

PRISONS REGULATIONS.⁽¹⁾

PART I.—PRELIMINARY.

1. These Regulations may be cited as the *Prisons Regulations*.⁽¹⁾ Short title.

2. These Regulations are divided into Parts, as follows:— Parts.

Part I.—Preliminary.

Part II.—Regulations Applicable to Officers of Prisons.

Division 1.—General Regulations Applicable to Prison Officers.

Division 2.—Head Gaoler.

Division 3.—Senior Gaoler.

Division 4.—Subordinate Officers.

Division 5.—Visiting Medical Officers.

Division 6.—Visiting Justices.

Division 7.—Chaplains.

Part III.—Regulations Applicable to Prisoners.

Division 1.—Admission and Discharge of Prisoners.

Division 2.—Classification of Prisoners.

Division 3.—Prisoners Condemned to Death.

Division 4.—Accommodation, Food, Clothing, and Bedding.

(1) The *Prisons Regulations* (made under the *Prisons Ordinance 1923-1938*) comprise the original *Prisons Regulations*, as amended by the other Regulations referred to in the following Table:—

REGULATIONS MADE BY THE ADMINISTRATOR.

Description and number and year (if any).	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which came into operation.
<i>Prisons Regulations</i>	22.6.1931	8.7.1931	1.8.1931 (<i>N.G. Gaz.</i> of 8.7.1931)
<i>Amending Regulations</i>	17.12.1931	24.12.1931	"Forthwith" ^(a) (<i>N.G. Gaz.</i> of 24.12.1931)
<i>Amending Regulations</i> (1936, No. 20)	24.6.1936	30.6.1936	30.6.1936 (<i>N.G. Gaz.</i> of 30.6.1936)
<i>Amending Regulation</i> (1938, No. 5)	18.6.1938	30.6.1938	30.6.1938 (<i>N.G. Gaz.</i> of 30.6.1938)

(a) The set of Regulations to which this note (a) applies stated in its introductory part that it was "to come into operation forthwith." At the relevant dates in 1931, Section 50 of the *Prisons Ordinance 1923-1938* (under which this set of Regulations was made) provided that "Regulations made under this Ordinance shall come into operation upon publication in the *New Guinea Gazette* or from a later date specified therein." At the relevant dates in 1931 there was no other Ordinance or regulation of general application providing for the publication of regulations, the date on which they were to take effect, or the meaning of "forthwith."

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Division 5.—Health and Cleanliness.

Division 6.—Visitors to and Communications with Prisoners.

Division 7.—Employment and Working Hours.

Division 8.—Means of Restraint of Prisoners.

Part IV.—Remission of Sentences.

Part V.—Prison Offences.

Part VI.—General.

Repeal.

3. The *Prisons Regulations* 1924 are hereby repealed.

Definitions.

4. In these Regulations, unless the contrary intention appears—

“Prisoner” means any person detained in custody in any prison, irrespective of the cause of such detention;

“Senior gaoler” means the gaoler next in authority to the head gaoler in relation to any particular prison;

“Subordinate officer” means any officer subordinate to the senior gaoler;

“The Ordinance” means the *Prisons Ordinance* 1923-1930;⁽²⁾

“Unauthorized article” includes any article brought by any person within the precincts of a prison with the intention of delivering or transferring it to a prisoner contrary to these Regulations, and any article found in the possession or control of a prisoner at any time after he has been searched on his admission into prison which has not been supplied to the prisoner by an officer acting in the course of his duty.

Modification of Regulations by Administrator. Am. by 1936, No. 20, r. 2.

5. If for any cause it may not be expedient to apply the entire provisions of these Regulations to a prison, the head gaoler in charge thereof shall represent such cause to the Chief Inspector of Prisons, who may represent such cause to the Administrator who may thereupon authorize any modifications that may appear necessary.

PART II.—REGULATIONS APPLICABLE TO OFFICERS OF PRISONS.

Division 1.—General Regulations Applicable to Prison Officers.

Acquaintance with Ordinance, Regulations, &c.

6. All prison officers shall make themselves thoroughly acquainted with the *Prisons Ordinance* 1923-1930⁽²⁾ and these Regulations, and shall conform to and carry out the provisions of the Ordinance and

(2) Now the *Prisons Ordinance* 1923-1938.

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these Regulations, as well as all instructions which may be issued from time to time for their guidance by persons authorized under the Ordinance or these Regulations to issue instructions.

7. An order book shall be kept in each prison in which the prison officer prescribed shall enter or cause to be entered orders and instructions (except those of a temporary or unimportant character) issued by any person authorized under the Ordinance or these Regulations to issue instructions. Order book.
8. Except as provided by the Ordinance or these Regulations, a prison officer shall not punish or inflict any privation on a prisoner. Punishment of prisoner.
9. A prison officer shall not hold any communication or converse with a prisoner, except when necessary in the execution of his duty, or allow any familiarity by a prisoner towards himself or any other prison officer, nor shall he on any account speak of his duties, of matters of discipline, or of his own private affairs, in the hearing of a prisoner. Communication with prisoners.
10. A prison officer shall not receive any present from, or traffic or have any dealings with, a prisoner. Receiving presents, &c.
11. A prison officer shall not strike or use force to any prisoner except in self-defence, or in defence of some other person, or when necessary to prevent a prisoner's escape or to preserve the peace. Striking a prisoner.
12. A prison officer shall treat prisoners with kindness and humanity and shall listen patiently to prisoners and report their grievances, but he shall firmly maintain order and discipline and enforce complete observance of these Regulations. Treatment of prisoners.
13. So far as their respective duties extend, prison officers shall take care that all regulations, orders, and instructions are strictly carried out, and shall not fail, either from favour or notions of kindness, or on any other ground, to report without delay through the proper officer, for the information of the head gaoler or the Chief Inspector of Prisons, any instance of neglect of duty, disobedience of orders, or other misconduct on the part of any other prison officer, which may come under their notice. Obedience of regulations, &c.
Am. by 1936,
No. 20, r. 1.
14. A prison officer shall always, when on duty, wear such uniform as is prescribed or directed by the Administrator. Uniform.
15. A prison officer shall be responsible for the safe custody of the prisoners in his charge, for the preservation of decency, order, cleanliness, and peace among them, and for the diligent performance by them of their allotted tasks. Custody and control of prisoners.

