SIXTEENTH SCHEDULE

Regulations revoked

The Poisons Regulations (Northern Ireland), 1946.
The Poisons Regulations (Northern Ireland), 1949.
The Poisons Regulations (Northern Ireland), 1950.
The Poisons Regulations (Northern Ireland), 1951.
The Poisons Regulations (Northern Ireland), 1952.

PRISON RULES

RULES, DATED 19TH JANUARY, 1954, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION THIRTEEN OF THE PRISON ACT (NORTHERN IRELAND), 1953.

1954. No. 7

ARRANGEMENT OF RULES

PART I

Rules

PRELIMINARY 1-2

PART II

GENERAL RULES FOR THE TREATMENT OF PRISONERS

Classification 3-5
Accommodation 6-7
Reception 8-14
Information to Prisoners 15
Removal and Discharge 16-21
Discipline and Control 22-39
Prohibited Articles 40-41
Control of Admission 42-43
Work 44-47
Female Prisoners 48-53
Medical Services, Hygiene, Exercise 54-58
Food 59-62
Clothing 63-64
Medical Officer 65-80
Religious Ministration 81-96
Education and Libraries 97-101
Social Relations, Letters, Visits 102-114
Control of Visitors 115-116
Temporary Release 117

PART III

SPECIAL RULES RELATING TO CERTAIN CATEGORIES OF PRISONERS
Untried Prisoners 118-140
Appellants 141-146
Convicted Prisoners awaiting sentence or remanded for inquiry 147
Young Prisoners 148-149
Insane or mentally defective Prisoners 150
Prisoners under sentence of death 151-153
Civil Prisoners 154-157

PART IV

SPECIAL RULES FOR PRISONERS SENTENCED TO CORRECTIVE TRAINING 158-163

PART V

SPECIAL RULES FOR PRISONERS SENTENCED TO PREVENTIVE DETENTION 164-168

PART VI

SPECIAL RULES FOR BORSTAL PRISONERS 169-179

PART VII

RULES RELATING TO PRISON STAFF 180-202
Rules relating to all officers 180-188
Special Rules relating to governors 189-202

PART VIII

POWERS AND DUTIES OF COMMITTEES 203-219

SCHEDULE

RESTRICTED DIETS

The Ministry of Home Affairs for Northern Ireland in pursuance of the powers vested in it by Section thirteen of the Prison Act (Northern Ireland), 1953, and all other powers it thereunto enabling hereby makes the following Prison Rules:—

PART I

PRELIMINARY

1.—(1) These Rules may be cited as the Prison Rules (Northern Ireland), 1954.

Citation, Commencement, Interpretation and Definitions

(2) These Rules shall come into force on 1st February, 1954.

(3) The Interpretation Act, 1889, shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(4) In these Rules, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them, that is to say—

"Appellant" means a prisoner who is an appellant within the meaning of the Criminal Appeal (Northern Ireland) Act, 1930.

"Board of Visitors" in the application of Parts I to VII of these Rules to Borstal Institutions or Borstal Prisoners means a Visiting Committee appointed under Section 11 of the Act, and in application to any other prison or prisoners means a Board of Visitors appointed under Section 10 of the Act.

"Borstal Prisoner" means a young offender sentenced to Borstal training under Section 7 of the Criminal Justice Act (Northern Ireland), 1953.

"Civil Prisoner" means a person detained in a prison who is not serving a sentence, is not imprisoned in default of payment of a sum adjudged to be paid on conviction and is not subject to special treatment under any of the provisions of the Rules under any other description.

"Corrective Trainee" means a prisoner undergoing a sentence of Corrective training under Sub-Section (1) of Section 5 of the Criminal Justice Act (Northern Ireland), 1953.

"Legal Adviser" means, in relation to a prisoner, the prisoner's Counsel or solicitor.

"Officer" means any officer or servant of a prison.

"Preventive Detainee" means a prisoner undergoing a sentence of Preventive Detention under Sub-Section (2) of Section 5 of the Criminal Justice Act (Northern Ireland), 1953.

"Special Rule" means a Rule in Parts III to VI, inclusive, of these Rules.

"The Act" means the Prison Act (Northern Ireland), 1953.

"The Ministry" means the Ministry of Home Affairs for Northern Ireland.

Repeals

2. All previous Rules with respect to prisons, prisoners, prison officers and the powers and duties of Visiting Committees or Boards of Visitors are hereby revoked.

PART II

GENERAL RULES FOR THE TREATMENT OF PRISONERS

Application of Part I

3. The Rules in this Part apply to all prisoners unless inconsistent with the Special Rules.

Classification

4.—(1) In order so far as possible to prevent moral contamination and to facilitate training the arrangements set out in the following paragraphs of this Rule shall be made in classifying convicted prisoners.

(2) Prisoners under 21 years of age shall be classified as Young Prisoners.

(3) Prisoners of 21 years of age and over who have not previously been in prison on conviction shall be classified as Star Prisoners unless the Governor considers that, in view of their record or character, they are likely to have a bad influence on others in that class. A prisoner of 21 years of age or over who has previously been in prison on conviction may also be classified as a Star Prisoner if the Governor is satisfied, having regard to the nature of the previous offence or to the length of time since it was committed, or to the prisoner's general record and character, that he is not likely to have a bad influence as aforesaid.

(4) Other prisoners shall be classified as Ordinary Prisoners.

(5) (*a*) The Governor may in his discretion at any time remove from the Young Prisoners' Class a prisoner of 17 years of age or over whom he regards as unsuitable by character for that class, and may transfer him to the Star Class.

(*b*) The Governor may in his discretion at any time transfer from the Star Class to the Ordinary Class a prisoner whose character has shown him to be unfit to associate with other prisoners of the Star Class.

(6) Arrangements shall be made to provide so far as practicable for the effective separation at all times of the three classes of convicted prisoners.

(7) The Ministry may set up such other classes of prisoners, or may authorise in particular cases such departures from the provisions of this Rule, as may in the opinion of the Ministry be desirable for the purposes of paragraph (1) of this Rule.

Privileges

5.—(1) The Ministry shall, in the interest of good conduct and training, establish at every prison such system or systems of privileges as may be appropriate for different classes of prisoners and different methods of training.

(2) Every such system may include arrangements under which money may be earned by prisoners under these Rules and may be spent on such articles and subject to such conditions as the Ministry may determine.

ACCOMMODATION

Sleeping Accommodation

6.—(1) No sleeping accommodation for prisoners shall be used unless it is approved by the Ministry as being of such size and as being lighted, warmed, ventilated, and fitted in such a manner as is requisite for health, and is furnished with the means of enabling prisoners locked therein to communicate at any time with an officer.

(2) Except in a Borstal Institution sleeping accommodation shall be provided for each prisoner in a separate cell:

Provided that where it is necessary the Ministry may authorise the accommodating of three or more prisoners in a cell or ward.

Beds and Bedding

7. Every prisoner shall be provided with a separate bed and with separate bedding adequate for warmth and health.

RECEPTION, REMOVAL AND DISCHARGE

Reception

Search

8.—(1) Every prisoner shall be searched when taken into custody by an officer, on reception into prison, and at such subsequent times as the Ministry may determine, and all unauthorised articles shall be taken from him.

(2) The searching of a prisoner shall be conducted in as seemly a manner as is consistent with the effectiveness of the search.

(3) A prisoner shall not be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by, and in the presence of, officers of the same sex as the prisoner.

Retention of Property

9. All money, clothing, or other effects belonging to a prisoner which he is not allowed to retain shall be placed in the custody of the Governor, who shall keep an inventory thereof, which shall be signed by the prisoner.

Recording of Particulars

10. The name, age, height, weight, particular marks, and such other measurements and particulars as may be required in regard to a prisoner shall upon his reception, and from time to time, be recorded in such manner as the Ministry may determine.

Photographs and Finger-prints

11. A convicted prisoner may be photographed and finger-printed on reception and subsequently.

Baths

12. Every prisoner shall, unless exempted by the Governor or Medical Officer, take a hot bath on reception.

Medical Examination

13. Every prisoner shall, as early as possible on the day of his reception, 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.

Examination of Prisoners received late in day

14. Provided that if a prisoner is received too late to be examined on the day of his reception he shall be examined as soon as possible on the next day, and in any case within twenty-four hours of reception.

Information to Prisoners

Information to Prisoners

15.—(1) Arrangements shall be made to ensure that every prisoner on reception is provided, in his cell or ward, with an abstract of the Rules governing the treatment of prisoners of his class and of any other regulations of which he should have knowledge, including those relating to gratuities and privileges, to the proper methods of submitting petitions to the Minister and of making complaints, to food, clothing, bedding, and other necessaries, and to the disciplinary requirements of the prison, sufficiently full to provide him with all necessary information.

(2) The Governor shall personally or through such officer as he may appoint ensure as soon as possible after reception, and in any case within twenty-four hours, that every prisoner who can read has had an opportunity of reading the information so provided. Where a prisoner cannot read or has difficulty in understanding the information so provided, his rights and obligations under the Rules shall be so explained to him.

Removal and Discharge

Custody during removal, etc. Protection from public view

16.—(1) A prisoner whom the Ministry has directed to be taken to any place shall while outside the prison be kept in the custody of prison officers:

Provided that a prisoner directed to be brought before a court of summary jurisdiction may while outside the prison be in the custody of police officers.

(2) When prisoners are being removed to or from prison, they shall be exposed to public view as little as possible.

Final-interview with Governor

17. Every prisoner shall before discharge or removal to another prison be interviewed by the Governor.

Final interview with Medical Officer

18.—(1) Every prisoner shall as short a time as is practicable before discharge, or removal to another prison, be examined by the Medical Officer.

(2) A prisoner shall not be removed to another prison unless the Medical Officer certifies that he is fit for removal.

(3) A prisoner due for discharge who is suffering from an acute or dangerous illness shall not be required to leave the prison if, in the opinion of the Medical Officer, he cannot

be sent out without danger to himself, or, in the case of infectious or contagious illness, to other persons.

Return of clothes

19. On the discharge of a prisoner, his own clothes shall be returned to him unless it has been found necessary to destroy or otherwise dispose of them, in which case proper clothing shall be provided.

Application of gratuity on discharge

20. Any gratuity granted to a prisoner on his discharge may be paid through a society approved by the Ministry under Section 41 of the Act, or in such manner and under such conditions as the Ministry may order for the purpose of preventing its being misapplied.

Notice to Coroner, etc.

21. Upon the death of a prisoner the Governor shall give immediate notice thereof to the Coroner having jurisdiction, to the Board of Visitors, to the Minsitry, and where practicable to the nearest relative of the deceased.

Discipline and Control

General

General principles

22. The Rules in this section shall be applied in accordance with the following principles:—

(i) Discipline and order shall be maintained with firmness, but with no more rigour than is required for safe custody and well-ordered community life;

(ii) an officer in dealing with prisoners shall not use force unnecessarily and, when the application of force is necessary, no more force than is necessary shall be used; and

(iii) an officer shall not deliberately act in a manner calculated to provoke a prisoner.

