction, or for any other lawful purpose specified in the order.

(2) If a man under a naval sentence of imprisonment or detention is required for the purpose of a naval court-martial the order for his removal may be made by the officer ordering the court-martial.

(3) Such written order may provide for the custody of the man under sentence during the proceedings and for his return to naval detention quarters or transfer to any other place in which his sentence may be required to be served.

(4) Removal under this Rule shall not affect a man's sentence and any period during which he may be away from naval detention quarters under this Rule shall count as part of his sentence.

Authority for release from naval detention quarters

21. No man under a naval sentence of imprisonment or detention shall be released from naval detention quarters or from any naval, military or air force establishment or form of custody otherwise than—

(*a*) In accordance with an order of the Courts-Martial Appeal Court or other civil court of competent jurisdiction;

(*b*) in accordance with an order made under section 90 or section 92 of the Act; or

(*c*) on the expiration of his sentence, less any remission allowed in accordance with these Rules.

Provided that where the sentence expires as aforesaid on a Sunday, Christmas Day or Good Friday the man shall be released the previous day and the uncompleted day of his sentence shall be deemed to be remitted.

Release from naval sentence of imprisonment and detention

22.—(1) No man under sentence shall be detained in naval detention quarters after the sentence expires.

(2) A man under a naval sentence of imprisonment or detention may be released at 0700 on the day on which his sentence expires.

Removal for medical examination, observation or treatment

23. The commanding officer may authorise the removal of a man under a naval sentence of imprisonment or detention for the purpose of medical examination, observation or treatment, for such period and to such establishment and subject to such conditions, as the commanding officer acting on the advice of the medical officer, may determine.

Medical report on transfer

24. Before a man under a naval sentence of imprisonment or detention is released or transferred to another detention quarters the medical officer shall examine him, record the state of his health, and communicate in writing any particulars of which he considers the medical officer of the ship or establishment to which the man is being sent should be aware.

Temporary release

25.—(1) The commanding officer may authorise the temporary release on compassionate grounds from naval detention quarters of a man under a naval sentence of imprisonment or detention in the cases and subject to the conditions set out in this Rule.

(2) The cases in which a man under a naval sentence of imprisonment or detention may be released temporarily under paragraph (1) of this Rule are :—

(*a*) where the death or dangerous illness of a near relative occurs, and the commanding officer is satisfied that the presence of the man under a naval sentence of imprisonment or detention is desirable ;

(*b*) where damage has been suffered by any premises occupied by the family or near relatives of the man under a naval sentence of imprisonment or detention, and the commanding officer is satisfied that the presence of the man is desirable ;

(*c*) where the man under a naval sentence of imprisonment or detention could make arrangements preliminary to, or consequent upon, the birth of a child, and the commanding officer is satisfied that the presence of the man is desirable for that purpose ;

(*d*) where the man under a naval sentence of imprisonment or detention has requested facilities to enable him to marry a woman who is expecting a child ;

(*e*) where there are domestic difficulties concerning the man under a naval sentence of imprisonment or detention or his family, and the commanding officer is satisfied that the personal attendance of the man is desirable.

(3) The conditions subject to which the commanding officer may authorise the temporary release of a man under a naval sentence of imprisonment or detention are :—

(*a*) that the man under a naval sentence of imprisonment or detention shall comply with any conditions laid down by the commanding officer and to be observed by or in relation to the man during the period of his temporary release, including any conditions as to custody during the period of temporary release and as to the place or places where the man under a naval sentence of imprisonment or detention may or may not go during that period ;

(*b*) that if the man under a naval sentence of imprisonment or detention fails to comply with any condition subject to which he was temporarily released, the period of his temporary release shall thereby be terminated and it shall be the duty of the man under a naval sentence of imprisonment or detention to return forthwith to the naval detention quarters ;

(*c*) that the period of temporary release shall not exceed 10 days, provided that the commanding officer may extend the period up to a total of 28 days ;

(*d*) that the conduct of the man under a naval sentence of imprisonment or detention shall in the opinion of the commanding officer have been satisfactory.

(4) The period of temporary release shall not count as part of the sentence served by the man.

Reports of temporary release

26. The commanding officer shall report to the man's depot the dates of temporary release from and return to naval detention quarters of a man under

a naval sentence of imprisonment or detention, in order that pay and allowances may be credited and full qualifying allotment charged, if marriage allowance is in issue, for the period of release.

Extension of period of temporary release

27. If the commanding officer considers that the period of release should be extended beyond 28 days he shall report the circumstances to the commander-in-chief, who may authorise such further extension as he considers necessary.

Remission of sentence

28. Subject to the provisions of any of these Rules which provide for or authorise the forfeiture of such eligibility, a man under sentence in naval detention quarters whose sentence, or the total of whose consecutive sentences, exceeds 27 days may, by good conduct and industry, become eligible for remission when a portion of his sentence not exceeding one-third of the whole sentence has yet to run.

Provided that nothing in this Rule shall authorise the reduction of any such sentence or total of any consecutive sentences to less than 24 days.

Records of remission

29.—(1) The commanding officer shall ensure that an accurate record is kept of the period of remission for which each man under sentence has become eligible in accordance with the last foregoing Rule, and of any period of eligibility forfeited in accordance with any of these Rules.

(2) The record maintained in accordance with this Rule shall be produced to the board of visitors on the occasion of each visit.

Review of sentence

30.—(1) All sentences shall be reviewed periodically by the commanding officer and the monthly visitor.

(2) If, as a result of such review, the commanding officer or the monthly visitor is of opinion that the sentence or sentences have already produced the maximum curative effect he shall so report to the commander-in-chief.

Authority for release on suspended sentence

31. An order made under section 90 of the Act, that the sentence or sentences shall be suspended, shall be sufficient authority for the release of a man from naval detention quarters.

Restoration of eligibility for remission

32. Eligibility for remission forfeited under any of these Rules may be restored by order of the Admiralty or the commander-in-chief or the commanding officer.

PART IV

Complaints, Petitions and Appeals

Complaints

33. A man under sentence who considers himself wronged in any matter may complain to the commanding officer, who shall ensure that ample facilities exist for complaints or requests to be made to him.

Information regarding rights to petition and appeal

34. The commanding officer shall bring to the notice of all men under sentence their rights to petition or appeal, and he shall cause to be exhibited

in the detention quarters in such places as to be seen by all men under sentence, a notice in a form prescribed from time to time by the Admiralty, stating their rights in this respect.

Information regarding procedure for appeals

35. Every man under sentence of court-martial shall be advised regarding the procedure for appeal to the Courts-Martial Appeal Court, and informed of the date before which the necessary statutory petition to the Admiralty, antecedent to appeal to the Court, must be submitted.