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Unauthorized communications, photographs, &c.
Am. by 1936,
No. 20, r. 1.

16. A prison officer shall not make any unauthorized communication concerning any prison or prisoner whatever, and shall not, without authority from the Chief Inspector of Prisons, take any photograph or make any picture of any part of a prison, or of any prisoner, or of any execution, or communicate to the public press information derived from official sources or connected with his duties.

Prevention of fire.

17.—(1.) A prison officer shall take the utmost care to guard against accidents by fire.

(2.) A fire shall not be left burning unnecessarily or unattended in any part of a prison.

(3.) A light shall not be carried at any time about a prison unless it is enclosed in a lantern.

Male officer entering division allotted to female prisoners.

18. A male prison officer shall not enter the division of a prison allotted to female prisoners except on duty when he shall be accompanied by a female prison officer or another male prison officer.

Certificates, &c. as to prisoners' conduct.
Am. by 1936,
No. 20, r. 1.

19. A prison officer shall not give any certificate or testimonial to or in respect of any prisoner as regards his conduct in prison or otherwise unless called upon to do so by the Administrator, Chief Inspector of Prisons, head gaoler, or visiting justice.

Employment of prisoner.

20. A prisoner shall not be employed in the service of any prison officer as a domestic servant or otherwise except with the consent in writing of the Administrator.

Division 2.—Head Gaoler.

Function of head gaoler.

21. The head gaoler is charged with the general administration of the prison or prisons under his charge.

Returns and reports.

22.—(1.) The head gaoler shall ensure that all returns and reports in connexion with the gaol administration are prepared promptly and forwarded to the persons to whom they are required to be made.

Sub-reg. (2) am. by 1936,
No. 20, r. 1.

(2.) The head gaoler of a prison shall in the months of January, April, July, and October furnish to the Chief Inspector of Prisons a return showing the names of the visiting justices and visiting medical officers who during the preceding three months visited the prison, and the dates of such visits.

Responsibility for carrying out of Ordinance, Regulations, &c.

23. The head gaoler shall be responsible for the strict observance by all prison officers under him of the provisions of the Ordinance and these Regulations and of all orders and instructions that may be issued by persons authorized under the Ordinance or these Regulations to issue instructions.

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24.—(1.) The head gaoler shall have the right at any time to seek the advice of the Chief Inspector of Prisons upon any question connected with the prison or prisons under his charge and to act in accordance with the advice received, provided that it is not contrary to anything contained in the Ordinance or these Regulations.

Power to act on advice of Chief Inspector of Prisons.
Sub-reg. (1) am. by 1936, No. 20, r. 1.

(2.) All advice received under the last preceding sub-regulation shall be recorded in the order book.

25. The head gaoler shall, when practicable, inspect the journal and other books and records required by these Regulations to be kept, at least once in every month, and shall enter therein the date of each inspection.

Inspection of journal, &c.

26. The head gaoler shall, when practicable, inspect the prisons under his charge and interview each prisoner at least once in every fourteen days and shall enter his report on each inspection in the journal.

Inspection of prisons.

27. The head gaoler shall, when practicable, visit the prisons under his charge during the night at least once in every week and shall enter the time and the date of every such visit in the journal.

Night inspection of prisons.

28. The head gaoler shall, when practicable, be present at every execution and whipping within the prisons under his charge.

Executions and whippings.

Division 3.—Senior Gaoler.

29. The senior gaoler is charged with the maintenance of order and discipline in the prison and with the interior economy and cleanliness thereof and with the safe custody, care, and control of the prisoners under his charge, and shall be directly responsible to the head gaoler for the performance of his duties.

Function of senior gaoler.

30. The senior gaoler shall visit and inspect daily the wards, cells, yards, latrines, kitchens, and every other part of the prison, and at least once in every twelve hours shall see every prisoner confined in the prison.

Visits and inspections.

31. The senior gaoler shall cause the prisoners to be mustered each morning when the cells or wards are opened and each evening before they are locked up for the night and shall at each muster call the prison roll.

Muster and roll call of prisoners.

32. The senior gaoler shall see that the keys of the prison are safely disposed of for each night.

Prison keys.

33. The senior gaoler not less frequently than three times each week shall make surprise visits to the prison at night and shall, within twelve hours of every visit, enter the time and the date of the visit in the journal.

Surprise visits.

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Visits to prisoners at meals.

34. The senior gaoler shall visit from time to time the prisoners at their meals and ensure that proper order is maintained during meals and inquire into any complaints which may be made to him concerning the food supplied.

Inspection of provisions.

35. The senior gaoler shall inspect the supplies of provisions furnished to the prison and shall report to the head gaoler any instance in which he finds the stores deficient in quantity or not of good quality.

Supervision of subordinate officers.

36. The senior gaoler shall exercise a strict supervision over his subordinate officers.

Information to visiting justice.

37. The senior gaoler shall afford any information that the visiting justice may require.

Returns and reports.

38. The senior gaoler shall ensure that all returns and reports which he is required to make are prepared promptly and accurately and are forwarded to the person or persons to whom they are required to be made.

Record of complaints by prisoners or subordinate officers.

39. The senior gaoler shall receive and enter in the journal any complaint or application made to him by any prisoner or subordinate officer, together with a note of the action he has taken in the matter.

Prisoners requiring medical attention.

40. The senior gaoler shall, without delay, call the attention of the visiting medical officer to any prisoner whose state of mind or body appears to require medical attention and shall carry out any directions given by the medical officer.

Custody of money and articles taken from prisoners.

41. The senior gaoler shall be personally responsible that all money and articles taken from prisoners are safeguarded.

Prisoners' fines and penalties.

42. The senior gaoler shall receive any fine or penalty paid by or for any prisoner and shall pay it without delay to the officer appointed to receive it.

Receipt and disposal of articles used in the prison.

43. The senior gaoler shall control and regulate the receipt and disposal of all articles used in the prison.

Working parties.

44. The senior gaoler shall superintend generally the distribution of working parties and shall either by himself or by his subordinate officers make frequent visits to the working parties and see that the prisoners are kept steadily to their labour.

Leaving precincts of prison.

45. When leaving the prison on any occasion, the senior gaoler shall leave a prison officer on duty and shall instruct that officer where he is to be found in the event of his presence being required at the prison.