Prisoners not to hold disciplinary posts

23. A prisoner shall not be employed in any disciplinary capacity, but prisoners selected as suitable by the Governor, or, in a women's prison by the female Chief Officer, may be given positions of responsibility and leadership.

Temporary work in cell

24.—(1) If at any time it appears to the Board of Visitors that it is desirable for the maintenance of good order or discipline or in the interests of a prisoner that that prisoner should not work in association with others, a recommendation to that effect may be made by the Board of Visitors to the Governor who will thereupon have authority to arrange for that prisoner to work temporarily in a cell and not in association.

(2) If the Governor is advised by the Medical Officer that, on medical grounds, it is desirable that a prisoner so withdrawn from work in association should again work in association, or if, for any other reason, the Governor is satisfied that this is desirable, he may arrange for the prisoner again to work in association from such date as he determines.

(3) He shall inform the Board of Visitors of any action taken under paragraphs (1) and (2) above.

(4) A prisoner shall not be withdrawn from work in association for a longer period than one month unless further authority is given from month to month by the Board of Visitors.

(5) If at any time the Governor considers it necessary, a prisoner may be withdrawn from work in association otherwise than as a punishment awarded under Rules 31 or 32, but in such case the Governor shall so inform the Board of Visitors and the withdrawal shall not continue for longer than one week unless authority for longer withdrawal is given by the Board of Visitors.

Remission

Conditions of remitting sentence

25. A prisoner sentenced to imprisonment for a period exceeding one month, including a person committed to prison in default of payment of a sum adjudged to be paid by a conviction, may by good conduct and industry become eligible for discharge when a portion of his sentence not exceeding one-fourth of the whole sentence has yet to run or when he has served a period of imprisonment not shorter than thirty-one days, whichever is the later date.

For the purpose of computing the period of imprisonment two or more consecutive sentences shall be counted as one sentence equal in duration to the sum of the several sentences.

Offences against discipline

Governor to deal with reports

26. A report against a prisoner shall not be dealt with by any officer except the Governor or an officer to whom authority to deal with such reports has been properly delegated by the Governor.

Separation of reported prisoner

27. When a prisoner has been reported for an offence the Governor may order him to be kept apart from other prisoners pending adjudication.

Information to reported prisoner

28. A prisoner shall, before a report against him is dealt with, be informed of the offence for which he has been reported and shall be given a proper opportunity of hearing the facts alleged against him and of presenting his case.

Unauthorised articles

29. The Governor may deprive a prisoner of any unauthorised article found in his cell or in his possession.

Offences

30.—(1) A prisoner who is guilty of any act or omission contrary to the security or good order of the prison shall be guilty of an offence against discipline and on his offence being reported to the Governor shall be dealt with as hereinafter provided in these Rules.

(2) Without prejudice to the generality of the provision of the foregoing paragraph (1) of this Rule, the term "offence against discipline" shall, for the purposes of these Rules, include the following offences:—

(*a*) Idleness, carelessness, or negligence at work.

(*b*) Abuse of any privilege.

(*c*) Failure to conform strictly to any condition of any parole given to him in or outside the prison.

(*d*) Irreverent behaviour at Divine Service or Prayers.

(*e*) Disrespect towards any officer or any person authorised to visit the prison.

(*f*) Making repeated and groundless complaints.

(*g*) Making false or malicious allegations against an officer.

(*h*) Indecency in language, act or gesture.

(3) An attempt to commit any offence shall be treated as though the attempted offence had been committed.

Investigation of offences, and awards by Governor

31.—(1) Save as provided by Rules 32 and 34 the Governor shall forthwith investigate every offence against discipline, and may determine thereupon and make one or more of the following awards:—

(*a*) Caution.

(*b*) Forfeiture of remission of sentence for a period not exceeding fourteen days.

(*c*) Forfeiture or postponement of privileges for a period not exceeding twenty-eight days or three months in the case of evening association exercise.

(*d*) Exclusion from associated work for a period not exceeding fourteen days.

(*e*) Cellular confinement for a period not exceeding three days.

(*f*) *Restricted diet No. 1 for a period not exceeding three days.

(*g*) *Restricted diet No. 2 for a period not exceeding fifteen days.

(*h*) Stoppage of earnings for a period not exceeding fourteen days.

(2) Every offence against discipline shall be reported forthwith by the officer having knowledge of it and the Governor shall investigate such reports not later than the following day, unless that day is a Sunday or a public holiday.

*For definitions of restricted diets see the Schedule.

Investigation and awards by the Ministry or Board of Visitors

32.—(1) Where a prisoner is reported for any of the following offences, namely:—

(*a*) an offence under the Act;

(*b*) gross personal violence against an officer;

(*c*) gross personal violence to another prisoner; and

(*d*) any serious or repeated offence against discipline for which such award as the Governor is authorised to make is deemed insufficient.

and the Governor considers after investigation that such an offence has been committed, he may, and in the case of an offence under (*a*) shall, report the matter to the Ministry.

(2) The Ministry shall thereupon inquire into the report (such inquiry if it thinks it desirable being on oath) and may make one or more of the following awards:—

(*a*) forfeiture of remission of sentence for a period not exceeding six months;

(*b*) forfeiture or postponement of privileges;

(*c*) exclusion from associated work for a period not exceeding twenty-eight days;

(*d*)*restricted diet No. 1 for a period not exceeding fifteen days;

(*e*)*restricted diet No. 2 for a period not exceeding twenty-eight days;

(*f*) cellular confinement for a period not exceeding fifteen days or, where the prisoner is found guilty of mutiny or incitement to mutiny, or of gross personal violence to an officer, not exceeding thirty days; and

(*g*) stoppage of earnings for a period not exceeding twenty-eight days.

(3) The Ministry may delegate its powers under this Rule to the Board of Visitors in any particular case.

Especially grave offences

33.—(1) Where a male prisoner serving a sentence of Imprisonment, Corrective Training, or Preventive Detention has been reported by the Governor under Rule 32(1) and the Ministry is satisfied after an inquiry upon oath that such prisoner has been guilty of:—

(*a*) mutiny or incitement to mutiny; or

(*b*) gross personal violence against an officer;

the Ministry may, without prejudice to its powers under paragraph (2) of Rule 32 direct the infliction of corporal punishment.

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*For definitions of restricted diets see the Schedule.

(2) Where an order for the infliction of corporal punishment is made, the order shall specify the number of strokes and the instrument with which they are to be inflicted, and shall be recorded in such manner as the Ministry may determine.

(3) Corporal punishment shall not be inflicted more than once for the same offence.

Corporal punishment

34.—(1) All corporal punishments shall be inflicted in the presence of the Governor and the Medical Officer.

(2) The Medical Officer shall immediately before the punishment is inflicted examine the prisoner and satisfy himself that he is both mentally and physically fit to undergo the punishment, and shall make such recommendation for preventing injury to the prisoner's health as he may deem necessary, and the Governor shall carry such recommendations into effect.

(3) At any time after the infliction of the punishment has begun the Medical Officer may, if he deems it necessary in order to prevent injury to the prisoner's health, recommend that no further punishment be inflicted, and the Governor shall thereupon remit the remainder of the punishment.

(4) The Governor shall enter in the corporal punishment book the number of lashes or strokes inflicted and any remission which he may have ordered.

(5) Corporal punishment, in the case of a prisoner over 18 years of age, shall be inflicted either with a cat-o'-nine tails, a birch rod, or a cane and in the case of a prisoner under 18 years of age with a birch rod or a cane; the instrument in either case shall be of a pattern approved by the Ministry.

(6) Corporal punishment shall not be inflicted on any female prisoner.

Medical certificates, and visits by Governor, etc.

35.—(1) An award of cellular confinement or restriction of diet shall in no case be given effect unless the Medical Officer has certified that the prisoner is in a fit condition of health to undergo it.

(2) Every prisoner undergoing cellular confinement or subjected to restricted diet No. 1 shall be visited at least once a day by the Governor and the Medical Officer, and if he is undergoing cellular confinement he shall be visited by an officer appointed for that purpose at intervals of not more than three hours during the day.

Remission and mitigation of awards

36. A disciplinary award under paragraph (1) of Rule 31 or paragraph (2) of Rule 32 may be determined or mitigated at any time by the authority responsible for the award.

Restraints

Mechanical restraints

37.—(1) Mechanical restraints shall not be used as a punishment or for any purpose other than safe custody during removal, except on medical grounds by direction of the Medical Officer, or in the circumstances and under the conditions stated in the following paragraphs of this Rule.

(2) When it appears to the Governor that it is necessary to place a prisoner under mechanical restraint in order to prevent his injuring himself or others, or damaging property, or creating a disturbance, the Governor may, after consulting the Medical Officer, order him to be placed under mechanical restraint, and notice thereof shall forthwith be given to a member of the Board of Visitors.

(3) No prisoner shall be kept under mechanical restraint longer than is necessary, and in no case for a longer period than twenty-four hours unless an order in writing from a member of the Board of Visitors is given, specifying the cause thereof and the time during which the prisoner is to be so kept, which order shall be preserved by the Governor as his warrant.

(4) Particulars of every case of mechanical restraint shall be forthwith recorded by the Governor.

(5) No mechanical means of restraint shall be used except of such patterns and in such manner and under such conditions as may be approved by the Ministry.

Temporary confinement

38. The Governor may, for the purpose of preventing disturbance, damage or injury, order any refractory or violent prisoner to be temporarily confined in a special cell approved for the purpose by the Ministry, but a prisoner shall not be confined in such a cell as a punishment or after he has ceased to be refractory or violent.

Complaints by prisoners

Complaints to be recorded and put forward

39.—(1) Every request by a prisoner to see the Governor, an officer of the Ministry, or a member of the Board of Visitors, shall be recorded by the officer to whom it is made and communicated without delay to the Governor.

(2) The Governor shall at a convenient hour on every day, other than Sundays and public holidays, hear the applications of all prisoners who have made a request to see him, and shall inform the Ministry or the next member of the Board of Visitors who visits the prison, as may be appropriate, of any such request.

Prohibited articles

Prohibited articles generally

40. A person shall not without authority, convey into or throw into or deposit in a prison, or convey or throw out of a prison, or convey to a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any money, clothing, food, drink, tobacco, letter, paper, book, tool, or other article whatever.

Anything so conveyed, thrown, or deposited may be confiscated by the Governor.

Drink and tobacco

41.—(1) A prisoner shall not be given or allowed to have any intoxicating liquor except in pursuance of a written order of the Medical Officer specifying the quantity to be given and the name of the prisoner for whose use it is ordered.

(2) A prisoner shall not be allowed to smoke or to have in his possession any tobacco except in accordance with such orders as may be given by the Governor with the approval of the Ministry.