Facilities for persons under sentence to petition or appeal

36.—(1) The commanding officer of naval detention quarters shall permit a man under sentence who intends to petition or appeal, or whose appeal is pending, for the purpose of the petition or appeal, to receive visitors, to be provided with reasonable quantities of writing materials, to write and receive letters, and to prepare and hand personally or send by post to his legal adviser confidential written communications as instructions in connection with the petition or appeal. Any such confidential written communication shall be exempt from censorship unless the commanding officer is of the opinion that it contains material unrelated to the purpose of the petition or appeal, when it may be subject to censorship in accordance with these Rules.

(2) For the purposes of a petition or an appeal a man under sentence may receive a visit from a medical adviser, being a registered medical practitioner, selected by him or on his behalf by relatives or friends.

PART V

Treatment, Employment, Discipline and Control of men under sentence

Rules to be brought to the notice of men under sentence

37. This part of these Rules, or a sufficient abstract thereof in a form approved by the Admiralty, shall be read to each man under sentence on admission to the detention quarters, and a copy shall be displayed conspicuously in every naval detention quarters in such places that it can be seen from time to time by every man under sentence. The purport and effect of the Rules shall be explained to them.

Purposes of training and treatment

38. The purposes of the training and treatment of men under sentence are to establish in them the will, and to fit them, to become better ratings.

Corporal punishment and the use of force

39.—(1) Corporal punishment shall not be inflicted on men under sentence.

(2) In the treatment of a man under sentence force shall not be used unnecessarily ; if the use of force is necessary, no more force shall be used than is necessary.

(3) No punishment of any kind shall be awarded except by the commanding officer, the monthly visitor or the commanding officer of the ship to which the man belongs.

Procedure for dealing with offences

40.—(1) A man under sentence who, while serving his sentence, commits any offence against the Naval Discipline Act, 1957, or against these Rules, shall be dealt with in accordance with the following provisions of this Rule.

(2) The man shall be informed of the offence which he is alleged to have committed and shall then be brought before the commanding officer, who, in the man's presence, shall hear the evidence against him. If, after hearing that evidence, the commanding officer decides that there is no case he shall dismiss the case. If he decides that there is a prima facie case and that the charge(s), if proved, would be within his power to punish, he shall proceed to try the case in accordance with the procedure laid down in Queen's Regulations and Admiralty Instructions Chapter 19. Otherwise the commanding officer shall, without loss of time, report the case to the monthly visitor or apply for trial by court-martial.

Offences against discipline

41. A man under sentence commits an offence against these Rules if he:—

(*a*) disobeys any order of the commanding officer, or of any other officer or member of the detention quarters' staff;

(*b*) fails to comply with any of these Rules or any standing order;

(*c*) treats with disrespect any officer or member of the detention quarters' staff or any visitor or any person employed in connection with the detention quarters;

(*d*) refuses to work, or is idle, careless or negligent;

(*e*) is absent without leave from any parade which he knows he should attend;

(*f*) behaves irreverently at Divine Service;

(*g*) swears, curses or uses any abusive, insolent, threatening or other improper language;

(*h*) is indecent in act or gesture;

(*i*) uses personal violence to an officer or member of the staff or to a man under sentence;

(*j*) communicates with another man under sentence without proper authority;

(*k*) sings, whistles or creates any unnecessary noise or disturbance, or gives any unnecessary trouble;

(*l*) leaves his room or place of work or other appointed place without proper permission;

(*m*) in any way wilfully disfigures or damages any part of the detention quarters or any articles in his possession or to which he may have access;

(*n*) commits any nuisance;

(*o*) has in his room or possession any unauthorised article;

(*p*) gives or receives from any person any unauthorised article;

(*q*) is inattentive during instruction, exercise or drill;

(*r*) escapes from detention quarters;

(*s*) fails to comply with any condition attaching to temporary release, or to return to detention quarters on the termination of such release;

(*t*) makes repeated and groundless complaints;

(*u*) offends in any other way against good order and discipline;

(*v*) attempts to commit any of the offences referred to in sub-paragraphs (*c*), (*i*), (*j*), (*l*), (*n*), (*p*) and (*r*) of this Rule.

Punishments which may be awarded by a commanding officer

42.—(1) The commanding officer may, in addition to the authority given to him under Queen's Regulations and Admiralty Instructions, Article 1926, award any of the punishments set out in paragraph (2) of this Rule to a man under sentence whom he has found to have committed an offence against these Rules.

(2) The punishments referred to in paragraph (1) of this Rule are:—

(*a*) close confinement for any period not exceeding three days;

(*b*) restricted diet for a period not exceeding three days;

(*c*) downgrading to a lower stage in accordance with Rule 83;

(*d*) deprivation of mattress for a period not exceeding three days;

(*e*) forfeiture of eligibility for remission of sentence for a period not exceeding fourteen days;

(*f*) forfeiture of stage privileges.

Punishments which may be awarded by a monthly visitor

43. The monthly visitor shall investigate any offences against these Rules which may be reported to him by the commanding officer and he may award any of the following punishments:—

(*a*) close confinement for a period not exceeding 14 days;

(*b*) restricted diet for a period not exceeding 15 days with intervals as laid down in Rule 46;

(*c*) downgrading to a lower stage in accordance with Rule 83;

(*d*) forfeiture of eligibility for remission of sentence for a period not exceeding twenty-eight days.

Record of punishments awarded

44. All punishments awarded shall be entered in the punishment book, which shall be examined and signed by the monthly visitor on each occasion of his inspection under Rule 8.

Close Confinement

45.—(1) No man under sentence shall be placed in close confinement unless he has been certified by the medical officer as fit to undergo that punishment.

(2) A man in close confinement shall be confined to an unfurnished room without bedding; a plank bed being provided at night.

(3) A man in close confinement shall be kept on Restricted Diet and shall be deprived of his daily issue of cigarettes and of all books except religious books.

(4) Every man in close confinement shall be visited at least once during the day by the commanding officer and the medical officer; and, in addition, by a member of the staff, who has been detailed to do so, at intervals of not more than three hours.

(5) A man in close confinement shall not attend Divine Service and, except on the recommendation of the medical officer, shall not be permitted to exercise.

(6) No man shall be kept in close confinement for a period exceeding 14 days.

(7) A man in close confinement shall not be subjected to any form of discipline which has not been lawfully ordered in accordance with these Rules.

Restricted Diet

46.—(1) No man is to be placed on restricted diet unless he has been certified by the medical officer as fit to undergo that punishment.

(2) Restricted diet shall not be ordered for any single period exceeding fifteen days.