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46. The senior gaoler shall when practicable immediately report to the head gaoler every circumstance which may come to his knowledge likely to affect the safety, health, or comfort of prisoners, or the efficiency of the subordinate officers, and every matter which may require the attention of the head gaoler. Report of certain matter to head gaoler.
47. The senior gaoler shall inquire weekly as to the condition of the prisoners who have been removed to hospital for treatment. Weekly inquiry as to prisoner patients.
48. The senior gaoler shall ensure that all subordinate officers are instructed in their duties and responsibilities. Instruction of subordinate officers.
49. The senior gaoler shall give or cause to be given a receipt for all prisoners delivered into his custody and shall file all warrants of commitment. Receipts for prisoners, &c.
50. The senior gaoler shall be responsible for the cleanliness of the prison and of the prisoners and subordinate officers, and shall see that the cells and wards are swept and cleaned daily. Cleanliness of prison.
- 51.—(1.) The senior gaoler shall at all times maintain control over all prisoners. Control of, and complaints by, prisoners.
- (2.) All prisoners shall have ready access to the senior gaoler, who shall hear with patience any complaints they may make to him.
52. The senior gaoler shall be the medium of communication between any person outside the prison exercising control over prisons and the prison officers and prisoners within it and shall forward without delay to the head gaoler any report, petition, or complaint he may receive addressed to any such person with any remarks or explanation that he thinks fit to offer. Communications between superior authority and persons within the prison.
53. The senior gaoler shall ensure that the money and property of prisoners awaiting trial or under remand are not used for any purpose without the consent of the head gaoler. Care of money, &c., of prisoners awaiting trial or under remand.
54. The senior gaoler shall, in the case of a prisoner committed for trial being removed to his prison from any other prison, report the arrival of the prisoner forthwith to the Crown Law Officer. Transfer of prisoner awaiting trial.
55. The senior gaoler shall keep the following books and records:— Books and records.
- (a) An order book.
- (b) A register of prisoners giving the following particulars of prisoners:—

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Name.

Number (numbers will be consecutive).

Age or apparent age.

Sex.

Place of birth.

Usual place of residence.

Offence.

Term of sentence.

Date of conviction.

Date received in prison.

Date of discharge.

Division.

Height and distinguishing marks.

Previous convictions.

Offences during current period of incarceration.

Number of days remission for good conduct.

(c) A property book in which shall be recorded—

- (i) the articles taken from a prisoner on his reception together with the number of the packet in which such articles have been stored; and
- (ii) an account of all moneys taken from a prisoner for safe custody.

(d) A conviction book in which shall be recorded—

- (i) particulars of charges against prisoners tried by a visiting justice or head gaoler and of the adjudication thereon; and
- (ii) particulars of charges against warders tried by a visiting justice or head gaoler and of the adjudication thereon.

(e) Unless exempted by the Administrator, a ration book in which shall be entered day by day—

- (i) the quantity of the various foods issued; and
- (ii) the number of prisoners for whom the ration was issued.

(f) A journal in which shall be recorded—

- (i) all such matters as are directed to be recorded therein by these Regulations and all other occurrences of importance within the prison; and
- (ii) the name of any prisoner or prison officer complaining of illness and the nature of the illness as described by the one complaining.

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- (g) A discharge index in which the name of every prisoner under sentence of imprisonment shall be entered under the date on which the prisoner may, at the time of the entry in the index, be released.
- (h) A discharge register in which shall be entered each day the names of prisoners discharged.
- (i) Unless exempted by the Administrator, an inventory of all furniture and public property belonging to the prison and of all books and documents committed to his care.
- (j) A labour book showing the manner in which prisoners have been employed from day to day.
- (k) A separate file for each prisoner, in which shall be kept all papers relating to him.

56.—(1.) The senior gaoler may, at any time, seek the advice of the head gaoler upon any question connected with the prison and act in accordance with the advice received, provided that it is not contrary to anything contained in the Ordinance or these Regulations. Advice.

(2.) All advice received under the last preceding sub-regulation shall be recorded in the journal.

Division 4.—Subordinate Officers.

57. The main duties of subordinate officers shall be—

Main duties.

- (a) to prevent the escape of prisoners;
- (b) to prevent prisoners from contravening any of these Regulations;
- (c) to conduct prisoners to and from their work whether working inside or outside the prison;
- (d) to keep prisoners at their appointed work; and
- (e) to supervise and guard the prisoners at all times, and especially to ensure safety, cleanliness, and decency.

58. A subordinate officer shall not absent himself from duty without the permission of the senior gaoler. Absence.

59. A subordinate officer shall as soon as practicable report to the senior gaoler—

Report of breaches of discipline, sickness, &c.

- (a) any breach of prison discipline or of these Regulations by any other subordinate officer or any prisoner;
- (b) any case of illness of a prisoner which comes to his notice; and
- (c) any complaint made by a prisoner.

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Conduct of
working
parties.

60.—(1.) Before proceeding with prisoners to their labour the subordinate officer in charge of a working party shall count the number of prisoners therein as they are told off and report the number to the senior gaoler or, in his absence, the next senior prison officer.

(2.) The subordinate officer in charge of a working party shall be responsible for the safe custody and regular conduct of the prisoners and shall ensure that they do not straggle, go out of his sight, hold communication with any person unconnected with the prison, or (in any way) get possession of an unauthorized article.

Moving of
working
parties.

61.—(1.) The subordinate officer in charge of a party of prisoners shall, when the prisoners are proceeding to or returning from their labour or when it is necessary to move them about, see that the prisoners walk in double file and that there is no breaking of ranks or lagging or shuffling.

(2.) The subordinate officer in charge of a party of prisoners shall always walk at the rear of the party, and if there are two or more officers with a party one shall walk in front of the party.

(3.) The subordinate officer in charge of a party of prisoners shall march the prisoners on the left of the road and shall not allow them to use the footpath.

Search of
prisoners.
Am. by Regs
gazetted on
24.12.1931, r. 1.

62. Subordinate officers shall under the direction of the senior gaoler thoroughly search all prisoners before they are locked up for the night and see that they have no unauthorized articles in their possession.

Prison keys.

63. Subordinate officers entrusted with keys shall not take them out of the prison or leave them lying about, but shall, when leaving the prison on any occasion, deliver the keys to such officer as may be authorized to receive them.

Night duty.