Control of admission

General restrictions

42.—(1) No person may enter the prison, unless entitled to do so, without the permission of the Governor.

(2) All persons and vehicles entering or leaving the prison may be examined and searched.

(3) A person suspected of bringing any prohibited article into the prison, or of carrying out a prohibited article or any property belonging to the prison, or while in a prison of being in possession of a prohibited article, or in improper possession of any property belonging to the prison, shall be stopped and immediate notice thereof shall be given to the Governor, who may order that he shall be examined and searched.

(4) The Governor may refuse admission to the prison of a person who is not willing to be examined and searched.

(5) The Governor may direct the removal from the prison of a person who while in the prison is not willing to be examined and searched or whose conduct is improper.

Visitors viewing prisons

43.—(1) The Governor shall not, except as provided by statute, or as directed by the Ministry, allow any person to view the prison.

(2) The Governor shall ensure that no person authorised to view the prison makes a sketch, or takes a photograph or holds communication with a prisoner, unless authorised to do so by the Ministry.

Work

General requirement of work

44. Every prisoner shall be required to engage in useful work and so far as practicable at least eight hours shall be spent in associated or other work outside the cells. The maximum period of work in any one day shall not exceed ten hours:

Provided that the Governor may on a report of the Medical Officer excuse a prisoner from work, and no prisoner shall be set to any work unless he has been certified as fit for that type of work by the Medical Officer.

Unauthorised work

45.—(1) A prisoner shall not be set to any type of work not authorised by the Ministry.

(2) Except with the authority of the Ministry no prisoner shall work in the service of another prisoner or of an officer, or for the private benefit of any person.

All labour if possible to be productive

46. The work of all prisoners shall, if possible, be productive, and the trades and industries taught and carried on shall, if practicable, be such as may fit the prisoner to earn his livelihood on release.

Employment on Sundays, etc.

47.—(1) A prisoner shall not be employed, save at work necessary for the maintenance and conduct of the prison, on Sundays, Christmas Day, Good Friday, 17th March, and days appointed for a general fast or thanksgiving.

(2) Paragraph (1) of this Rule shall not apply to a prisoner who is a Jew, but such a prisoner shall not be compelled to work on his Sabbath or on such days of Festival as may be recognised.

Female Prisoners

Accommodation.

48. Female prisoners shall be accommodated in a prison exclusively appropriated to the detention of female prisoners.

Custody and supervision

49. Female prisoners shall in all cases be in the custody of female officers and if working under a male instructor shall be supervised by a female officer.

Pregnancy and confinement

50.—(1) If possible, a female prisoner who is pregnant on committal and whose confinement is expected to take place before the end of her sentence shall be temporarily removed from the prison to a suitable hospital for such confinement and for such period following delivery as the Medical Officer may consider necessary.

(2) Notice shall be given to the Ministry of the impending confinement of such a prisoner stating the place whereto and the period for which it is proposed to remove her and the Ministry may thereupon give a direction for the removal and may state in such direction the conditions subject to which the removal is to be effected.

Babies

51. Subject to such conditions as the Ministry may determine, a female prisoner may have her baby with her in prison during the normal period of lactation and longer if required in special circumstances, and the baby may be supplied with clothing and necessaries at the public expense.

Female Chief Officer

52. The Governor of a prison for female prisoners shall exercise his general authority in regard to such prison through a female Chief Officer and when visiting those parts of the prison where female prisoners are accommodated or

are at work shall at all times be accompanied by the Chief Officer, or, in her absence, by a female officer to whom she has delegated authority to accompany the Governor.

Duties of female Chief Officer

53.—(1) The female Chief Officer shall have the care and superintendence of all the prisoners in the prison. The keys of all the locks of the prison shall be in her custody.

(2) She shall exercise a close and constant personal supervision over the whole of the prison; she shall visit and inspect daily all parts of the prison where the prisoners are working or accommodated, and she shall give special attention to every prisoner who is sick or under restraint or undergoing cellular confinement, or on restricted diet No. 1.

(3) At least twice a fortnight she shall during the night inspect the prison.

Physical Welfare

Medical Services

Hospital accommodation

54. At every prison either a separate hospital building or a suitable part of the prison shall be equipped and furnished in a manner proper for the medical care and treatment of sick prisoners, and staffed by suitably trained officers.

Hygiene

Washing, shaving and haircutting

55. Arrangements shall be made for every prisoner to wash at all proper times, to have a hot bath at least once a week, and for men (unless excused or prohibited on medical or other grounds) to shave or be shaved daily and to have their hair cut as required. The hair of a male prisoner shall not be cut closer than may be necessary for purposes of health and cleanliness.

The hair of a female prisoner shall not be cut without her consent, except on account of vermin or dirt, or when the Medical Officer deems it necessary for health reasons.

Toilet articles

56. Every prisoner shall be provided on admission with such toilet articles as are necessary for health and cleanliness, and arrangements shall be made for the replacement of these articles, when necessary.

Cleanliness of cell, etc.

57. 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.

Exercise

Exercise to be regular

58.—(1) A prisoner, when employed in cellular or indoor work, shall, when practicable, be permitted to take exercise daily in the open air for not less than one 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 the prisoner. Means shall be provided, if possible, for exercise to take place, in wet weather, under cover.

(2) Prisoners of suitable age and physical condition shall, wherever practicable, receive physical training during some part of the daily exercise period.

(3) The Medical Officer may, on medical grounds, modify exercise or physical training, or exempt a prisoner from either or both.

Food

Food

59. Every prisoner shall be supplied with a sufficient quantity of plain and wholesome food in accordance with such dietary scales as may from time to time be authorised by the Ministry.

No private food

60. A prisoner shall not receive or have in his possession any food other than the allowance authorised by the dietary scales, except (*a*) with the authority of the Ministry or (*b*) with the authority of the Medical Officer if a variation of diet is desirable on medical grounds.

Alteration in food

61. The diet of any prisoner who persistently wastes his food may be reduced by the Governor after consultation with the Medical Officer.

Complaints as to food

62. A prisoner who desires to make a complaint regarding the food supplied to him must make it to the Officer on duty in charge of his class as soon as possible after he has received the food. The Officer receiving the complaint shall transmit it to the Governor, or in a Women's Prison, to the Chief Officer. If the prisoner so requests, the food shall (so far as its nature permits) be weighed or measured in his presence and in that of an officer deputed by the Governor for the purpose in order to determine whether the proper quantity has been supplied.

The making of repeated groundless requests for the weighing or measuring of food, with the evident purpose of giving trouble, will be deemed to be an offence against prison discipline.

Clothing

Prison dress

63. Every convicted prisoner shall be provided with clothing sufficient for warmth and health in accordance with a scale approved by the Ministry, and shall, except as otherwise approved by it, be required to wear such clothing.

Clothing to be worn at Court

64. When a convicted prisoner is brought before a Court of Justice to be tried on another charge or to give evidence, he shall be required to wear his own clothing, if it is decent. If his own clothing cannot be used he shall be provided with clothing different from prison dress, but such clothing shall remain prison property.

Medical Officer

Rules and Regulations

65. The Medical Officer shall 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.

Health of Prisoners

66. The Medical Officer shall have the general care of the health of the prisoners, and shall report to the Ministry, and make known to the Governor, any circumstances connected with the prison or the treatment of the prisoners which at any time appears to him to require consideration on medical grounds.

Supervision of Hygiene

67. The Medical Officer shall oversee, and shall advise the Governor upon, the hygiene of the prison and the prisoners, including arrangements for cleanliness, sanitation, heating, lighting and ventilation.

Visiting prison and prisoners

68.—(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 work. He shall daily visit the sick in the prison hospital and at such times as may be necessary. He shall attend at once on receiving information of the serious illness of any prisoner.

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

(4) The Medical Officer shall frequently examine the washing places, baths and other facilities 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.

Inspection of food

69. The Medical Officer shall frequently inspect the food, cooked and uncooked, provided for prisoners, and shall report to the Governor on the condition and quality of the food.

Monthly Inspection

70. As early as practicable in every month, the Medical Officer 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 ventilation is sufficiently provided for and properly attended to. The result of this inspection shall be recorded in his journal.

Keeping Journal

71. The Medical Officer shall enter, 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.

Special observations of prisoners, and reports as to mental or physical disorder

72.—(1) When the Medical Officer has good reason to believe that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment, or that there are signs of incipient insanity, he shall report the circumstances to the Governor for the information of the Ministry, 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.

(3) The Medical Officer shall inform the Governor when any prisoner appears to him to be dangerously ill.

(4) 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, or is in need of operation or treatment which cannot be given in the prison, he shall state the opinion, and the grounds thereof, in writing, together with any recommendation he may have to make, to the Governor, who shall duly forward such opinion and recommendation to the Ministry.

Power to call in additional medical aid

73. If in any case the Medical Officer considers it necessary, he may secure a second medical opinion, but every such case shall be specially reported to the Ministry, and where circumstances permit the prior approval of the Ministry shall be obtained.

Operation

74. Except in very urgent circumstances no serious surgical operation shall be performed in the prison.

Conditions as to application of painful test

75. 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 the Board of Visitors.

Infectious cases, etc.

76. The Medical Officer shall give directions in writing for separating from the other prisoners any prisoner suffering from 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.

Identification of prisoners

77. The Medical Officer shall inform the Governor of any particular physical characteristic of which he may become aware in regard to any prisoner which might usefully be noted on the record made under Rule 10 to assist in his future identification.

78. The Medical Officer shall forthwith, on the death of any prisoner, enter in his journal the following particulars:— Particulars as to death to be entered in journal

(*a*) at what time the deceased was taken ill;

(*b*) when the illness was first communicated to him;

(*c*) the nature of the disease;

(*d*) when the prisoner died; and

(*e*) in cases where a post-mortem examination is made, a report as to the findings therefrom, together with any special remarks that appear to him to be required.

79.—(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 prisoners, and to the sanitary condition of the quarters of the officers and of the prison buildings. Statistical records, returns and reports

(2) The Medical Officer shall as soon as possible after the 31st December in each year make a report to the Ministry concerning the execution of his duties during the twelve months ended on that day together with returns showing sickness, mortality, removals on medical grounds, insanity, suicide, and hospital treatment among the prisoners, and such other particulars as may be directed.

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

The Medical Officer shall, when required by the Ministry, furnish a report as to the physical fitness of any candidate for employment in the Prison Service, and shall also, from time to time, furnish to the Civil Service Commissioners such detailed information in reference to the health, etc., of candidates as such Commissioners consider necessary, in order to enable them to issue their certificate of qualification.