(3) When restricted diet is awarded for a period of three days or less the scale shall consist of one pound of bread a day with unrestricted water.

(4) When restricted diet is awarded for more than three days the scale shall consist of:—

(*a*) one pound of bread a day with water, and

(*b*) the ordinary diet for men under sentence, for alternate equal periods not exceeding three days in duration, to be fixed by the commanding officer in consultation with the medical officer.

(*Note:* A man awarded restricted diet for twelve days would be on bread and water for a total of six days; such diet alternating with ordinary diet for periods of one, two or three days.)

(5) A man on restricted diet shall be deprived of library and educational books, and of his bedding and the daily issue of cigarettes.

(6) A man on restricted diet shall not be given any work of labour on the days on which his food consists solely of bread and water, but he may be permitted to carry out very light work in his room and given exercise as advised by the medical officer. He may attend Divine Service.

(7) No man who has been on restricted diet shall be placed on the diet for a fresh offence until an interval has elapsed equal to the period of restricted diet already undergone, during which interval he shall receive the ordinary diet of men under sentence.

Mechanical restraint not to be used as a punishment

47. No man under sentence shall be subjected to any form of mechanical restraint as a punishment.

Authority for mechanical restraint

48. A man shall be subjected to mechanical restraint only by order of the commanding officer or the medical officer.

Order for mechanical restraint

49. If the commanding officer considers that a man under sentence ought to be placed under mechanical restraint to prevent him from injuring himself or others, or damaging property or creating a disturbance, he may issue a written order that mechanical restraint shall be applied, specifying the date and hour when the restraint is to be applied, and the period, not exceeding twenty-four hours, during which it shall be applied. The commanding officer shall immediately thereafter notify the medical officer that he has made the said order and the terms thereof.

Medical examination prior to mechanical restraint

50. On receiving the said notification, the medical officer shall examine the man under sentence and inform the commanding officer if, in his opinion, there is any objection on medical grounds to application of the mechanical restraint ordered. If he makes any such objection, the commanding officer shall revoke or modify his order in accordance with the recommendation of the medical officer.

Duration of mechanical restraint

51. No man shall be kept under mechanical restraint for more than twenty-four hours without the written authority of the commander-in-chief or an officer deputed by him.

Application and removal of mechanical restraint

52. The date and hour at which mechanical restraint is applied, removed or changed shall be recorded in the commanding officer's journal and each case shall be reported to the monthly visitor.

Types of mechanical restraint

53. The only authorised means of mechanical restraint are:—

(*a*) handcuffs—figure of eight, swivel, or curb chain, not to exceed, for the pair, 22 ounces in weight;

(*b*) the loose canvas restraint jacket—made of No. 3 sail canvas, doubled and quilted with dutch twine in squares of about 4″; the sleeves are made of the same material and laid on inside with a piece of leather about 4″ deep at the bottom; three straps are attached to the body of the jacket, each 12″ long and 1″ wide; these are buckled behind with three tinned buckles (1″); there are also two crutch straps each 22″ in length and 1″ wide, which buckle behind with two buckles similar to the above; the whole of the straps is made from kid leather; the jacket is made full in front;

(*c*) body belt—of double leather sewn together, fastened by a lock round the waist and with steel wristlets at equal distances at the sides to lock the wrists therein, altogether not to exceed 4 lbs. in weight.

No other forms of mechanical restraint shall be used.

The use of handcuffs

54.—(1) A commanding officer who orders the use of handcuffs on a man under sentence shall complete the appropriate part of the form prescribed in the second schedule to these Rules, specifying whether they are to be placed with the hands to the front or to the rear of the body, and the date and hours of their use. When they are placed to the rear of the body, they shall be moved to the front during meals and for sleeping.

(2) The member of the staff carrying out the order shall complete the appropriate part of the said prescribed form and specify thereon the dates and hours of removal and change of position of the handcuffs.

(3) Any order for handcuffs to be used on the recommendation of the medical officer shall record that recommendation and also that officer's concurrence that the mode and time of restraint are in accordance with his opinion of the need for restraint.

The use of the loose Canvas Restraint Jacket

55.—(1) The loose canvas restraint jacket shall not be used except under the direction of the medical officer, who shall immediately inform the commanding officer in writing when a man is thus restrained. The commanding officer shall forthwith report in writing to the monthly visitor.

(2) It shall be used only when necessary to prevent a man under sentence injuring himself or others, or to prevent him from damaging clothing or other articles.

(3) A loose canvas restraint jacket shall not be applied for more than twenty-four hours consecutively. If after that period the medical officer considers that it must necessarily be continued he shall so order, but the jacket shall not be applied until the man has been free of any form of mechanical restraint for at least one hour.

(4) The medical officer shall visit any man under restraint in a loose canvas restraint jacket at least twice in every twenty-four hours, and more often if he thinks it necessary. He shall record in his journal all such visits.

(5) The medical officer shall keep a record of the date and hour(s) when this jacket was applied, the date and hour when it was finally removed, and the reasons for its employment.

(6) The medical officer shall inform the commanding officer in writing when the restraint is discontinued.

The use of the Body Belt

56.—(1) The body belt shall be used only for restraining a man under sentence who is of violent conduct and for whom, in the opinion of the commanding officer, no other means of restraint is appropriate.

(2) Subject to paragraph (1) of this Rule, the provision of Rule 55 as to the use of the loose canvas restraint jacket shall apply in relation to the use of a body belt.

The use of canvas clothing

57.—(1) The following articles of canvas clothing may be used for men under sentence who destroy or attempt to destroy their ordinary clothing or refuse to wear uniform :—

(*a*) canvas suit, consisting of frock and trousers made of canvas sail cloth No. 2 and not to exceed 12 lbs. in weight ;

(*b*) canvas waistcoat and trousers and canvas frock made to open down the back, with buttons and eyelet holes for a lace ; the frock is to be worn over the clothing, to have an opening at the back wide enough to admit the head and to be fastened at the neck with a strap and lock ; a leathern belt also fastened by a lock is to be worn round the waist and kept in its place by being passed through two small leathern loops placed on each side of the frock ; the waistcoat, trousers and frock are to be all made of canvas sailcloth No. 2 ; this dress may be used on the recommendation of the medical officer for medical cases under treatment, to prevent men under sentence stripping themselves, tearing up their clothing, and thus suffering from exposure to cold.

(2) The particulars in each case are to be duly recorded by the medical officer and reported to the monthly visitor.

The use of canvas bedding

58. The medical officer may order canvas bedding and papier mache utensils for mentally unsettled or violent men.

Accommodation of men under sentence

59.—(1) In every detention quarters special rooms shall be provided for the temporary confinement of refractory or violent men under sentence. The use of these rooms shall be restricted to the occasions when in the opinion of the commanding officer they are necessary for the prevention of violence. They are not to be used for punishment purposes.