64. A subordinate officer who has been assigned night duty shall not leave the precincts of the prison or sleep during his hours of duty but shall at intervals make a tour of the prison premises in such a manner as not to disturb the rest of the prisoners.

Giving
prisoners
tobacco.

65. A subordinate officer shall not give or cause to be given to any prisoner any tobacco unless with the permission of the senior gaoler.

Visitors.

66. A subordinate officer shall not receive visitors into the prison without the permission of the senior gaoler.

Quarters.

67.—(1.) All subordinate officers shall live in such quarters as are assigned to them.

(2.) A subordinate officer shall not sleep out of such quarters without the permission of the senior gaoler.

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68. No subordinate officer shall on any account enter a prison cell or ward at night unless in the course of duty. Entering cells, &c., at night.

69. A subordinate officer shall not by word, gesture, or demeanour do anything which may tend to irritate a prisoner. Irritating prisoners.

70. If a subordinate officer— Offences.

- (a) comes late on duty;
- (b) leaves a cell or door or gate unlocked;
- (c) enters a cell or a ward at night contrary to orders;
- (d) allows any unauthorized person to communicate with a prisoner;
- (e) leaves keys in a door or lying about;
- (f) curses, swears, or uses indecent or immoral language;
- (g) neglects to guard, supervise, or attend prisoners under his charge;
- (h) speaks of the prison arrangements in the hearing of a prisoner or any person not connected with the prison;
- (i) carelessly searches, or neglects, when necessary or directed, to search, a prisoner or visitor;
- (j) neglects to have the lamps properly trimmed and burning at the proper time and place;
- (k) neglects to examine the cells and wards and fastenings of the cells and wards under his charge;
- (l) allows tools, materials, or other articles to be lying about out of their appointed places;
- (m) allows dirt to accumulate in the cells, wards, passages, or other places under his charge;
- (n) omits to report any misconduct, breach of regulations, or omission of duty in himself, another subordinate officer, or a prisoner, or any injury done to the prison furniture or to the walls or any part of the prison;
- (o) is inattentive when in charge of prisoners;
- (p) allows unauthorized persons to remain in the vicinity of prisoners;
- (q) appears on duty out of uniform, or improperly or slovenly dressed, or dirty;
- (r) quits his post without authority and before being properly relieved;
- (s) wrangles, talks of his own private affairs to or in the hearing of prisoners, or makes unnecessary noise, either within the prison or when on duty outside;

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- (*t*) in any way obstructs the duties of the prison;
- (*u*) omits, when sick and unable to attend the prison, to send notice to the senior gaoler;
- (*v*) neglects to count the prisoners at the times prescribed by these Regulations or when directed by the senior gaoler;
- (*w*) allows prisoners to stray from their work, or neglects to keep them in view or enforce silence among them;
- (*x*) smokes when on duty without the permission of the senior gaoler;
- (*y*) disobeys or neglects to carry out the prison regulations or any lawful order or direction given by a senior prison officer;
- (*z*) neglects to keep the gates of the prison locked at night;
- (*ba*) allows a prisoner to leave the prison without the order or permission of the head gaoler or senior gaoler;
- (*bb*) allows unauthorized persons or unauthorized articles to go in or out of the prison; or
- (*bc*) disobeys, or is guilty of negligence with respect to, any prison regulation not herein expressly mentioned or any lawful order given by a senior or prison officer,

he shall be guilty of an offence against these Regulations.

Division 5.—Visiting Medical Officers.

Visits by
medical officer
and record of
inspections.

71. The visiting medical officer of a prison shall, when practicable, visit and inspect every part of the prison as often as the Administrator directs and, in the absence of directions, as often as is necessary and practicable, and shall enter in the journal any observations he thinks fit on the condition of the prison buildings, on the quantity and condition of the clothing and bedding, on the quantity and quality of the water, and on any other matter which concerns the health of the prisoners.

Prison food.

72. The visiting medical officer shall, as often as is practicable, examine the food of the prisoners and warders, cooked and uncooked, and shall enter in the journal his observation with regard to the quality of the food.

Medical
examination
of prisoners
and warders.

73.—(1.) The visiting medical officer shall when practicable examine every prisoner as soon as possible after the prisoner's admission to prison and shall examine separately every prisoner and warder once at least in every month.

(2.) The visiting medical officer shall when practicable examine every prisoner before discharge from prison.

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(3.) On examining a prisoner on admission or discharge, the visiting medical officer shall do those things required of him under Part III. of these Regulations.

74. The visiting medical officer shall record, in a register to be kept for the purpose in every prison, the name of every prisoner and warder who is sick, the name of the disease from which he is suffering, and a description of the medicines and diet and any other treatment which he may order for such prisoner or warder.

Register of sick persons and entries therein.

75.—(1.) The visiting medical officer may report to the Chief Inspector of Prisons the case of any prisoner who in his opinion requires special care and treatment, and make such recommendation as he deems advisable.

Reports to Government Secretary.

Sub-reg. (1) am. by 1936, No. 20, r. 1.

(2.) The visiting medical officer shall forward to the senior gaoler for transmission to the head gaoler a copy of any report made to the Chief Inspector of Prisons under this regulation.

Sub-reg. (2) am. by 1936, No. 20, r. 1.

76.—(1.) Where the visiting medical officer is of opinion that any prisoner undergoing or about to undergo a sentence of hard labour is unfit to undergo hard labour, he shall intervene by delivering to the senior gaoler for transmission to the Chief Inspector of Prisons a report stating the grounds of his intervention, and the hard labour shall cease or not come into operation, either wholly or partly, on the order of the visiting medical officer pending the decision of the Administrator.

Intervention in case of prisoner undergoing hard labour.

Sub-reg. (1) am. by 1936, No. 20, r. 1.

(2.) The visiting medical officer shall deliver a copy of the report to the senior gaoler for transmission to the head gaoler.

77.—(1.) Whenever the visiting medical officer is of opinion that the life of any prisoner will be endangered by his continuance in prison, or that any sick person will not survive his sentence or is totally and permanently unfit for prison discipline, he shall report his opinion and the grounds thereof in writing to the Chief Inspector of Prisons for the consideration of the Administrator.

Report as to prisoner's unfitness in certain cases.

Sub-reg. (1) am. by 1936, No. 20, r. 1.

(2.) The visiting medical officer shall forward to the senior gaoler for transmission to the head gaoler a copy of the report, and shall direct any special treatment of the prisoner he considers necessary pending the consideration of the Administrator.