80. Leave of absence will be given by the Ministry, and when absent on such leave or in case of sickness or necessary engagement, the Medical Officer shall appoint a substitute, approved by the Ministry. The name and residence of the substitute shall be entered in his journal. Duty to appoint substitute when absent

Religious Ministration

81. The religious denomination of every prisoner shall be ascertained and recorded on his reception and he shall be regarded as a member of the denomination then recorded unless and until he satisfies the Board of Visitors that he has good grounds for desiring the record to be altered. Recording of denomination

Religious books and services

82.—(1) Each prisoner shall be furnished with a Bible, and where appropriate a Prayer Book, such as is approved for the denomination to which he belongs.

(2) Such books or printed papers intended for the religious instruction of prisoners as may be approved by the Ministry shall be admitted to the prison, but only those chosen by a minister of the denomination to which a prisoner belongs shall be made available to him unless with the permission of the Governor given after consideration of a special request made to him by the prisoner. Where any difference of opinion arises between a minister appointed to the prison or allowed to visit prisoners and the Ministry with respect to books or papers proposed to be admitted for the religious instruction of a prisoner of his denomination reference shall be had to the bishop of the diocese in which the prison is situated or other appropriate ecclesiastical authority, whose decision shall be final.

(3) Prisoners shall attend religious Services when such are provided for them, unless allowed by the Governor to be absent, provided that no prisoner shall be compelled or requested to attend any such service held or performed by any person who is not of his religious persuasion.

Conformity to Rules

83. A minister of a religious denomination appointed to the prison under Section 9(1) of the Act shall conform to the Rules, hereinafter set out, relating to Chaplains, as well as to the general Rules and Regulations of the Prison concerning the maintenance of order and discipline and the conduct of persons therein. It shall be his duty to support the Governor in his enforcement of such Rules and Regulations.

To visit the sick and prisoners in punishment cells at least three times a week

84. A chaplain shall visit at least three times a week the prisoners of his denomination who are sick or confined in punishment cells, and shall pay special attention to young prisoners.

Interviews, visits to sick, etc., and Divine Services

85. A chaplain shall—

(*a*) interview individually every prisoner recorded as belonging to his denomination, who is willing to be interviewed, as soon as possible after the prisoner's reception, a short time before his discharge, and from time to time as often as practicable during his imprisonment;

(*b*) give such religious instruction as may be practicable to any prisoner of his denomination desiring it; and

(*c*) conduct divine service for prisoners of his denomination at such times as may be arranged.

To attend Prisoners ordered for execution

86. A chaplain shall more particularly afford his spiritual assistance to all prisoners of his denomination under order for execution or committed on charges punishable with death.

87. A chaplain shall communicate to the Governor any abuse or impropriety in the prison which may come to his knowledge and shall enter the same in his journal. Chaplain to communicate abuses to Governor

88. Each chaplain shall keep a journal noting his attendance and the several duties performed by him, and shall lay it before the Board of Visitors at their visits. Journal

89. Each chaplain shall keep an accurate register of the burials of all prisoners belonging to his denomination who may die in the prison, and he shall, if required, attend at the interment of such prisoners. Burials

90. Each chaplain shall, as soon as possible after the 31st December in each year, submit to the Ministry a report with reference to the year ended on that day, on the religious and moral condition of the prisoners of his denomination. Annual and periodical reports

91.—(1) The Ministry may, upon the application of any chaplain, approve of clergymen designated by name, not exceeding three in number, of the same religious denomination as such chaplain from whom he may appoint a substitute or substitutes, or accept assistance, under the circumstances and in the cases hereinafter provided. Chaplains' substitutes to be approved by Ministry

(2) The Ministry may withdraw any such approval so granted. Withdrawal of approval of substitute

92. A chaplain shall insert the names and residences of the clergymen so approved in his journal. Names of substitutes be entered in journal

93. A chaplain, when he is absent on leave or when, from sickness or other sufficient cause, he is prevented from performing his duties in person, may nominate one or more of the clergymen so approved as his substitute or substitutes, or may accept the assistance of any of the said clergymen in performance of his duty. Nomination by chaplain of substitutes

94. In the event of the death of any chaplain, the Governor shall, in consultation with the appropriate Church Authority, provide a substitute, and report the vacancy to the Ministry. Substitute on death of chaplain

95.—(1) If any prisoner so requests, the Governor, after satisfying himself as to the reasons for the request, may permit the prisoner to be interviewed or visited by a minister of a denomination other than that to which the prisoner is recorded as belonging. Prisoner may, on request, be visited by other chaplains

(2) When permission is so granted the Governor shall inform the chaplain of the prisoner's recorded denomination.

(3) Save as aforesaid, no minister of any religious denomination shall hold communication with any prisoner other than one of his own denomination.

Visits by ministers of denominations for which no minister appointed

96.—(1) If any prisoner, who is of a religious denomination other than one of those of the ministers appointed to the prison under Section 9(1) of the Act, so requests, the Governor shall permit a minister of that denomination to visit that prisoner at proper and reasonable times. The Governor shall cause such prisoners to be made acquainted with this privilege on their admission.

(2) A minister of a religious denomination who is permitted by the Governor under paragraph (1) hereof or by the Ministry under Section 9(2) of the Act to visit a prisoner shall acquaint himself with the general Rules and Regulations of the prison relating to the maintenance of order and discipline and the conduct of persons therein. He shall conform to these Rules and Regulations as well as to any conditions subject to which his visits may be allowed. Provided that no Rule or Regulation shall have effect so as to require that his permitted visits shall be in sight and hearing of any third party.

EDUCATION AND LIBRARIES

Education

Evening classes, etc.

97.—(1) At every prison programmes of evening educational classes shall be arranged, and reasonable facilities, under such conditions as the Ministry may determine, shall be allowed to prisoners who wish in their leisure time to improve their education by correspondence courses or private study, or to practise handicrafts.

(2) Special attention shall be paid to the education of illiterate prisoners, if necessary within the hours normally allotted to work.

(3) Every prisoner able to profit by the educational facilities provided shall be encouraged to do so.

Libraries

Library

98. A library shall be provided in every prison, and subject to such conditions as the Ministry may determine every prisoner shall be allowed to have library books and to exchange them as often as practicable.

Books, etc., from outside

99. Prisoners may receive books, periodicals or newspapers from outside the prison under such conditions as the Ministry may determine.

Catalogue

100. The Governor shall keep a catalogue of all books and printed papers (including books and printed papers for religious instruction) admitted to the prison.

Provision of books

101. Such arrangements as may be approved by the Ministry may be made by the Governor with the Librarian of any public or private library for the loan of books for use in the prison library and for the periodical revision of the contents of the library.

Social Relations, Letters and Visits

Social Relations

Family relationship, etc.

102.—(1) Special attention shall be paid to the maintenance of such relations between a prisoner and his family as are desirable in the best interests of both.

(2) So far as is practicable and in the opinion of the Governor desirable, a prisoner shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the prison as may promote the best interests of his family or the social rehabilitation of the prisoner.

(3) The Governor may at any time communicate to a prisoner, or to his family or friends, any matter of importance to such prisoner.

(4) When a prisoner is eligible to receive a visit the Governor may, on the prisoner's request, communicate with such friends as the prisoner may desire to visit him.

After-care, etc.

103. From the beginning of the sentence of every prisoner consideration shall be given, in consultation with the appropriate officer or body whose concern the prisoner will become on release, to the future of the prisoner and the assistance to be given to him on and after his discharge.

Information to family of death, etc.

104. If a prisoner dies, becomes seriously ill, is certified as insane or mentally defective or sustains a serious accident the Governor shall at once inform the nearest relative whose address is known, and any other person whom the prisoner has requested may be so informed.

Normal minimum provision

105.—(1) Every prisoner shall be allowed to write and receive a letter on reception and thereafter once in four weeks and to receive a visit once in four weeks.

(2) The letters and visits to which a prisoner is entitled under the foregoing paragraph of this Rule shall not be liable to forfeiture under Rules 33 and 34.

No Sunday or private visits

106. Visits to a prisoner shall not, except in an emergency, take place on Sunday and, except as hereafter provided in these Rules, in the case of a legal adviser or certain medical advisers, shall be in the sight and, if required by the Ministry in any particular case, in the hearing of a prison officer.

Additional letters or visits as privilege

107. The Ministry may allow such additional letters or visits as it may determine, as a privilege for any class of prisoners.

Letters instead of visits

108. The Governor may allow a prisoner who is entitled to a visit to write a letter and receive a reply instead of such visit.

Discretionary letters and visits

109. A prisoner may be allowed, at the discretion of the Governor, to have special letters and visits if, in the Governor's opinion, the circumstances warrant.

General or special restrictions on letters and visits

110.—(1) The Ministry may at any time impose such special restrictions on letters and visits as it may consider necessary for securing discipline and good order and for the prevention of crime and criminal associations.

(2) The Governor may at any time, having regard to circumstances obtaining or expected to obtain in the prison, suspend all or any visits to prisoners for such period as the Ministry may approve.

(3) Except as provided in these Rules, no person shall be allowed to communicate with a prisoner without special authority.

(4) Every letter to or from a prisoner shall (except as specially provided in the Rules in the case of certain communications to a legal adviser) be read by the Governor or by a responsible officer deputed by him for the purpose, and it shall be within the discretion of the Governor to stop any letter on the ground that its contents are objectionable.

Visits for Special Purposes

Visits by police

111. An officer of police may visit any prisoner who is willing to see him on production of an order issued by or on behalf of a proper police or Magisterial Authority, and any such visit shall be additional to those allowed under the foregoing Rules.

Persons imprisoned on default of payment

112. A person committed to prison in default of the payment of a sum which in pursuance of any conviction or order he is required to pay shall be allowed to have an interview with his friends on a week-day at any reasonable hour, or to communicate by letter with them for the purpose of providing for a payment which would procure his release from prison, and every such prisoner shall on his reception be informed of this Rule.

Visits by legal adviser

113.—(1) Reasonable facilities shall be allowed for the legal adviser of a prisoner who is party to legal proceedings, civil or criminal, to interview the prisoner with reference to those proceedings in the sight but not in the hearing of an officer.

(2) The legal adviser of a prisoner may, with the permission of the Ministry, interview the prisoner with reference to any other legal business in the sight but not in the hearing of an officer.

Special purpose visits not to be forfeited

114. The visits for special purposes to which the last two foregoing Rules refer shall be additional to the visits allowed under any other of the foregoing Rules, and shall not be liable to forfeiture under Rules 31 and 32.

Control of Visitors

Identification and search of visitors

115. The Governor may demand the name and address of any visitor to a prisoner; and when he has 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 and particulars of any such proceeding.

Carrying of prohibited articles by visitors, etc.

116.—(1) 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 Ministry.

(2) A copy of the law regarding the introduction of prohibited articles shall be exhibited in the place set apart for visits and, before the prisoner is introduced, the attention of the visitor shall be called thereto.

Temporary Release

Release on parole

117.—(1) A prisoner serving a sentence of imprisonment, corrective training, preventive detention or Borstal training may be allowed by the Ministry, on conditions approved by it, to be temporarily absent from prison on parole for a stated length of time.