(2) No room shall be used for the confinement of a man under sentence unless the Medical Director General of the Navy (or, on a foreign station, the commander-in-chief on the advice of a medical officer) certifies that its size, lighting, heating, ventilation and fittings are adequate for health, and that it allows the man under sentence to communicate with a member of the staff of the detention quarters at any time.

(3) The size of rooms intended for occupation by men under sentence shall be such as to provide at least 600 cubic feet capacity for each man accommodated therein unless, in any particular case, having regard to the exigencies of the Service, the Admiralty or the commander-in-chief authorises the temporary accommodation of men under sentence in accommodation of smaller capacity.

(4) Any certificate given by the Medical Director General in respect of a room shall be void until it has been renewed by the Medical Director General on any structural alteration taking place in such room.

(5) Any certificate given in relation to a room in which more than one man under sentence may be accommodated shall state the maximum number of men under sentence who may be confined therein.

(6) Two men under sentence shall never be confined in one room. The confinement must be solitary or of at least three men in a room.

(7) The men under sentence shall comply with the room regulations. There shall be posted up inside each man's room an abstract of the detention quarters' regulations and a copy of the room regulations. A copy of the particulars of the man's case in a form to be approved from time to time by the Admiralty shall be placed outside the door of his room.

Uniform

60. Men under sentence are to wear the uniform of their rank or rating. They are to keep their clothes in good repair and are to wash clothes at least twice weekly.

Bedding

61. A man under sentence shall not be deprived of bedding except as a punishment. Whenever a man is ordered to be deprived of his bedding he shall be provided with a plank bed on which to sleep.

Withdrawal of razors and knives from a man under sentence

62. If the commanding officer is of the opinion that a man under sentence will do injury to himself or others, or destroy clothing or property, if allowed to keep his razor, knife, fork, or other articles, the commanding officer shall withdraw these articles from his keeping except when actually in use.

Cleanliness

63. Men under sentence shall be required to keep themselves clean and decent in their persons. Their hair shall not be cropped. They shall be allowed to shave. They shall obey such regulations as regards washing, bathing, hair-cutting and shaving as may be established with a view to the proper maintenance of health and cleanliness.

Smoking by men under sentence

64.—(1) A man under sentence shall be asked as soon as practicable after his admission whether he is a smoker or a non-smoker. If he states

that he is a non-smoker he will be required to sign a certificate to that effect. If he states that he is a smoker he may smoke cigarettes to the extent authorised by this Rule.

(2) Men under sentence who are smokers may, subject to good behaviour, receive a free issue of cigarettes.

(3) The scale of free issue of cigarettes to men under sentence shall be that laid down from time to time by the Admiralty.

(4) No man under sentence who has signed a certificate that he is a non-smoker shall be entitled to a free issue of cigarettes or any other issue in lieu thereof.

(5) No man under sentence shall be entitled to smoke cigarettes issued to him on any day other than the day of issue, or to smoke cigarettes other than those issued to him.

(6) Smoking shall be permitted in the detention quarters at such times, in such places and under such arrangements as may be laid down by the commanding officer.

(7) No man under sentence shall smoke or have in his possession any tobacco, cigarettes or matches or lighter, or any naked light for the purpose of igniting tobacco or cigarettes, except at such times as are authorised by the commanding officer.

Rations for men under sentence

65. The food provided for men under sentence shall be of a nutritional value adequate for health and strength and of wholesome quality, well prepared, and served, and reasonably varied.

Complaints regarding food

66. The commanding officer and members of the staff shall endeavour to ensure that every man under sentence receives the food to which he is entitled. A man may complain if he believes that he is not getting the food to which he is entitled and his complaint shall be investigated, but he shall have no right to have his food or any part of it weighed.

Visits by relatives and friends

67.—(1) A man under sentence may receive visits from his relatives and friends at the discretion of the commanding officer, subject to any rules laid down by the Admiralty. Such visits shall take place at the times and places determined by the commanding officer.

(2) Any visit authorised under this Rule shall be within the sight and hearing of the commanding officer or a member of the staff, unless the commanding officer directs otherwise.

Visits for the purpose of investigating offences

68.—(1) The commanding officer may permit a man under sentence to be visited by a police officer or any officer or other person whose duty it is to investigate the commission or suspected commission of an offence.

(2) The commanding officer shall permit any person to visit a man under sentence if that person is authorised by a warrant or an order of a court to visit him.

(3) The commanding officer shall provide reasonable facilities for a man under sentence who is concerned in legal proceedings, or proposed legal proceedings, to be visited by his legal adviser. At the discretion of the commanding officer a man under sentence may be visited by his legal adviser with reference to other legal matters.

(4) Any visit authorised under this Rule shall be within the sight, but not the hearing, of a member of the staff.

Identity of visitors

69. No person shall be admitted to visit a man under sentence until he has given his name and address and relationship to, or connection with, the man. These particulars are to be duly recorded.

Admission of visitors

70.—(1) If the commanding officer or a member of the staff suspects that a male visitor is attempting to bring into or take out of naval detention quarters any unauthorised article, the visitor may be refused admittance unless he consents to be searched, or, if he is already in the naval detention quarters, his visit may be terminated forthwith.

(2) A visitor shall not be searched in the presence of any man under sentence or of another visitor.

(3) The commanding officer may deny admission to or order the removal of any visitor if it appears to him expedient to do so.

(4) Particulars of any action taken under this Rule shall be recorded in the commanding officer's journal.

Letters

71.—(1) A man under sentence shall be allowed to write letters as follows:—

(*a*) on admission, one letter;

(*b*) in every week of his sentence following the week in which he was admitted, one letter; and

(*c*) in lieu of a visit at the discretion of the commanding officer.

(2) Additional letters may be allowed at the discretion of the commanding officer or in accordance with the Rules relating to stage privileges.

(3) Writing paper, envelopes, and other materials required to enable a man to write the letters authorised by paragraph (1) of this Rule shall be provided and, subject to the provisions of Rule 72, the letters shall be posted, free of expense to the man under sentence.

(4) A man under sentence may receive any number of letters.

Censorship

72.—(1) The commanding officer or any officer deputed by him may scrutinise letters written by or addressed to men under sentence.

(2) The commanding officer may withhold from a man under sentence the whole or any part of a letter addressed to the man, but he shall communicate to the man any part of the letter which is unobjectionable.

(3) The commanding officer may withhold a letter written by a man under sentence, but in that case he shall give the man an opportunity of writing in its place another letter which does not contain the material to which the commanding officer objects.