78. On the appearance of any infectious disease in the prison, the visiting medical officer shall immediately advise the Chief Inspector of Prisons and the Director of Public Health and shall take all necessary measures to protect prisoners against it and shall superintend such measures.

Infectious diseases.

Am. by 1936, No. 20, r. 1.

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Arrangements
in case of
infectious
disease.

79. The visiting medical officer shall give written directions for segregating prisoners having or suspected of having infectious complaints, and for cleansing, disinfecting, or destroying any apparel, bedding, or quarters.

Corporal
punishment.

80. Before any corporal punishment is inflicted on a prisoner, the visiting medical officer shall certify that such prisoner is physically fit to undergo the punishment.

Executions and
whippings.

81. The visiting medical officer shall be present at every execution and every whipping which takes place within the prison.

Death of prisoner.

82. On the death of any prisoner, the visiting medical officer shall enter in the journal—

- (a) the time the deceased was taken ill;
- (b) when the illness was first notified to him;
- (c) the nature of the disease causing death;
- (d) the date when he last saw the deceased (if the deceased was previously on the sick list);
- (e) the time of death;
- (f) the appearance after death; and
- (g) any comments which appear to him requisite or advisable.

Prisoners
attending on
sick.

83. The senior gaoler shall place at the disposal of the visiting medical officer well-conducted and intelligent prisoners who can safely be entrusted with the duty of attending upon the sick and not exceeding in number one to every ten patients.

Report on prison
irregularities,
obstruction, &c.
Am. by 1936,
No. 20, r. 1.

84. The visiting medical officer shall report to the Chief Inspector of Prisons any irregularities with regard to the treatment or care of sick prisoners or any case where a prison officer has disobeyed his lawful order.

Intoxicating
liquor.
Am. by 1936,
No. 20, r. 1.

85. When a visiting medical officer orders intoxicating liquor for a sick prisoner, he shall, without delay, report in writing to the Chief Inspector of Prisons and the Director of Public Health his reason for the order.

Prisoners
removed to
hospital.

86.—(1.) When a prisoner is removed from the prison to a hospital outside the prison, the senior gaoler shall forward with him in writing an application for admission giving the prisoner's name, number, and all other particulars.

(2.) A copy of such application shall be filed by the senior gaoler in the prison office.

(3.) On the discharge of the prisoner from the hospital or in case of his death in hospital, the medical officer in charge of the hospital

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shall forward a certificate of discharge or a certificate of death (as the case may be), and the senior gaoler shall cause the same or a copy thereof to be filed with the copy of the application for admission to the hospital.

87. The visiting medical officer shall on or before the thirty-first day of July in each year forward to the Chief Inspector of Prisons a report dealing with the health, sanitation, food, and water supply of the prison during the preceding financial year, and shall make a return showing the number of prisoners and warders medically treated by the Department of Public Health at the prison during the year, the diseases treated, and the number of prisoners contracting diseases before and after admission to the prison and the names of such diseases together with a list of deaths and the cause thereof of prisoners during the year.

Annual report by visiting medical officer.

Am. by 1936, No. 20, r. 1.

88. The visiting medical officer shall conform to the regulations of the prison and shall do nothing that is likely to prejudice the maintenance of discipline or the safe custody of the prisoners.

Observance of regulations &c.

89.—(1.) If any prison within the Territory is without the services of a visiting medical officer or in the event of a visiting medical officer's being absent from the place where he is stationed or unable for any cause whatever to carry out his duties as a visiting medical officer, such duties shall devolve on the senior medical assistant stationed at the town or place in which the prison is situated or in his absence as far as practicable upon the visiting justice of such prison, and any lawful order given by the visiting justice or by a medical assistant acting in lieu of a visiting medical officer shall be obeyed by all prison officers unless cancelled by a visiting medical officer or the Chief Inspector of Prisons.

Absence of medical officer.

Sub-reg. (1) am. by Regs gazetted on 24.12.1931, r. 2, and by 1936, No. 20, r. 1.

(2.) A visiting medical officer shall as soon as practicable review all directions and orders given by a medical assistant or a visiting justice under this regulation.

(3.) When a medical assistant or a visiting justice acts under sub-regulation (1.) of this regulation in respect of any prison situated in Rabaul, Kavieng, Manus, Kieta, Madang, Salamaua, Kokopo, or other town in which a medical officer is stationed or within ten miles thereof, he shall enter in the journal on each visit to the prison his reasons for acting in lieu of the visiting medical officer.

(4.) Where by any law of the Territory other than these Regulations any act is required to be done by a visiting medical officer, a medical officer, or a medical practitioner, this regulation shall not be deemed to authorize the doing of the act by a visiting justice or a medical assistant.

Sub-reg. (4) am. by Regs gazetted on 24.12.1931, r. 2.

PRISONS—

Medical officer's
right of entry.

90. The visiting medical officer, after informing the senior gaoler of his intention so to do, may enter any prison at any time of the day or night in pursuance of the regular duties of his office.

Division 6.—Visiting Justices.

Visits.

91. Every visiting justice shall when practicable visit the prison of which he has been appointed a visiting justice at least once a fortnight, and shall carry out such duties as are laid down in the Ordinance and in these Regulations.

Duty of gaoler
on justice's
visit.

92. No prison officer shall be present at the inspection and interrogation of prisoners by the visiting justice, but the senior gaoler shall be within easy call should his presence be required by the visiting justice.

Inspection of
prisoners.

93. The visiting justice shall on every visit see and interrogate every prisoner confined within the prison at the time of his visit and shall be supplied by the senior gaoler with all the particulars he may require with regard to prisoners who are away from the gaol precincts in working parties or in hospital or elsewhere.

Interpreters.

94. The visiting justice shall, whenever practicable, be accompanied by his own interpreters and shall not, when an interpreter other than a prison officer is available, use any prison officer as an interpreter.

Power to hear
complaints.

95. The visiting justice shall on every visit hear every complaint which any prisoner wishes to make to him and shall specially inquire into the conditions of those prisoners who are secured in leg-irons or handcuffs.

Money or effects
of prisoners.

96. The visiting justice may direct by writing under his hand that any money or effects belonging to a prisoner under sentence of imprisonment for any period over six months be forwarded or delivered to any person whom the prisoner nominates.