(2) If the Ministry is satisfied that a prisoner absent on parole has broken any of the said conditions, he shall, notwithstanding that the stated length of time has not expired, be liable to be recalled to prison.

Part III

SPECIAL RULES RELATING TO CERTAIN CATEGORIES OF PRISONERS

Untried Prisoners

General

Application of Rules

118. The following Rules shall apply to any person (in these Rules referred to as "an untried prisoner") committed to prison for safe custody in any of the following circumstances:—

(*a*) On his committal for trial for any indictable offence.

(*b*) Pending the preliminary hearing before a Court of Summary Jurisdiction of a charge against him of an indictable offence, or pending the hearing of an information or complaint against him.

(*c*) Awaiting sentence.

Bath

119. An untried prisoner shall not be required to take a bath on reception, if, on the application of the prisoner, the Governor decides that it is unnecessary.

Photographing, measuring and finger-printing

120.—(1) An untried prisoner shall not be photographed, measured or finger-printed while in prison except with the authority of the Ministry, or in pursuance of an order made under Section 13 of the Criminal Justice Act (N.I.), 1953.

(2) When an untried prisoner who has not been previously convicted of crime shall have been photographed, measured and finger-printed under the preceding regulation, if he be discharged by the magistrate or acquitted upon his trial, all photographs (both negatives and copies), finger-print impressions, and records of measurements so taken, shall forthwith be destroyed.

Separation from each other

121. In order to prevent untried prisoners from being morally contaminated by each other, or endeavouring to defeat the ends of justice, they shall be kept separate, and shall not be permitted to communicate together.

Separation from convicted prisoners

122. Untried prisoners shall be kept apart from convicted prisoners, and while attending religious services and at other times shall, if possible, be placed so that they may not be in view of the convicted prisoners.

Power to modify routine

123. The Governor or Board of Visitors may modify the routine of the prison in regard to an untried prisoner so far as to dispense with any practice which, in the opinion of the Governor or Board of Visitors, is clearly unnecessary in the case of that particular prisoner.

Application of prisoner's money

124. Any money in the hands of the Governor belonging to an untried prisoner may be applied to the purpose of making special provision for him in cases where the prisoner is, by these rules, required to make any payment in respect of such special provision.

Food, Clothing, etc.

Clothing

125.—(1) An untried prisoner shall wear his own clothes in prison unless they are insufficient or unfit for use or have to be preserved for the purposes of justice.

If for any of the reasons aforesaid, clothing is provided for him it shall be different from prison dress.

(2) The medical officer may, for the purpose of preventing the introduction or spread of infectious disease, order that the clothing of an untried prisoner be disinfected before being worn in prison. While his own clothing is being disinfected the prisoner shall be provided with sufficient suitable clothing for decency and comfort.

(3) If an untried prisoner is unable to arrange at his own expense for change of underclothes a sufficient supply of underclothes of the type used by convicted prisoners shall be issued to him.

(4) Any outer or underclothing issued to an untried prisoner while in custody shall remain prison property and shall be surrendered by the prisoner before discharge from custody unless it has been found necessary to destroy all, or any article of, his own clothing, in which case he shall, on discharge, be permitted to retain one set of the corresponding articles issued to him.

Power to procure food, clothing, or bedding

126.—(1) An untried prisoner may procure for himself, or receive at proper hours, food, clothing, or other necessaries, subject to examination and to such conditions as may be approved by the Ministry; and any articles so procured may be paid for out of the money belonging to the prisoner in the hands of the Governor. If the prisoner does not provide himself with food, he shall receive the allowance of food allotted to prisoners awaiting trial by the Rules of the prison.

Notice as to provision of food

127.—(1) If an untried prisoner prefers to provide his own food for any meal, he shall give notice thereof beforehand. The Governor shall not, except where it may seem to him proper, permit any such prisoner to receive any prison allowance of food for the meal for which he procures or receives food at his own expense.

Restrictions on provision of food

(2) Articles of food shall be received by an untried prisoner only at such hours as may be specified from time to time.

Prohibition of sale

128. An untried prisoner shall not sell or transfer to any other person any article whatsoever allowed to be introduced for his use; and any prisoner transgressing this Rule shall be prohibited from procuring any such article for such period as the Ministry may deem proper.

Smoking

129. The Governor shall permit any untried prisoner to smoke.

Appearance; Cleanliness; Health

Appearance

130.—(1) So far as practicable an untried prisoner shall not so change his external appearance as to impede identification, and when brought to trial he shall, as nearly as possible, present the same external appearance as when committed. To this end he shall not be permitted to remove a beard or moustache worn when committed but his hair shall be cut and he shall shave, or be shaved, as may be necessary to maintain his appearance as on committal.

(2) Notwithstanding the provisions of the preceding paragraph, effect shall be given to any order by the medical officer as to the removal of beard, etc., haircutting or shaving for the elimination of vermin or on the ground of health and cleanliness.

Medical attendance

131. If an untried prisoner desires the attendance of his usual medical attendant or dentist, the Board of Visitors

shall, if they are satisfied that the application is bona fide, permit him to be treated by that medical attendant or dentist at his own expense, but proper precautions shall in all cases be observed to prevent abuse of this privilege.

Books, etc.

Books, newspapers, etc.

132.—(1) An untried prisoner shall be permitted to have supplied to him, at his own expense, such books, newspapers, or other means of occupation, other than those furnished by the prison, as are not, in the opinion of the Board of Visitors, or in their absence, and pending their approval, in the opinion of the Governor, of an objectionable kind.

(2) If the privilege allowed by this Rule is abused it may at any time be withdrawn by the Governor, or the Board of Visitors.

Private property

133. The Governor may, on the application of an untried prisoner, allow him, so far as is consistent with discipline and the good order of the prison, to have in his room or cell any articles which were in his possession at the time of arrest and are not required for purposes of justice or reasonably suspected of forming part of property improperly acquired by him.

Work

Employment

134. An untried prisoner shall have the option of employment, but shall not be compelled to perform any work.

Light in cell

135. The Governor may permit the light to remain burning in the cell of an untried prisoner to enable the prisoner to continue to read or write, or to work and follow his trade, until the final locking-up of the prison.

Visits and Communications

Visits

136.—(1) Persons with whom an untried prisoner desires to communicate shall be admitted, during such hours and under such restrictions as the Governor, with the approval of the Ministry, may fix.

(2) An untried prisoner shall be permitted to be visited by one person or (if circumstances permit) by two persons, at the same time, for a quarter of an hour on any week-day, during such hours as the Governor, with the approval of the Ministry, may fix. The Ministry may suspend or withdraw the permission hereby granted in any case it if considers it necessary so to do for the purposes of the security, good order, and government of the prison and prisoners therein, or for the purposes of preventing any tampering with evidence, or any plans for escape, or other like considerations.

(3) The Governor may, in any special case, for special reasons, prolong the period of the visit allowed to an untried prisoner, or allow him to be visited by more than two persons at the same time.

(4) Every endeavour shall be made to provide that an untried prisoner be not, when being visited, exposed to the view of the friends of other prisoners, and to prevent the friends of one prisoner from coming in contact with the friends of another while in the prison.

Communication with legal adviser

137. An untried prisoner shall, at his request, be allowed to see his legal adviser on any week-day, at any reasonable hour. Such visit shall not be in the hearing nor, so far as is consistent with security and the interests of Justice, in the sight of any officer or other person, unless the prisoner or his legal adviser so desires.

Visit by medical adviser

138. An untried prisoner may for the purposes of his defence receive a visit from a registered medical practitioner selected by him or by his friends or legal adviser, under the same conditions as apply to a visit by his legal adviser.

Communication for the purpose of bail

139. An untried prisoner, who is in prison in default of bail, shall be permitted to see any of his friends, on any week-day at any reasonable hour, for the bona fide purpose of providing bail.

Written communications

140.—(1) Writing materials to such extent as the Governor decides reasonable shall be furnished to an untried prisoner who requires them for the purpose of communicating with friends or preparing a defence.

(2) A confidential written communication prepared as instructions for the legal adviser of an untried prisoner may be delivered personally to him or may be sealed by the prisoner and delivered by, or on behalf of, the Governor with seal unbroken to a messenger authorised by the legal adviser in writing to receive it and shall not be treated as a letter to which paragraph (3) of Rule 110 applies, unless the Governor has reason to suppose that it contains matter not relating to such instructions.

(3) All other written communications by or to an untried prisoner shall be treated as letters to which paragraph (3) of Rule 110 applies.

APPELLANTS.

Clothing of appellants absent from prison

141. An appellant when absent from the prison for purposes connected with his appeal shall wear his own clothing or, if his own clothing cannot be used, shall be provided with clothing different from prison dress. Clothing so provided shall remain prison property and shall be surrendered by the appellant on his return to prison or, in the event of his sentence being quashed by the Court, before his discharge from custody.

Visits by legal adviser

142. An appellant may, on any week-day at any hour previously approved by the Governor, be visited by his legal adviser for the purposes of his appeal under the same conditions as those laid down for untried prisoners in Rule 137.

Private medical adviser

143. An appellant may for the purposes of his appeal receive a visit from a registered medical practitioner selected by him or by his friends or by his legal adviser, under the same conditions as apply to a visit by his legal adviser.

Other visitors

144. An appellant may for the purposes of his appeal receive a visit from any other person.

Letters and other facilities for appeal

145.—(1) Writing materials to such extent as the Governor decides reasonable shall be furnished to an appellant who requires them for the purpose of preparing his appeal.

(2) An appellant may write letters to his legal adviser or other persons for the purpose of his appeal.

(3) A confidential written communication prepared as instructions for the legal adviser of an appellant may be delivered personally to such legal adviser or may be sealed by the appellant and delivered by, or on behalf of the Governor, with seal unbroken by a messenger authorised by the legal adviser to receive it, and shall not be treated as a letter to which paragraph (3) of Rule 110 applies, unless the Governor has reason to suppose that it contains matter not relating to such instructions.

Appellants under sentence of death

146. Rules 141 to 145 inclusive in their application to prisoners who are under sentence of death shall be subject to the Special Rules applying to such prisoners.

Convicted Prisoners awaiting Sentence, or Remanded for Inquiry

Facilities for making representations

147. A prisoner to whom this Rule applies shall, if he so desires, for the purpose of preparing any representations to the Court before which he is to appear to be sentenced or otherwise dealt with, be granted any or all of the facilities which are accorded to appellants under Rules 142 to 145 of these Rules.

Young Prisoners

Training

148. Special attention shall be paid to the moral, mental and physical training of young prisoners.

Visits

149. The Ministry may make such modifications in the application to any young prisoner of the Rules relating to visits and communications as may be considered desirable in relation to his welfare.