(4) If any letter contains a complaint relating to the detention quarters or the treatment of a man under sentence, the commanding officer shall cause the complaint to be investigated and the man informed of his rights in the matter.

(5) If a letter is withheld the reasons shall be recorded in the commanding officer's journal.

Parcels

73.—(1) A parcel addressed to a man under sentence shall be opened and examined by, or under the authority of, the commanding officer in the presence of the man to whom it is addressed. Any article which the man under sentence is not authorised to receive shall be retained in safe keeping by the commanding officer and handed to the man on release, except in the case of perishable articles, which may be disposed of in accordance with the directions of the commanding officer, by returning them to the sender or otherwise.

(2) A man under sentence is not entitled to receive any articles but he may be allowed to receive such articles as the commanding officer thinks fit.

Daily routine

74. Subject to the provisions of these Rules the daily routine of the detention quarters shall be determined by the commanding officer in accordance with any instructions issued from time to time by the Admiralty or an officer deputed by the Admiralty.

Employment of men under sentence

75.—(1) The purpose of the training and treatment of men under sentence is to improve their discipline and morale, and to deter them from further misconduct. To this end their employment shall be based on a progressive programme of drills, exercises, training, and occupational tasks. No man shall be so employed for more than nine hours a day, exclusive of meal times.

(2) The occupational tasks shall not exceed 5½ hours on week days other than Saturdays; on Saturdays they may be increased to 6½ hours; no tasks shall be issued on Sundays.

(3) The occupational tasks shall be for the benefit of the public service and no man shall be employed directly or indirectly on any work for the private benefit or advantage of any person.

Men excused from drills, exercises, training and tasks

76. Nothing in these Rules shall require a man under sentence to be engaged on drills, exercises, training or a task of labour at any time when :—

(*a*) he is in close confinement;

(*b*) his diet consists solely of bread and water;

(*c*) he is excused on the advice of the medical officer;

(*d*) he is excused by the commanding officer;

(*e*) he is properly engaged in some other authorised activity.

Medical fitness

77. No man shall be required to undertake any drill, exercise, training or occupational task until he has been certified by the medical officer as fit to undertake that type of drill, exercise, training or task.

Sundays and public holidays

78.—(1) On Sundays, Christmas Day, Good Friday, and such other general fast or thanksgiving days as may be directed, a man under sentence shall not be engaged in any work, except work which is necessary for the service of the detention quarters. Training and exercise on such days shall be limited to marching exercise not exceeding one hour a day.

(2) A man under sentence whose Sabbath is on a day other than a Sunday shall not be required to do more work or training on that day than other men are required to do on Sunday, but such a man may be required to do work or training on Sundays.

Stage I

79.—(1) On admission to naval detention quarters a man under sentence shall be in Stage I. He shall remain in Stage I for a minimum period of 28 days in detention and shall then be eligible for upgrading to Stage II.

(2) A man in Stage I shall be employed in accordance with a routine laid down under Rule 74.

(3) Subject to good behaviour a man in Stage I shall be allowed:—

(*a*) cigarettes in accordance with the scale laid down under Rule 64;

(*b*) one library book a week.

Stage II

80.—(1) The commanding officer may upgrade a man under sentence to Stage II after the man has completed 28 days in detention, provided that his conduct has been satisfactory and his zeal and progress under training are considered by the commanding officer to merit upgrading.

(2) A man in Stage II shall be employed in accordance with a routine laid down for that Stage under Rule 74 which shall provide more time for educational instruction and less for parade and physical training instruction than the routine for Stage I.

(3) Subject to good behaviour a man in Stage II shall be allowed:—

(*a*) cigarettes in accordance with the scale laid down under Rule 64;

(*b*) two library books a week;

(*c*) one educational book;

(*d*) one Sunday Newspaper and "Navy News";

(*e*) one hour's talking period a week with another man in Stage II, III or IV;

(*f*) to write two letters a week in addition to those allowed by Rule 71.

Stage III

81.—(1) The commanding officer may upgrade a man under sentence to Stage III after the man has completed 56 days in detention, provided that his conduct has been exemplary and that the commanding officer is of the opinion that his progress under training exhibits a genuine desire to reform.

(2) A man in Stage III shall be employed in accordance with a routine laid down for that Stage under Rule 74 which shall provide time for private study and less time for task work than in Stage II. He may also be employed on special duties at the discretion of the commanding officer.

(3) Subject to good behaviour a man in Stage III shall be allowed:—

(*a*) cigarettes in accordance with the scale laid down under Rule 64;

(*b*) one hours' talking period a day with another man in Stage II, III or IV;

(*c*) a visitor once a fortnight;

(*d*) a chair, table and mat in his room;

(*e*) to retain his bedding in his room at all times;

(*f*) family pictures in his room ;

(*g*) one newspaper daily ;

(*h*) a hobby, to be approved by the commanding officer ;

(*i*) to write two letters a week in addition to those allowed by Rule 71.

Stage IV

82.—(1) The commanding officer may upgrade a man under sentence to Stage IV after the man has completed 84 days in detention, provided that his conduct has been exemplary and the commanding officer is of the opinion that he has reformed.

(2) A man in Stage IV shall be employed in accordance with a routine laid down for that Stage under Rule 74 which shall provide more time for private study than in Stage III. He may also be employed on special duties of trust at the discretion of the commanding officer.

(3) Subject to good behaviour a man on Stage IV shall be allowed :—

(*a*) cigarettes in accordance with the scale laid down under Rule 64 ;

(*b*) one hour's talking period a day with another man in Stage II, III or IV ;

(*c*) a visitor once a fortnight ;

(*d*) a chair, table and mat in his room ;

(*e*) to retain his bedding in his room at all times ;

(*f*) family pictures in his room ;

(*g*) one newspaper daily ;

(*h*) a hobby, to be approved by the commanding officer ;

(*i*) to receive one food parcel a fortnight ;

(*j*) to write unlimited letters using his own material.

Downgrading

83. The commanding officer or monthly visitor may downgrade any man in his discretion to either Stage III, Stage II or Stage I if he is of opinion that his idleness or misconduct justify it.

Recidivist

84.—(1) A man who is under sentence of detention for the second time within a period of two years may be placed in the Recidivist Class and shall remain there until removed by the commanding officer.

(2) Members of the recidivist class may be required to carry out parade drill, training and exercise during working hours when other men under sentence are otherwise employed.

Deaths

85.—(1) If a man under sentence dies in the detention quarters the commanding officer shall :—

(*a*) if the death occurs in the United Kingdom, immediately report the matter to the coroner having jurisdiction in the place where the detention quarters are situated ;

(*b*) if the death occurs outside the United Kingdom, report the matter either :—

(i) to any local civil authority authorised or required to inquire into the cause of death or, if there is no such authority—

(ii) to the commander-in-chief in order that a board of inquiry may be held.