Minute book.

97.—(1.) A visiting justice's minute book shall be provided at every prison, in which the visiting justice shall record his visits and the circumstances under which any prisoner is sentenced to punishment by him, and also any remarks and suggestions which he has to make.

Sub-reg. (2)
am. by 1936,
No. 20, r. 1.

(2.) The visiting justice's minute book shall be transmitted by the senior gaoler of the Rabaul prison to the Chief Inspector of Prisons through the head gaoler monthly, and by other senior gaolers on request.

Prisons Regulations.

Division 7.—Chaplains.

98.—(1.) The chaplains appointed by the Administrator shall have the spiritual care of the prisoners of their respective denominations. Appointment and functions of chaplains.

(2.) Except as otherwise provided in this Division, only such chaplains as are appointed by the Administrator shall be allowed to visit the prisons.

99.—(1.) Chaplains may attend and shall be admitted to hold service on every Sunday, Christmas Day, and Good Friday. Religious services.

(2.) If chaplains desire to hold service on any other church feast days the head gaoler may make the necessary arrangements if such do not interfere with the prison discipline or management.

100. On application by any chaplain to the senior gaoler the chaplain may be permitted to enter the prison at any time, but if such visit or visits interfere with the prison discipline or management the Chief Inspector of Prisons or the head gaoler may rescind or modify the permission given by the senior gaoler. Special admission. Am. by 1936, No. 20, r. 1.

101. On application by a prisoner any minister of religion may be admitted to the prison by the senior gaoler and no minister of religion shall be debarred at any hour of the day or night admission to any prison for the purpose of ministering to any dying prisoner or prison officer. Prisoner's application, dying prisoners, &c.

102.—(1.) All prisoners shall on admission to prison be entered in the prison register for the services of the religious denomination to which they belong. Registration of religion of prisoners, &c.

(2.) Prisoners who are heathens or do not belong to any religious denomination represented by a chaplain, may, on their own request, be permitted to attend any service that they may select.

103.—(1.) Chaplains shall be bound by the regulations relating to intercourse with prisoners and shall not convey messages, letters, or information to or from prisoners, nor shall they give information to persons other than prison officers or make public any matter that comes to their knowledge in the prison. Communication with prisoners and information about prison affairs, &c.

(2.) Any complaints or charges chaplains wish to make shall be made direct to the Chief Inspector of Prisons. Sub-reg. (2) am. by 1936, No. 20, r. 1.

PART III.—REGULATIONS APPLICABLE TO PRISONERS.

Division 1.—Admission and Discharge of Prisoners.

104.—(1.) Immediately upon any prisoner's admission to a prison, the senior gaoler shall enter or cause to be entered in the register the prescribed particulars. Registration on admission, &c.

PRISONS—

(2.) Except as otherwise provided in these Regulations, immediately upon any prisoner's admission to a prison, clothing, money, and other effects shall be taken from him and particulars of such property shall be recorded in the prisoners' property book.

Finger-prints.
Am. by 1936,
No. 20, r. 1.

105. A prisoner shall at the time of his reception into a prison or at any time whilst in custody in a prison have his finger-prints taken and may at any time whilst he is in custody in the prison be photographed if the Chief Inspector of Prisons so directs.

Search.

106. Every prisoner shall be searched on admission.

Medical
examination on
admission.

107.—(1.) Every prisoner shall at the first opportunity after his admission be brought before the visiting medical officer for examination.

(2.) The visiting medical officer shall record the state of health of the prisoner and any observation which he may deem it expedient to make.

(3.) The record made under the last preceding sub-regulation shall be filed with the other papers relating to the prisoner.

Child of female
prisoner.

108. The child of a female prisoner may be received into prison with its mother provided it is being nursed at the breasts.

Delivery to a
prisoner of his
money, &c., on
discharge.

109.—(1.) On the discharge of a prisoner the senior gaoler shall, except as otherwise provided in these Regulations, deliver to him any money or other articles which were taken from him on his admission and shall take a receipt for such money or articles in the prisoners' property book.

(2.) If the prisoner is a native or unable to write, another European officer of the Administration shall, if practicable, witness the delivery and sign the prisoners' property book as witness.

Prisoners unfit
to perform
hard labour.

110. Prisoners shall not be sent to hard labour if the gaoler is of opinion they are unable to bear it, until the visiting medical officer has certified that they are fit to undergo it.

Medical
examination on
discharge or
removal.

111. All prisoners before being discharged or removed to any other prison shall if practicable be examined by the visiting medical officer.

Prisoner's
clothing on
discharge.

112. On the discharge of a prisoner his own clothes shall be returned to him unless it has been found necessary to destroy them, in which case he shall be provided with such clothing as is suitable, and the prison clothes shall be washed by boiling and dried before being put into the store or given to another prisoner.

Prisons Regulations.

113. A prisoner shall be discharged at 10 a.m. or as soon after that hour as is practicable, on the day when his sentence expires or otherwise terminates: Discharge of prisoner.

Provided that when the day on which the sentence expires or otherwise terminates is a Sunday the prisoner shall be discharged at 10 a.m. or as soon after that hour as is practicable on the Saturday next preceding such Sunday. Proviso ad. by 1938, No. 5, r. 1.

Division 2.—Classification of Prisoners.

114. Prisoners shall be classified as follows and as far as practicable the several classes shall be kept apart:— Classification of prisoners.

- (a) First class:—Prisoners awaiting trial or under examination.
- (b) Second class:—Debtors and persons imprisoned for contempt of court or for failing to give security for the peace or for good behaviour.
- (c) Third class:—Prisoners (other than those of the second class) under sentence who were under the age of twenty-one years on the date of conviction and who have not been previously convicted.
- (d) Fourth class:—Prisoners (other than those of the second and third classes) under sentence of imprisonment for eighteen months and under who have not been previously convicted.
- (e) Fifth class:—Prisoners (other than those of the second and third classes) under sentence of imprisonment who have been previously convicted or whose sentence on first conviction exceeds eighteen months.

115. Prisoners of the first class—

- (a) shall as far as practicable be kept separate from prisoners of other classes;
- (b) may, if the same be sufficient and decent, wear their own clothes:

Provided that they may be deprived of their clothes and other effects if necessary for the purpose of evidence connected with the prosecution or otherwise for the purposes of justice;

- (c) shall not be compelled to be shaved or to have their hair cut short unless needful for the purposes of cleanliness or for the purpose of preserving the appearance they had at the time of their examination by a court;

• Treatment of prisoners of the first class.