Insane or Mentally Defective Prisoners

Medical attention and care

150. A person detained in a prison after being found guilty but insane, or insane upon arraignment or while awaiting an examination by a registered medical practitioner as to his mental condition, shall receive the special attention

of the Medical Officer and until such person is removed to an appropriate hospital or institution such steps for his care and accommodation shall be taken as the Medical Officer considers necessary.

Prisoners under Sentence of Death

Rules as to prisoner under sentence of death

151. Every prisoner under warrant or order for execution shall, immediately on his arrival in the prison after sentence, be searched, and all articles shall be taken from him which the Governor deems dangerous or inexpedient to leave in his possession. He shall be confined in a cell apart from all other prisoners, and shall be placed by day and night under the constant charge of two officers. He shall be allowed such a dietary and amount of exercise as the Governor, with the approval of the Ministry, may direct. A minister of religion authorised to visit prisoners of his denomination shall have free access to every such prisoner, and free access shall also be allowed to any other minister of religion whom such prisoner desires to see.

Visits and conferences

152.—(1) A prisoner under sentence of death may be visited by such of his relations, friends and legal advisers as he desires to see, and are authorised to visit him by an order in writing from a member of the Board of Visitors or from the Ministry.

(2) If any person satisfies a member of the Board of Visitors or the Ministry that he has important business to transact with a prisoner under sentence of death, that member or the Ministry may by order in writing authorise that person to visit the prisoner.

(3) All visits to prisoners under sentence of death shall take place in the sight and hearing of an officer notwithstanding that such visit is by the prisoner's legal adviser or is in relation to an appeal.

(4) A prisoner under sentence of death shall be allowed special facilities to correspond with his legal advisers, his relatives, and friends.

Access to prisoner under sentence of death.

153. No person other than a member of the Board of Visitors or an officer of the prison shall have access to a prisoner under sentence of death except as provided in Rules 151 and 152.

Civil Prisoners

Association

154.—(1) Civil prisoners may associate among themselves at such times and in such manner as the Ministry may determine.

(2) They shall not be allowed to associate with any prisoners other than civil prisoners except as provided by paragraph (3) of this Rule.

(3) Where owing to the small numbers of civil prisoners or otherwise suitable arrangements for association of such prisoners cannot be made, such a prisoner may if he so desires, with the approval of the Governor, be allowed to associate with prisoners of the Star Class at such times and in such manner as the Ministry may determine.

Clothing

155.—(1) A civil prisoner may, if he so desires, wear his own clothing and have necessary changes of his own underclothing supplied from time to time provided that—

(*a*) the clothing is sufficient and suitable; and

(*b*) it shall be disinfected if the Medical Officer so requires.

(2) A civil prisoner who does not wear his own clothing may be required to wear prison dress.

(3) The privilege of wearing his own clothing may be forfeited by a civil prisoner if, having regard to any conduct of the prisoner, the Governor considers withdrawal of this privilege necessary or desirable.

Remission

156. The general Rules relating to remission shall not apply to civil prisoners.

Visits and letters

157.—(1) A civil prisoner may be visited during such hours and under such restrictions as the Ministry may determine, and may write one letter and receive one letter in each week:

Provided that the Governor or the Board of Visitors may, in a special case for special reasons, allow additional letters to such reasonable extent as he or they may deem advisable.

(2) These privileges shall be liable to forfeiture under Rules 31 and 32, provided that notwithstanding such a forfeiture the writing or receiving of one letter and the receiving of one visit in four weeks shall be allowed.

PART IV

SPECIAL RULES FOR PRISONERS SENTENCED TO CORRECTIVE TRAINING

Segregation

158. Corrective trainees shall be segregated from other prisoners to such extent and in such manner as may appear desirable and be practicable.

Hours of Work

159. Of the eight hours per day referred to in Rule 44, a corrective trainee shall, for at least six hours per day, be employed on work which could be of assistance to him in earning a livelihood after release.

Work in open conditions

160. After the expiry of not less than five-eighths of his sentence or 2 years, whichever may be the sooner, a corrective trainee may, on the recommendation of the Governor and

with the approval of the Ministry, receive his training under progressively modified security.

Reviewing Body

161. The Ministry shall appoint a Reviewing Body consisting of the Governor and such other persons as the Ministry may consider desirable.

The conduct and progress towards rehabilitation of every corrective trainee shall be considered once in every three months after the expiration of the first six months of his sentence by this Body and minutes of its proceedings at each meeting shall be taken, and shall be kept in the custody of the Governor.

Special privileges

162. A corrective trainee may, on the recommendation of the Reviewing Body and with the approval of the Ministry, be granted the following special privileges:—

(i) The practice, in the prisoner's own time, of arts or crafts of such kinds and in such manner as may be approved and the provision of channels for the disposal of the products of such arts or crafts for the prisoner's benefit.

(ii) The cultivation of a garden plot and the use or sale of the produce in such manner as may be approved.

Release on licence

163.—(1) A corrective trainee shall not be eligible for release on licence until he has served three-quarters of his sentence: provided always that the Ministry may, in special circumstances, release a corrective trainee on licence at any time.

(2) Before releasing any corrective trainee the Ministry shall have regard to the minutes of the Reviewing Body relating to him.

Part V

SPECIAL RULES FOR PRISONERS SENTENCED TO PREVENTIVE DETENTION

Stages

164. A sentence of preventive detention shall be served in three stages, viz:—

(*a*) First stage in which the preventive detainee shall be treated in all respects as an ordinary prisoner;

(*b*) Second stage in which the preventive detainee will, so far as practicable, be accommodated in a separate part of the prison; and

(*c*) Third stage in which the preventive detainee will be at liberty on licence under the supervision of an appropriate body.

Special privileges

165. In addition to any privileges for which, under a general scheme, he may become eligible, a second-stage preventive detainee may earn additional privileges which may include:—

(*a*) The practice in his own time of arts, crafts or studies of such kind and in such manner as may be approved by the Ministry.

(*b*) The cultivation of a garden plot.

(*c*) The disposal of the products of arts or crafts, and the use or sale of garden produce, for his own benefit.

(*d*) In exceptional cases, and only during a period of approximately six months before release on licence, work in open conditions.

Reviewing Body

166.—(1) The Ministry shall appoint a Reviewing Body consisting of the Governor and such other persons as the Ministry may consider desirable.

(2) The conduct and progress towards rehabilitation of every preventive detainee shall be considered once in every six months after the expiration of the first twelve months of his sentence by the Reviewing Body and minutes of its proceedings at each meeting shall be taken, and shall be kept in the custody of the Governor.

(3) As soon as the Reviewing Body is satisfied that a preventive detainee in First Stage has shown fitness to be removed to Second Stage, the Reviewing Body shall so report to the Ministry which may thereupon authorise his removal to Second Stage.

(4) In the granting of any special privileges or treatment for which, under these Rules or under any scheme approved by the Ministry, second-stage preventive detainees may be eligible, the Governor shall be guided by the recommendations of the Reviewing Body.

(5) On the expiry of two-thirds of the sentence of a preventive detainee, the Reviewing Body shall, at each subsequent review of his case, give special consideration to:—

(*a*) his suitability before release on licence for work under such open conditions as may be provided in a scheme approved by the Ministry; and

(*b*) his suitability for release on licence.

(6) The Reviewing Body shall report its conclusions under (5) above to the Ministry, which will give to the Governor such directions thereon as it deems appropriate.

Release on licence

167. A preventive detainee shall not normally be eligible for release on licence until he has served five-sixths of his sentence, provided always that the Ministry may, in any case in which special circumstances so warrant, release a preventive detainee on licence at such earlier date as it may determine.

Recall from licence

168. A preventive detainee, whose conduct on licence necessitates his recall to prison, shall on recommittal revert

to First Stage and shall not be removed therefrom except on the direction of the Ministry.

PART VI

SPECIAL RULES FOR BORSTAL PRISONERS

Rules which do not apply

169. The following Rules shall not apply to Borstal Prisoners, viz:—

Rules 4, 5, 19, 24, 25, 31, 32, 33 and 112.

Removal to Borstal Institution

170.—(1) A young offender sentenced to Borstal Training shall be kept in custody in a prison until arrangements can be made for his removal to a Borstal Institution.

(2) While in custody in a prison a Borstal Prisoner shall be kept separate from other prisoners. Prison dress shall not be worn.

(3) In the case of a male Borstal Prisoner removal to the Borstal Institution shall be effected within 24 hours of sentence and in the case of a female Borstal Prisoner as soon as practicable.

Procedure on Reception

171.—(1) The requirements of Rules 8, 9, 10, and 11 shall be given effect in the prison before the removal of a Borstal Prisoner to the Borstal Institution.

(2) In the application of Rule 9, the prisoner shall be permitted to wear his own clothing during removal and the other property held in the custody of the Governor of the Prison shall be transferred, with the prisoner, to the custody of the Governor of the Borstal Institution.

(3) Whether or not effect has already been given to Rules 12 and 13 before removal these Rules shall apply to a Borstal Prisoner on his reception into the Borstal Institution.

Information to Prisoners

172. In the application of Rule 15 to the Borstal Institution it shall be sufficient if:—

(*a*) copies of the Abstract therein referred to are provided in the Institution in two or more places, selected by the Governor, to which all the prisoners have frequent access; and

(*b*) the Governor shall, from time to time as he considers necessary, bring specially to the notice of, and explain to, the prisoners in the Institution the whole or selected parts of the information contained in the Abstract, and shall, if he receives a request from any prisoner, at any time explain to such prisoner any of the matters referred to in the Abstract.

Application of Rules 17, 18 and 20

173. In the application of Rules 17, 18 (1) and (2) and 20 to a Borstal Prisoner the term "discharge" shall be interpreted as including release under the Second Schedule to the Act.

OFFENCES AND PUNISHMENTS

Investigation of offences and awards by Governor

174. Save as provided by Rule 175, the Governor shall forthwith investigate every offence against discipline and may determine thereupon and make one or more of the following awards:—

(*a*) Caution.

(*b*) Removal from such activity or activities of the Institution, other than work, as are specified in the Award.

(*c*) Extra work or fatigues outside normal working hours for not more than two hours on any one day for a period not exceeding twenty-eight days.

(*d*) Forfeiture of any additional letters or visits which have been allowed in pursuance of Rule 107.

(*e*) Stoppage of gratuity or earnings paid under any scheme or the withdrawal of any facilities enjoyed by the prisoner for spending any such earnings for a period not exceeding fourteen days.

(*f*) Reduction in grade, or delay in promotion to a higher grade, for a period not exceeding two months.

(*g*) Confinement to a room for a period not exceeding three days.

Offences for which Governor shall not make an award

175.—(1) Where a Borstal prisoner is reported for any of the following offences, namely:—

(*a*) an offence under the Act,

(*b*) mutiny or incitement to mutiny,

(*c*) assault upon an officer,

(*d*) gross personal violence to an officer,

(*e*) gross personal violence to another prisoner,

(*f*) any serious or repeated offence against discipline for which such award as the Governor is authorised to make is deemed insufficient,

and the Governor considers after investigation that such an offence has been committed he may, and in the case of an offence under (*a*) shall, report the matter to the Ministry.