(2) Nothing in this Rule shall affect the duty of the commanding officer or any other naval authority to record or report the death in accordance with the requirements of any other enactments or any other rules, regulations, or instructions.

Inquests

86. The commanding officer shall forward through the usual channels for the information of the Admiralty, a report of the proceedings of any inquest on a man under sentence and the finding of the coroner or jury.

Coroners Acts

87. The provisions of the Coroners Acts, 1887 to 1926, shall apply to naval detention quarters as they apply to prisons, subject to the following modifications:—

for references to:—	there shall be substituted:—
"prison"	"naval detention quarters"
"prisoner"	"man under sentence"
"officer of the prison"	"officer or member of the staff".

Persons of Unsound Mind

88.—(1) If a person serving a military or naval sentence of imprisonment or detention in naval detention quarters is a person of a description referred to in sub-paragraph (*a*), (*b*) or (*c*) of sub-section (1) of section 16 of the Army Act, 1955, the commanding officer shall:—

(*a*) in the case of a person serving a military sentence notify the Army Council or an officer deputed by them, or

(*b*) in the case of a person serving a naval sentence notify the Admiralty or an officer deputed by the Admiralty,

so that on discharge that person may be received in a mental hospital, in accordance with the provisions of the said Section.

(2) If a person serving an air force sentence of imprisonment or detention in naval detention quarters is a person of a description referred to in sub-paragraph (*a*), (*b*) or (*c*) of sub-section (1) of section 16 of the Air Force Act, 1955, the commanding officer shall notify the Air Council or an officer deputed by them, so that on discharge that person may be received in a mental hospital, in accordance with the provisions of the said section.

Escapes

89.—(1) If a man under sentence escapes, the commanding officer shall immediately inform the following authorities:—

(*a*) the commander-in-chief;

(*b*) the naval provost marshal;

(*c*) the chief officer of police in the area in which the detention quarters are situated.

(2) If the man is a soldier the following authorities shall also be informed:—

(*a*) the nearest unit or detachment of the Corps of Royal Military Police;

(*b*) the officer-in-charge of records of the arm or branch of the service to which the soldier belongs;

(*c*) the regimental paymaster of the arm or branch of the service to which the soldier belongs.

(3) If the man is an airman the following authorities shall also be informed:—

(*a*) the nearest unit or detachment of the Royal Air Force Provost and Security Services;

(*b*) the commanding officer of the person who has escaped;

(*c*) the officer-in-charge of Royal Air Force Records.

PART VI

Religion, Education and Welfare

Books of religious instruction

90. The commanding officer shall, as far as practicable, make available for the use of each man under sentence a bible and such books of religious observance or instruction as are appropriate to his denomination and approved by the Admiralty.

Chaplains

91. Chaplains and officiating chaplains, when present in the detention quarters for the purposes of their duties, shall abide by these Rules and the standing or other orders for the regulation of the detention quarters. They shall consult the commanding officer, concerning the discharge of their duties and co-operate with him in promoting the good order of the detention quarters. They shall, as far as may be practicable, see every man of their denomination under sentence.

Facilities for chaplains

92. The commanding officer shall afford facilities to chaplains to have access to men under sentence for the purpose of giving them religious instruction at times approved by him.

Divine Service

93. Chaplains shall, whenever possible, conduct Divine Service in naval detention quarters on Sundays and on other customary days and on such other convenient occasions approved by the commanding officer as they may decide. Prayers shall be read daily.

Attendance at Divine Service

94. A man under sentence shall attend Prayers and the Divine Service of his denomination as often as they are held in the detention quarters, unless he is in close confinement or is excluded from Divine Service because of his disorderly conduct, or because it is apprehended that his conduct would be disorderly, or unless prevented by illness or any other cause which appears to the commanding officer to be reasonable.

Education

95. The commanding officer shall:—

(*a*) provide educational training at such times as are available, and in accordance with any directions issued by the Admiralty;

(*b*) encourage other educational activities when circumstances permit.

Welfare

96. The commanding officer shall appoint a welfare officer and afford facilities for men under sentence to consult the welfare officer when occasion requires.

PART VII

Admission to and Offences Relating to Naval Detention Quarters

Application of certain provisions of the Prison Act, 1952

97.—(1) The provisions of sections 39 to 42 inclusive of the Prison Act, 1952(a), shall apply in relation to naval detention quarters and to men under sentence therein, subject to the following modifications:—

For references to:—	There shall be substituted:—
"officer"	"officer or member of the staff"
"prison"	"naval detention quarters"
"prisoner"	"man under sentence"
"regulations of a prison"	"Naval Detention Quarters Rules"
"The Prison Commissioners"	"The Commanding Officer of the naval detention quarters".

(2) Sections 39 to 42 of the Prison Act, 1952, as modified by this Rule are set out in the third schedule to these Rules.

Unauthorised conveyance of spirits or tobacco into naval detention quarters

98. No person shall, without the authority of the commanding officer, bring or attempt to bring into naval detention quarters, or to a man under sentence, any spirituous or fermented liquor, or tobacco, or place any such liquor or tobacco outside naval detention quarters with intent that it shall come into the possession of a man under sentence, nor shall any member of the staff of naval detention quarters allow any such liquor or tobacco to be sold or used in naval detention quarters.

Unauthorised introduction of other articles

99. No person shall, without lawful authority, convey, or attempt to convey, any letter or any other thing into or out of naval detention quarters or to a man under sentence, or place it anywhere outside naval detention quarters with intent that it shall come into the possession of a man under sentence.

Admission of visitors and others to naval detention quarters

100. No unauthorised person shall enter naval detention quarters or make any sketch or take any photograph or communicate with any man under sentence, and no such person shall remain therein after being requested to leave by the commanding officer or any person acting under his authority. In deciding whether to grant, or grant subject to conditions, or refuse permission to enter naval detention quarters, the commanding officer shall have regard to the orders of any court of competent jurisdiction, the provision of these Rules and the directions or instructions of higher authority.

Conditions of admission

101. The commanding officer may grant permission to any person to enter naval detention quarters subject to any conditions and, without prejudice to the generality of the foregoing words, he may make it a condition of granting permission to any person to enter or do anything within naval detention quarters, that such a person agrees to being examined and searched if requested.

Removal of visitors and others

102. The commanding officer may order the removal from naval detention quarters of any person who, without authority, enters naval detention quarters,

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.

or makes any sketch or takes any photographs therein, or refuses to be examined or searched, or fails to comply with any condition imposed by the commanding officer under these Rules.