PRISONS—

- (d) may be required to perform such work as may be necessary to keep their prison quarters in a clean and sanitary condition, but shall not be otherwise employed;
- (e) shall take such exercise in the open air as the visiting medical officer or, in his absence, the head gaoler thinks necessary or expedient; and
- (f) shall be permitted to procure for themselves and to receive at proper hours food, bedding, and clothing, but shall not be permitted to receive intoxicating liquor:

Provided that any prisoner of the first class supplying any prisoner of another class with any food or other article shall be deprived of the privilege given under this paragraph and shall be guilty of a prison offence.

Consideration to be shown prisoners of the first class.

116. The confinement of prisoners of the first class shall be made as little oppressive as possible.

Treatment of prisoners of the second class.

117. Prisoners of the second class—

- (a) shall as far as practicable be kept apart from prisoners of other classes;
- (b) may, if the same be sufficient and decent, wear their own clothes:

Provided that, if unable to obtain necessary changes of decent clothing, they may be compelled to wear the ordinary gaol dress on all occasions;

- (c) may be required to perform such work as is necessary to keep the prison in a clean and sanitary condition, but shall not be otherwise employed except with their consent;
- (d) shall take such exercise in the open air as the visiting medical officer or, in his absence, the head gaoler deems necessary or expedient; and
- (e) except as otherwise provided, shall be subject to these Regulations.

Division 3.—Prisoners Condemned to Death.

Rules in the case of condemned prisoner.

118.—(1.) Every prisoner condemned to death shall at least once each day be searched and any article removed from him which it is considered dangerous or inexpedient to leave in his possession.

(2.) Every prisoner condemned to death shall be confined apart from all other prisoners and shall be kept under supervision day and night.

Prisons Regulations.

(3.) The cell or room in which a prisoner condemned to death is confined shall on every day at 5.30 p.m. be examined and searched thoroughly by the senior gaoler or a prison officer appointed by him.

(4.) Every prisoner condemned to death shall be allowed diet and exercise as the visiting medical officer directs, and the visiting medical officer shall visit him as often as is necessary.

(5.) A chaplain of the denomination to which a prisoner condemned to death belongs and also any minister of religion for whom such prisoner may ask admission shall have free access to him.

(6.) Notwithstanding the provisions of these Regulations, the relatives, friends, or legal adviser of a prisoner condemned to death shall have access to him at all reasonable hours.

(7.) Except as provided in this regulation, no person not being a visiting justice or an officer of the prison shall have access to the prisoner except in pursuance of an order from the Administrator or the Government Secretary.

Division 4.—Accommodation, Food, Clothing, and Bedding.

119.—(1.) The cells and wards shall be numbered consecutively from the number 1 upwards. Numbering of cells and wards.

(2.) Immediately below the cell or ward number shall be shown the normal number of prisoners which the cell or ward can accommodate.

120. Female prisoners shall be kept entirely separate from male prisoners and shall, as far as practicable, be confined in different buildings. Female prisoners.

121.—(1.) In order to prevent any contamination by the association of prisoners, any prisoner either for his own good or for the good of other prisoners may by order of the Administrator be separately confined. Separate confinement.

(2.) Confinement provided for in the last preceding sub-regulation shall not be, nor be deemed to be, of the nature usually known as solitary confinement.

122.—(1.) All prisoners other than natives shall be supplied with three meals a day and native prisoners with two meals a day in accordance with the prescribed scale of rations. Meals.
R. 122 sub. by
Regs gazetted
on 24. 12. 1931,
r. 3.

(2.) All prisoners other than natives shall be allowed half an hour for the morning meal, one hour for the midday meal, and half an hour for the evening meal.

(3.) Meals shall be supplied to European prisoners at 6.30 a.m., 12.15 p.m., and 5.30 p.m.

PRISONS—

(4.) Meals shall be supplied to coloured prisoners other than natives at 6.30 a.m., 11 a.m., and 5.15 p.m.

(5.) Native prisoners shall be allowed one hour for the midday meal and half an hour for the evening meal.

(6.) Meals shall be supplied to native prisoners at 11 a.m. and 5.15 p.m.

Scale of rations.

123. Except in the case of a prisoner maintaining himself, every prisoner shall receive according to his status the rations specified in the Schedule to these Regulations subject to such modifications or variations as are therein specified in relation to reduced diet in the case of punishment or as the visiting medical officer directs in writing for special cases.

Complaints by prisoners as to food.

124. If any prisoner complains that he has not received his proper allowance of food the gaoler or other prison officer in charge at meal times shall immediately inquire into the complaint, and the deficit if any shall be made up.

Prison dress.

125.—(1.) Prisoners shall, except as otherwise provided, be provided with and wear such prison dress as the Administrator directs.

(2.) European male prisoners and other male prisoners accustomed to wearing European clothing shall be provided with a garb consisting of a shirt, belt, trousers, hat, and boots of such description as the Administrator directs.

(3.) Male native prisoners shall be provided with a lavalava or loin cloth.

(4.) Female native prisoners shall be provided with a lavalava and blouse.

Bedding, equipment, and disinfection.

126.—(1.) Each European prisoner shall be provided with two blankets, a mosquito net, and a pillow.

(2.) Each non-European prisoner shall be provided with one blanket and shall be provided with a mosquito net at such times and prisons as the visiting medical officer or the head gaoler directs.

(3.) The senior gaoler shall ensure that the clothing, bedding, and sleeping places of all prisoners are properly washed and disinfected as often as he considers necessary and at such other times as the visiting medical officer directs.

Additional clothing in certain cases.

127. Any prisoner who on account of ill health requires clothing or bedding additional to that prescribed in regulations 125 and 126 of these Regulations shall be allowed such other articles of clothing or bedding as the visiting medical officer orders.

Prisons Regulations.

128. The clothing of every prisoner shall be changed at least twice a week. Change of clothing.

129.—(1.) A prisoner in the third, fourth, or fifth class shall not wear any article of clothing not provided for by these Regulations, and any prisoner doing so shall be guilty of a prison offence. Dress of third, fourth, and fifth class prisoners.

(2.) Except as provided in these Regulations, a prison officer shall not allow any prisoner to wear any article of clothing other than those prescribed.