(2) The Ministry shall thereupon inquire into the report (such inquiry, if it thinks it desirable, being on oath) and may make one or more of the following awards:—

(i) (*a*), (*b*), (*c*) and (*d*) in Rule 174.

(ii) Stoppage of gratuity or earnings paid under any scheme, or the withdrawal of any facilities enjoyed by the prisoner for spending any such earnings for a period not exceeding twenty-eight days.

(iii) Reduction in grade or delay in promotion to a higher grade for a period not exceeding three months.

(iv) Confinement to a room for a period not exceeding fourteen days.

(3) The Ministry may delegate its powers under these Rules to the Visiting Committee in any particular case and such powers may thereupon be exercised by any two or more members of the Committee.

(4) If the Committee, after consideration of full particulars of the offence, consider that the circumstances warrant, they may, in addition to, or in substitution for, any other award set out in paragraph (2) order the infliction of corporal punishment not exceeding twelve strokes of a cane.

Grading

176.—(1) To encourage the progressive development of responsibility, Borstal Prisoners shall be placed in Grades in accordance with a scheme of grading approved by the Ministry.

(2) Borstal Prisoners in any grade shall be entitled to enjoy any special privileges allotted to the grade by the scheme and prisoners promoted to an appropriate grade may, in addition to any other privileges, be given such positions of special responsibility and leadership as may be specified in the scheme.

(3) A scheme of grading may provide that money may be earned by a Borstal Prisoner and may be paid to the prisoner in one sum as a gratuity on his release or may, in whole or in part, be spent by the prisoner in the Institution on such articles and subject to such Conditions as the Ministry may determine.

Reviewing Body

177.—(1) The conduct and progress towards rehabilitation of any Borstal prisoner shall be periodically considered by a Reviewing Body consisting of the Governor and such other persons as may be appointed by the Ministry.

(2) The Reviewing Body shall consider the history and circumstances of each Borstal prisoner as soon as practicable after his reception and shall interview him for the purpose of amplifying the available information about any points in his history and circumstances bearing upon the treatment or training to be applied to him in the Institution.

(3) The Reviewing Body shall, thereafter, review the case of each Borstal prisoner at intervals of not longer than three months and shall determine his suitability for promotion through the grades in accordance with the approved scheme of Grading.

(4) After the expiry of twelve months of the sentence of a Borstal prisoner the Reviewing Body shall devote special attention to his suitability for special treatment as provided in Rule 178.

(5) When the Reviewing Body is of opinion that a Borstal prisoner is suitable for special treatment as aforesaid it shall so specially report to the Ministry.

(6) When the Reviewing Body is of opinion that a Borstal prisoner is suitable for release, it shall so report to the Visiting Committee, and shall make available to the Committee all available information relating to the prisoner and his conduct in the Institution.

(7) The Reviewing Body shall at each of its meetings take minutes of the proceedings and of its findings, from time to time, in relation to each prisoner, and such minutes shall be kept in the custody of the Governor. The minutes shall be open to inspection by an officer of the Ministry at any time and they, or any part of them, shall be submitted to the Ministry if required, but they shall not be made available to any other person except a member, for the time being, of the Reviewing Body or the Visiting Committee.

Special treatment

178.—(1) A Borstal prisoner shall not normally be recommended by the Reviewing Body for special treatment until fifteen months at least of his sentence have expired, but in cases of exceptional merit a prisoner may be so recommended after the expiry of not less than twelve months of his sentence.

(2) A Borstal prisoner recommended by the Reviewing Body shall be eligible, on the direction of the Ministry, to be accorded special treatment which may include any one or more of the following, that is to say:—

(*a*) Work or recreation without supervision within the precincts of the Institution.

(*b*) Permission to be absent from the Institution on parole for such periods and for such purposes as the Ministry may determine.

(*c*) Employment on parole in open conditions outside the Institution as the Ministry may determine.

Release

179.—(1) A Borstal prisoner shall not normally be recommended by the Reviewing Body to the Visiting Committee as suitable for release until he has served two years of his sentence, but in an exceptional case in which special treatment under Rule 178 has been granted the Reviewing Body may specially recommend release before the normal date.

(2) On receiving a recommendation from the Reviewing Body under paragraph (6) of Rule 177, the Visiting Committee at its next meeting shall consider the case and shall report thereon to the Ministry.

(3) A Borstal prisoner shall not be released until the Ministry is satisfied that suitable arrangements for his resettlement after release have been made.

PART VII

PRISON STAFF

GENERAL RULES RELATING TO ALL OFFICERS

General obligations

180.—(1) Every officer shall conform to the Rules, and to orders issued by the Ministry and by the Governor for the government of the prison, and shall support the Governor in maintaining them.

(2) Every officer shall obey the lawful instructions of the Governor.

(3) Every officer shall without delay report to the Governor any breach of the Rules or any abuse or impropriety which may come to his knowledge.

Code of Discipline

181. A Code of Discipline setting out the offences against discipline, the procedure for dealing therewith, and the awards therefor, shall be formulated by the Ministry and shall apply to such classes of officers as are stated in the Code.

Sick Prisoners

182. An officer shall direct the attention of the Governor to any prisoner who appears to be unwell or whose state of mind appears to require special notice and care, so that the Governor may without delay bring such case to the notice of the Medical Officer.

Dealings with prisoners

183. An officer shall not allow any undue familiarity on the part of a prisoner towards himself or any other officer or servant of the prison; nor shall he discuss his duties or any matters of discipline or of prison arrangements within the hearing of a prisoner.

Business transactions

184.—(1) An officer shall not carry out any pecuniary or business transaction with or on behalf of any prisoner.

(2) An officer shall not unless specially instructed to do so by the Governor bring in or carry out, or attempt to bring in or carry out, or knowingly allow to be brought in or carried out, to or for any prisoner any article whatsoever.

Gratuities

185.—(1) An officer shall not receive any fee, gratuity or other consideration in connection with his duties as a prison officer, other than the emolument prescribed for his office.

(2) An officer shall not receive any fee, gratuity or other consideration in connection with the admission of any visitors to the prison or to prisoners.

Ex-prisoners, etc.

186. Except with the permission of the Governor, an officer shall not knowingly communicate with any ex-prisoner, or with the friends or relatives of any prisoner or ex-prisoner.

Contracts

187. An officer shall not, directly or indirectly, have any interest in any contract in connection with the prison; nor shall he receive, directly or indirectly, under any pretence whatever, any fee, gratuity or other consideration from any contractor or from any person tendering or any other person whatever in connection with any such contract or tender, provided that 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.

Communications to press, etc.

188. An officer shall not, directly or indirectly, make any communication to representatives of the press or other persons relating to prisons or prisoners, or to matters which have become known to him in the course of his official duties unless so authorised by the Ministry.

Special Rules relating to Governors

General position of Governor

189. The Governor shall be in command of the prison. He shall be responsible for the safe custody of all prisoners committed to his custody from the time of committal until they are discharged from his custody by expiration of sentence or by order of a Court or of the Ministry. He shall be responsible for their treatment according to law, for the safeguarding of their rights and for the maintenance of discipline among them. He shall have authority over all other officers and employees on the staff of the prison. He shall be responsible for the safe custody and proper disposal or use of all monies, equipment and materials in the prison.

Deputy Governor to act during absence of Governor

190.—(1) In a prison for which a Deputy Governor has been appointed the Deputy Governor shall, during the absence of the Governor, act for the Governor.

(2) All Rules conferring powers or imposing duties on the Governor shall apply to a Deputy Governor acting during the absence of the Governor and, in so far as they relate to matters delegated to such an officer under Rule 192, to a Chief Officer appointed to be in charge of any prison.

Limited delegation of authority to Chief Officer in absence of both Governor and Deputy Governor

191. During the absence of the Deputy Governor the Governor, or during the absence of the Governor the Deputy Governor, may empower the Chief Officer (or if there are more Chief Officers than one, the senior Chief Officer) to act for him during his temporary absence from the prison, but in such event the Governor or the Deputy Governor as the case may be shall, notwithstanding such temporary absence, continue to be responsible in all matters relating to the prison.

Delegation of powers to Chief Officer-in-Charge

192. In a prison for which a Chief Officer-in-Charge has been appointed, the Governor shall delegate to such Chief Officer such powers and duties as may be specified by him and approved by the Ministry. In respect of such delegated matters the Chief Officer shall have power and responsibility as though he were a Deputy Governor acting in the absence

of the Governor and the Governor shall not be held personally responsible therefor, but in respect of all other matters the Governor shall have personal responsibility and, notwithstanding such partial delegation of power and responsibility, shall continue to be in command of the prison.

Designated Officer to act in absence of Chief Officer-in-Charge

193.—(1) In a prison for which a Chief Officer-in-Charge has been appointed one other officer shall from time to time be designated, with the approval of the Ministry, to perform the duties of the Chief Officer-in-Charge during that officer's absence.

(2) The Chief Officer-in-Charge and the designated officer shall not be absent from the prison simultaneously.

Delegation of powers to Deputy Governor

194. The Governor of a prison for which a Deputy Governor has been appointed may from time to time, and for either a fixed or an indefinite period, delegate to the Deputy Governor such of his powers and duties as may be approved by the Ministry and thereupon any Rules conferring powers or imposing duties on the Governor in relation to the matters as delegated shall apply to the Deputy Governor.

Special provisions relating to Staff

195. The Governor shall take the action stated in relation to the following matters:—

(*a*) In cases of misconduct he may suspend any officer. He shall, without delay, report the matter fully to the Ministry and shall carry out any directions given by the Ministry in relation thereto.

(*b*) He shall forward to the Ministry 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 and evidence against him, and to reply thereto for the information of the Ministry.

(*c*) He shall forward without delay any report or complaint which any officer of the prison desires to make to the Ministry. He shall not suppress any such report or complaint, but he may offer any explanation with it which it may seem to require.

(*d*) He 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 communictaed to the proper officers.

(*e*) He shall keep such records as the Ministry may determine of the conduct of officers.

(*f*) He shall make available, in such manner as he considers most fitting, to all officers and other staff of the prison, copies of the Code of Discipline, Ministry Circulars and other documents having reference to their duties, rights and responsibilities and shall ensure that they have adequate

opportunity to become aware of the contents thereof.

Duties in relation to the Medical Officer

196. In relation to the Medical Officer, the Governor shall, in addition to any other duty imposed by any Rule, have the duties hereinafter set out:—

(*a*) He shall without delay call the attention of the Medical Officer to any prisoner whose state of mind or body appears to require attention.

(*b*) He shall without delay notify the Medical Officer of the illness of any officer or prisoner, and shall furnish to him daily a list of the prisoners reported sick in the prison.