Offences against the Prison Act, 1952

103. Any member of the staff of naval detention quarters who suspects that a visitor or any other person has committed an offence under sections 39 to 42 of the Prison Act, 1952, as modified by these Rules, or against these Rules, or of being in improper possession of any property used or intended for use in naval detention quarters, shall inform the commanding officer immediately.

PART VIII

Duties of the Staff

Duties of the commanding officer

104. The commanding officer of the detention quarters shall:—

(*a*) conform strictly to these rules; exercise a close and constant supervision of the detention quarters and ensure that the officers and staff observe these rules and any standing orders, regulations and directions that may be issued by or under the authority of the Admiralty or the commander-in-chief;

(*b*) ensure that the officers and staff of the detention quarters maintain discipline with firmness and humanity, but without undue repression or restriction;

(*c*) supervise and control the duties of the officers and staff of the detention quarters and satisfy himself that the duties are arranged and carried out in a manner to ensure the efficiency of the quarters;

(*d*) issue from time to time standing orders and ensure that they are kept up to date and complied with;

(*e*) interview every man under sentence as soon as possible after his admission to the detention quarters, and satisfy himself that the man understands the rules, regulations and standing orders with which he has to comply, the privileges he may gain by good conduct, and the consequences of idleness and misconduct;

(*f*) himself, once each day, parade and inspect all men under sentence;

(*g*) as far as practicable, visit and inspect daily all parts of the detention quarters in which men under sentence are working or training;

(*h*) periodically, visit the detention quarters at an uncertain hour of the night and record details of such visits in his journal;

(*i*) take every precaution to prevent the escape of men under sentence and ensure that all members of the staff are aware of their duties and responsibilities in this respect;

(*j*) at least once in each day, visit every man under punishment or restraint, and ensure that during the day every such man is visited by a member of the staff at intervals of not more than three hours;

(*k*) ensure that the attention of the medical officer is drawn, without delay, to any man who appears to require medical attention;

(*l*) have regard to the advice and recommendations of the medical officer regarding the physical or mental health or condition of any man under sentence, and the hygiene of the detention quarters, and take any necessary action;

(*m*) inform the appropriate chaplain or officiating chaplain of any case of serious illness in the detention quarters.

Duties of the medical officer

105. The medical officer shall: —

(*a*) have the care of the mental and physical health of men under sentence ;

(*b*) be responsible for carrying out the medical regulations laid down ;

(*c*) visit the detention quarters at least once a day and see such men as complain of illness or are undergoing punishment ;

(*d*) see every man on admission and before discharge or transfer ;

(*e*) in the course of each week, see every man under sentence ;

(*f*) from time to time observe the men under sentence at their drills, exercises, instructions and work ;

(*g*) in the course of each month, inspect the food, clothing, bedding, washing and sanitary arrangements, and every part of the detention quarters, and make any necessary recommendation to the commanding officer ;

(*h*) advise the commanding officer as necessary regarding the grading of the exercise of a man under sentence who has been in close confinement or on restricted diet ;

(*i*) report in writing to the commanding officer and make such recommendations as he deems necessary for the alteration of the discipline or the treatment or care of a man under sentence: —

(i) whenever he considers that the man's mental or physical health is likely to be adversely affected by punishment or treatment ;

(ii) whenever he considers that a man is unfit for detention quarters' discipline ;

(iii) when he considers that a man is suffering from any infectious or contagious disease ;

(iv) whenever he considers it necessary on medical grounds to draw special attention to his case.

(*j*) record in his journal any reports and recommendations he may make in accordance with these rules ;

(*k*) have free access to the detention quarters ;

(*l*) comply with these Rules and co-operate with the commanding officer in all matters affecting the health of the men under sentence and the hygienic state of the detention quarters and in maintaining discipline and good order, and the safe custody of the men under sentence ;

(*m*) draw the attention of the appropriate chaplain to any man who appears to require his special attention or care ;

(*n*) attend at once, or as soon as the occasion requires, on being informed of the illness of a man under sentence ;

(*o*) upon the death of a man under sentence record in his journal the time the deceased was taken ill, when the medical officer was first informed of the illness, the nature of the disability, the time death occurred and an account of the appearances after death, together with any other relevant remarks ;

(*p*) obtain an order from the monthly visitor before he applies any test to a man suspected of malingering ;

(*q*) inform the commanding officer if he considers that the state of health of a man under sentence is such that he should be sent to hospital, in order that the necessary arrangements may be made for the man's removal to and his safe custody in hospital, as well as his return to the detention quarters if he should be fit to return during the period of his sentence ;

(*r*) take under his special observation any man giving any grounds for suspicion that his mental state is becoming impaired or enfeebled; and, should there be good reason to believe that these are signs of incipient insanity, inform the commanding officer and take any other appropriate action.

Duties of other officers and members of the staff

106. Officers and members of the staff of naval detention quarters shall:—

(*a*) ensure that they are fully acquainted with these Rules, the standing orders of the detention quarters, and the orders of the commanding officer, and that they carry out their duties in accordance with those Rules and orders;

(*b*) in relation to men under sentence, preserve an attitude of firmness tempered with understanding, and avoid any form of harsh treatment; set an example of integrity and fairness and endeavour to instil manly and moral principles in the mind of every man under sentence, and to bring out the best in them;

(*c*) direct the attention of the commanding officer or of the officer deputed by him to any man under sentence who may appear not to be in good health, though he may not complain, or whose state of mind appears to be deserving of special notice or care, or who desires to see the commanding officer, medical officer, chaplain, instructor officer, the monthly visitor or the board of visitors;

(*d*) watch the men under sentence in their charge throughout the day and be vigilant to prevent any unauthorised communication between them and to preserve silence and decorum throughout the night;

(*e*) prevent prohibited articles from being secreted for the purpose of being conveyed to men under sentence, and immediately report any such occurence;

(*f*) guard against the clothes of workmen or others being left in places accessible to men under sentence, and report immediately any suspicious circumstances of this kind or the loitering of any person in the detention quarters;

(*g*) take care that no ladders, planks, wheelbarrows, ropes, chains, implements or materials of any kind likely to facilitate escape, are left in any place where they might be accessible to men under sentence;

(*h*) take the utmost care to guard against accidents by fire; report immediately any apparent danger of such an accident; thoroughly extinguish any unprotected fire before leaving it unattended; extinguish any unnecessary lights and fires; and not carry any naked light about within the detention quarters;

(*i*) call attention to any defects in the drainage, ventilation or sanitation of the detention quarters which may come to their notice;

(*j*) on being relieved from any particular duty or on being transferred to another part of the detention quarters, explain to their successor any special characteristics of the men in their charge, and any direction received regarding any particular man;

(*k*) when entrusted with keys, keep them in their own possession and not leave them lying about or lend them to any person on any pretext whatever, and

(*l*) return all official keys in their possession to the appointed place before leaving the detention quarters;

(*m*) when on night duty:—

(i) satisfy themselves as to the correctness of the number of men under sentence in their charge, and that the rooms are securely locked for the night;

(ii) patrol the detention quarters during their period of duty as laid down in the commanding officers' standing orders;

(*n*) examine the state of the rooms, bedding, locks and bolts under their charge from time to time, and report thereon as required;

(*o*) seize all prohibited articles and deliver them forthwith to the commanding officer;

(*p*) when on gate duty:—

(i) maintain the books for which they are responsible under standing orders, and present them for inspection as directed;

(ii) record details of every person passing through the gate, with the exception of the commanding officer;

(iii) examine all articles brought in or taken out of the detention quarters and stop any person suspected of bringing in or attempting to bring in any prohibited article, or of carrying out or attempting to carry out any property intended to remain in the detention quarters;

(*q*) not strike a man under sentence unless compelled to do so in self-defence, or swear or use improper language when addressing a man under sentence;

(*r*) not, by himself, enter a room in which a man under sentence is confined, or between 2000 and 0600 unlock the door of such a room unless accompanied by another member of the staff, and then only in case of sickness or other emergency.

Part IX

Naval Detention Quarters Abroad

107. These Rules shall apply to all naval detention quarters in the United Kingdom, and elsewhere subject, in the case of detention quarters on a foreign station on which persons subject to the Naval Discipline Act, 1957, are on active service, to any modifications required by the exigencies of the Service and authorised by the commander-in-chief.

Dated this 14th day of January, 1959.

Selkirk,
T. G. D. Galbraith,
Two of the Lords Commissioners of the Admiralty.

FIRST SCHEDULE (See Rule 3)

Regulations for Naval Detention Quarters 1912 (S.R. & O. 1912/1386) (Rev. XVI, p. 756: 1912, p. 1049).

Naval Detention Quarters (Amendment) Rules 1941 (S.R. & O. 1941/410) (Rev. XVI, p. 756: 1941 I, p. 706).

Naval Detention Quarters (Amendment) Rules 1946 (S.R. & O. 1946/1917) (Rev. XVI, p. 756: 1946 I, p. 1096.)

Naval Detention Quarters (Amendment) Rules 1947 (S.R. & O. 1947/2080) (Rev. XVI, p. 756: 1947 I, p. 1523.)

Naval Detention Quarters (Amendment) Rules 1952 (S.I. 1952/387) (1952 II, p. 2271).

SECOND SCHEDULE (See Rule 54)

FORM OF ORDER FOR MEN UNDER SENTENCE TO BE PLACED UNDER RESTRAINT

To the Member of Staff Date.....

in Charge of.....
(state duty)

Name and official Number of man under sentence .....
.....

* Describe the articles of restraint.

to be restrained in *.....

† Insert whether in front of or behind the body. They are in any case to be placed in front during meals and bedtime.

by the wrists †.....

from this hour.....to.....

Signature .....
Commanding Officer of Detention Quarters

The completion of the remainder of this form will be the responsibility of the Member of Staff concerned.

Articles of Restraint as above ordered were placed on the man under sentence:

Name..... Official No.....

at ..... and removed at .....
(time) (time)

on the .....day of.....

Signed.....(Member of Staff)

in charge of.....
(state duty)

THIRD SCHEDULE (See Rule 97)

Sections 39, 40, 41 and 42 of the Prison Act, 1952, as modified to apply in relation to naval detention quarters and persons under sentence therein by virtue of subsection (3) of section 82 of the Naval Discipline Act, 1957

39. Any person who aids any man under sentence in escaping or attempting to escape from a naval detention quarters or who, with intent to facilitate the escape of any man under sentence, conveys any thing into a naval detention quarters or to a man under sentence or places any thing anywhere outside a naval detention quarters with a view to its coming into the possession of a man under sentence, shall be guilty of felony and liable to imprisonment for a term not exceeding two years.

40. Any person who contrary to the Naval Detention Quarters Rules brings or attempts to bring into the naval detention quarters or to a man under sentence any spirituous or fermented liquor or tobacco, or places any such liquor or any tobacco anywhere outside the naval detention quarters with intent that it shall come into the possession of a man under sentence, and any officer or member of the staff who contrary to these rules allows any such liquor or any tobacco

to be sold or used in the naval detention quarters, shall be liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding twenty pounds or both.

41. Any person who contrary to the Naval Detention Quarters Rules conveys or attempts to convey any letter or any other thing into or out of the naval detention quarters or to a man under sentence or places it anywhere outside the naval detention quarters with intent that it shall come into the possession of a man under sentence shall, where he is not thereby guilty of an offence under either of the two last preceding sections, be liable on summary conviction to a fine not exceeding ten pounds.

42. The Commanding Officer shall cause to be affixed in a conspicuous place outside every naval detention quarters a notice of the penalties to which persons committing offences under the three last preceding sections are liable.

EXPLANATORY NOTE

(This note is not part of the Rules, but is intended to indicate their general purport.)

These Rules, which are made under the Naval Discipline Act, 1957, and the Courts-Martial (Appeals) Act, 1951, make provision with respect to the following matters:—

Part I Preliminary.

Part II relates to the command and inspection of naval detention quarters, being places where persons under naval sentences of imprisonment or detention may serve their sentences.

Part III relates to the admission to, and removal and release from, naval detention quarters of persons under sentence; it also contains the rules relating to remission of sentences.

Part IV relates to complaints, petitions and appeals by men under sentence.

Part V contains a code for the treatment, employment, discipline and control of men under sentence, and includes safeguards as to the size and type of accommodation used for their confinement; provisions as to rations, smoking, visits, letters, stages, offences against the Rules and as to the punishments which may be awarded in respect of such offences.

Part VI concerns the welfare of men under sentence, religion and education, and provisions with reference to chaplains.

Part VII sets out certain Rules with reference to naval detention quarters which must be observed, not only by men under sentence, but also by the public by virtue of sections 39 to 42 of the Prison Act, 1952, as modified to apply in relation to naval detention quarters.

Part VIII contains Rules to be observed by commanding officers, and staffs of naval detention quarters.

Part IX relates to naval detention quarters abroad.

These Rules supersede the Regulations for Naval Detention Quarters, 1912, S.R. & O. 1912/1386 (Rev. XVI, p. 756: 1912, p. 1049) as amended, which are revoked.