(*c*) He shall furnish to the Medical Officer a list of prisoners under punishment.

(*d*) He shall at all times support the Medical Officer in his care of the health of the prisoners and to this end shall give as full effect as may be practicable to the recommendations of the Medical Officer in regard to such matters as the alteration of the discipline or treatment of any prisoner, the supply of additional diets to a prisoner on medical grounds, the separation from other prisoners of any prisoner suffering, or suspected of suffering, from any infectious, contagious or mental disease and, generally, the taking of steps to prevent the spread of any contagious or infectious disease.

Reporting cases of mental disorder or dangerous physical condition

197. The Governor shall, without delay, report to the Ministry 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 such prisoner will not survive his sentence, or is totally and permanently unfit for prison discipline, or any case in which the Medical Officer has reason to believe that the mental state of any prisoner is becoming impaired or enfeebled by continued imprisonment.

Visit to hospital daily

198. The Governor shall visit the hospital 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.

Dangerous illness of prisoner

199.—(1) If any prisoner has, in the opinion of the Medical Officer, become dangerously ill, the Governor shall, wherever practicable, inform the relatives of such prisoner.

(2) The Governor shall inform the appropriate chaplain, if any, when any prisoner recorded as of his denomination is dangerously ill and shall permit any such prisoner to receive the attendance and spiritual service of any minister of any religious persuasion whom the prisoner expresses a wish to see.

Inquests

200.—(1) The Governor shall supply to the Coroner holding an inquest on the body of any prisoner who has died while in his custody the name of any prisoner who claims to be in a position to give relevant evidence and is willing to give such evidence.

(2) The Governor shall furnish the Ministry with a report on any inquest held in the prison, setting out the Coroner's finding thereon.

Discretion of Governor in relation to granting of privileges, etc.

201.—(1) (*a*) Before granting any permission for any purpose to any prisoner by authority of these Rules applicable to the class to which the prisoner belongs or of any scheme made under the Rules and approved by the Ministry, 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, the Governor may suspend or withdraw such permission.

(*b*) Where pursuant to the Rules, any such permission has been granted by the Board of Visitors, the Governor may in the like circumstances suspend it if the case is urgent, but shall, in that event, report the suspension to the Board within 24 hours.

(*c*) In all cases in which such permission has been granted, suspended or withdrawn, the Governor shall enter particulars in his journal stating the reasons for the action taken.

Special duties not elsewhere provided for in relation to Reports

202.—(1) To assist in the identification of prisoners, the Governor shall, on request, furnish to the Governors of other prisons and to the police any information within his power.

(2) The Governor shall keep a journal, written with his own hand, and record in it every occurrence of importance or of an unusual nature with the time thereof, as well as any other matters specially required by any Rule to be recorded. Each entry shall be made within 12 hours of the occurrence of the matter to which it relates.

(3) In the Governor's absence the journal shall be kept by the officer acting in his place.

(4) It shall be the duty of the Governor to ensure that all records and accounts required to be kept in the prison are properly kept.

(5) The Governor shall from time to time keep the Ministry informed as to all important events in the prison and shall submit to the Ministry, as soon as possible after 31st December in each year, with reference to the year ended on that date, an Annual Report dealing with 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 to escape; the work in which the prisoners have been employed; the particulars of their work and the value thereof; the state and condition of the buildings, fences, etc.; the repairs and alterations which have been made in the prison buildings; and such other particulars as the Ministry may direct; together with a certificate, signed by himself, stating whether the Rules laid down for the government of the prison have been complied with except in so far as non-compliance has been specially reported to or brought to the notice of the Ministry.

PART VIII

POWERS AND DUTIES OF COMMITTEES

(Boards of Visitors and Visiting Committees)

Term of Office, etc.

203.—(1) The members of a Board of Visitors appointed under Section ten of the Act shall hold office for a period of twelve months.

(2) The first business of a Board of Visitors on appointment shall be the election of a Chairman.

(3) The Chairman of a Board of Visitors shall hold office during the term of office of the Board.

204.—(1) The members of a Visiting Committee appointed under Section eleven of the Act shall hold office for a period of three years.

(2) The first business at the first meeting of a Visiting Committee after appointment shall be the election of a Chairman.

(3) The Chairman of a Visiting Committee may be elected for the whole term of office of the Committee, or, at the discretion of the Committee, a Chairman may be elected annually.

(4) The members shall continue in office until the date of the first meeting of their successors.

205. In the remainder of this Part of these Rules the expression "committee" means a Visiting Committee or a Board of Visitors and the word "member" shall be construed accordingly.

206. A Committee may elect for such term of office as they may decide a Deputy Chairman who shall preside at any meeting at which the Chairman is not present.

207.—(1) The quorum at a meeting of a Committee shall be three.

(2) The powers of a Committee shall not be affected by vacancies.

(3) A Committee shall keep minutes of its proceedings and a copy of these minutes shall be forwarded to the Ministry as soon as practicable after the meeting to which they refer.

Meetings and Visits to Prison

208.—(1) A Committee shall meet at the prison once in each month to discharge its functions under these Rules.

(2) The prison shall be visited by at least one member of the Committee not less frequently than once in each fortnight.

(3) At each meeting a Committee shall select the members to visit the prison during the ensuing month. The members so selected shall report on their visits to the prison to the Committee.

Access to Prison and Prisoners

209.—(1) A Committee jointly and its members severally shall have free access to all parts of the prison for which it is appointed, and to all prisoners, and may, if they so desire, interview any prisoner either in his cell or in a room out of sight and hearing of officers.

(2) They shall hear and investigate any application which a prisoner desires to make to them and, if necessary, shall report it, with their opinion, to the Ministry.

Abuses

210. A Committee shall immediately bring to the notice of the Ministry any abuse in connection with the prison which comes to their knowledge.

Diet

211. A Committee shall from time to time inspect the food of prisoners and if they find the quality unsatisfactory they shall report the matter to the Governor.

Offences and punishments

212.—(1) A Committee shall investigate any report of an alleged offence against discipline referred to it by the Ministry under Rule 32 or Rule 175 and if satisfied that the offence is proved may award any one or more of the punishments set out in paragraph (2) of the said Rule.

(2) The Committee shall record each such case and the award made in their minutes and shall also specially report thereon to the Ministry.

(3) The powers of a Committee under this Rule shall be exercised at a special meeting at which not less than two members shall be present.

Denominational records

213. A Committee shall investigate and decide on every application made to them by a prisoner to change the record of his religious denomination. Before granting any such application, they shall satisfy themselves that it is made from conscientious motives and not from caprice.

Prisoners under sentence of death

214. A member of a Committee shall consider any representations made to him by any person under paragraphs (1) and (2) of Rule 152 and may, if satisfied that it is proper to do so, give an order in writing as provided in the said paragraphs.

Buildings

215. A Committee may inquire into the state of the prison buildings and if any repairs, additions or alterations appear to them to be necessary, they shall submit their advice and suggestions thereon to the Ministry.

Annual and other reports

216.—(1) A Committee shall as soon as practicable after 31st December in any year make a report to the Ministry in respect of the year ended on that date with regard to all or any of the matters with which they are concerned under these Rules, together, where appropriate, with their advice and suggestions upon any such matter.

(2) A Committee shall from time to time make such other reports to the Ministry as they consider necessary concerning any matter relating to the prison to which, in their opinion, attention should be drawn.

Books

217. A Committee may at any time inspect any of the books of the prison and a note of such inspection shall be made in their minutes.

General and Miscellaneous

218.—(1) A Committee shall co-operate with the Ministry and with the Governor in promoting the efficiency of the prison and shall inquire into any matter referred to them by the Ministry.

(2) In the exercise of any of their powers a Committee shall satisfy themselves, by consultation with the Governor, that the power can be exercised without interfering with the security, good order and proper government of the prison and the prisoners therein.

(3) A Committee may assist the Ministry in the selection of library books for the use of prisoners and in the provision of special facilities for study by prisoners.

Release of Borstal Prisoners

219. The Visiting Committee for a Borstal Institution shall from time to time consider recommendations made to them by the Reviewing Body of the Institution as to the suitability of specified Borstal Prisoners for release and shall report theron to the Ministry.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 19th day of January, Nineteen Hundred and Fifty-four, in the presence of

(L.S.) *A. Robinson,*

Secretary.

SCHEDULE

RESTRICTED DIETS

The restricted diets which may be awarded under Rules 31 and 32 shall be as follows:—

No. 1 Diet

(*a*) This diet, when given for a period of three days, or less, shall consist of:—

12 ozs. bread and 8 ozs. potatoes per diem with water and 1 pint of tea morning and night and 1 pint soup mid-day.

(*b*) This diet when given for more than three days shall consist for alternate period of three days of:—

(i) 12 ozs. bread and 8 ozs. potatoes per diem with water and 1 pint of tea morning and night and 1 pint soup mid-day.

(ii) the diet prescribed for prisoners employed on ordinary industrial labour according to sex.

(*c*) No task of labour be enforced on any one of the days on which bread and water constitute the sole food supplied to the prisoner, who may, nevertheless, be allowed the option of performing suitable labour in the cell.

(*d*) No prisoner who has been on No. 1 diet shall be placed upon this diet for a fresh offence until an interval has elapsed equal to the period already passed by the prisoner on No. 1 diet.

No. 2 Diet

(*a*) This diet shall consist of:—

Breakfast

Porridge, 1 pint, containing 3 ozs. oatmeal.
Bread, 8 ozs.
Margarine, ½ oz.
Cocoa, 1 pint, containing ¾ oz. cocoa and 1 fluid oz. milk.

Dinner

Bread, 4 ozs.
Soup, 1½ pints, containing 3 ozs. split peas; 3 ozs. dried beans; 4 ozs. potatoes; 4 ozs. carrots; salt; and, on any day on which meat is included in the normal diet of a prisoner, so much meat as is so included.

Supper

Bread, 8 ozs.
Margarine, ½ oz.
Cocoa, 1 pint, containing ¾ oz. cocoa and 1 fluid oz. milk.

(*b*) If a prisoner while on No. 2 diet is guilty of misconduct, No. 2 diet may be temporarily interrupted and the prisoner may be placed on No. 1 diet for a period not exceeding three days; on the expiration of the period awarded on No. 1 diet the prisoner shall resume the diet originally ordered, and the period passed upon the No. 1 diet shall count as part of the period originally ordered on No. 2 diet.

Rules, dated 8th September, 1954, made by the Ministry of Home Affairs under section thirteen of the Prison Act (Northern Ireland), 1953.

1954. No. 139

The Ministry of Home Affairs for Northern Ireland, in pursuance of the powers vested in it by section thirteen of the Prison Act (Northern Ireland), 1953, and all other powers it thereunto enabling, hereby makes the following Prison Rules:—

1. At the end of Rule 48 of the Prison Rules (Northern Ireland), 1954, there shall be inserted the following proviso—