Division 5.—Health and Cleanliness.

130.—(1.) Prisoners shall keep themselves clean and decent and shall conform to such directions as to bathing as are given them. General rules as to cleanliness.

(2.) Prisoners shall keep their cells, wards, rooms, clothing, and other equipment in a state of cleanliness.

131.—(1.) Male prisoners, except where otherwise provided in these Regulations, whose sentence exceeds one month shall, unless the visiting medical officer otherwise orders, have their hair cut upon admission and afterwards monthly, and in the case of Europeans shall shave at least once a week. Hair-cutting, &c. of prisoners.

(2.) The visiting medical officer may order that the hair of a male or female prisoner shall be cut.

132. The blankets of prisoners shall be aired daily in the sun. Blankets.

133. A proper room shall be set apart within the prison precincts as an infirmary for sick prisoners, the separation between the males and females being maintained. Infirmary.

134. All prisoners may be vaccinated or re-vaccinated at the discretion of the visiting medical officer. Vaccination.

135. The names of prisoners who desire to see the visiting medical officer shall be reported without delay by the senior gaoler to the visiting medical officer. Prisoners desiring to see medical officer.

136. Prisoners having or suspected of having an infectious disease shall be separated from other prisoners and as soon as it can be done with safety shall be removed to an infectious hospital or other place set aside for the purpose. Infectious diseases.

137. The heads of all native prisoners shall be cleansed with lime in accordance with native customs on the order of the visiting medical officer or the senior gaoler. Cleansing of heads.

PRISONS—

Exercise.

138. Opportunity for taking exercise in the open air each week day shall be given to prisoners employed in any building.

Cleaning of the prison.

139.—(1.) The prison shall be kept in a cleanly state and the walls of the cells, wards, rooms, passages, and other enclosures shall be painted or limewashed as the case requires.

(2.) The cells, wards, rooms, passages, verandahs, and other floored enclosures shall be scrubbed, washed, or cleaned once a week or more often if necessary.

Night pans, &c.

140.—(1.) The night pans shall be kept clean and their contents disposed of according to orders.

(2.) When earth closets are provided the senior gaoler shall see that they are used according to instructions.

Disposal of filth, rubbish, &c.

141. No filth or offensive matter shall be allowed to remain in the prison compound, yard, or premises, and rubbish not required for use in the prison shall be taken outside the prison compound daily and burnt or disposed of in a manner approved by the visiting medical officer.

Division 6.—Visitors to and Communications with Prisoners.

Officer to be present at visit to prisoner.

142. A prison officer shall be present and within hearing at every visit to a prisoner and shall observe all that may pass and, except as otherwise provided in these Regulations, the prisoner and visitor shall be separated by a division or barrier.

Visits of members of legal profession.

143.—(1.) Notwithstanding the provisions of these Regulations, a barrister and solicitor or the authorized clerk of a barrister and solicitor may see a client if a prisoner of the first class in private at any reasonable time without special permission being granted.

Sub-reg. (2) am. by 1936, No. 20, r. 1.

(2.) A barrister and solicitor may visit any prisoner under sentence with the consent of the Chief Inspector of Prisons or the head gaoler. The object of the visit shall be fully stated when application for permission is made. Any interview permitted under this sub-regulation shall be in the presence and hearing of a prison officer unless otherwise directed by the Chief Inspector of Prisons or the head gaoler.

Visits to prisoners.

Sub-reg. (1) am. by 1936, No. 20, r. 1.

144.—(1.) Subject to the provisions of these Regulations, prisoners may be allowed to receive visits from persons holding an order signed by the Chief Inspector of Prisons, a District Officer, or the head gaoler as follows:—

(a) Prisoners of the first class—On the first day after confinement in a prison and on Tuesday and Friday in each week.

Prisons Regulations.

- (b) Prisoners of the second class—On Wednesday in each week.
(c) Prisoners of the third, fourth, and fifth classes—On the first Wednesday in each month.

(2.) The senior gaoler shall enter or cause to be entered in the journal the names of persons visiting prisoners other than natives and the date of each visit.

(3.) A visitor shall not be admitted before 10 a.m. or after 4 p.m.

(4.) Visits shall not exceed thirty minutes in duration.

(5.) In the case of the sickness of a prisoner or in special circumstances permission may at any time be given in writing by the Administrator, the Chief Inspector of Prisons, or a District Officer for the husband, wife, or children of the prisoner to visit the prisoner. The senior gaoler shall enter in the journal the name of the person by whom and to whom the special permission was issued.

Sub-reg. (5)
am. by 1936,
No. 20, r. 1.

(6.) A prisoner shall not receive a visit from more than one person at a time except when the visitors are in the relationship of parent, sister, brother, wife, husband, or child to the prisoner.

145.—(1.) No prisoner in any prison shall be permitted to send or to receive any letter or parcel of any description whatever except through the head gaoler or, in his absence, the senior gaoler.

Censorship of
correspondence.

(2.) Except as otherwise provided in these Regulations, the head gaoler or, in his absence, the senior gaoler shall read every letter addressed to or written by a prisoner and mark it with his initials and the date on which he reads it.

(3.) The head gaoler or, in his absence, the senior gaoler shall use his discretion in withholding any letter addressed to or written by a prisoner.

(4.) In every case in which a letter is withheld under the last preceding sub-regulation by a senior gaoler he shall forward the letter to the head gaoler for his decision.

(5.) In every case in which a head gaoler withholds a letter under either of the last two preceding sub-regulations he shall forward the letter to the Chief Inspector of Prisons for his decision.

Sub-reg. (5)
am. by 1936,
No. 20, r. 1.

146. Letters to and from prisoners shall be confined to matters personally concerning the prisoners, their relatives, and their friends, and shall contain no general information or news of the day.

Correspondence
confined to
personal matters.

147.—(1.) Prisoners of the first class may, subject to these Regulations, receive all letters forwarded to them and may write letters whenever they desire to do so.

Correspondence.

(2.) Prisoners of the second class may, subject to these Regulations, write and receive four letters every month.

PRISONS—

(3.) Prisoners of the third, fourth, and fifth classes may, subject to these Regulations, write and receive two letters every month.

Visits, &c., to appellants.

148. Notwithstanding the provisions of these Regulations, a prisoner who has appealed against a conviction shall be permitted pending the hearing of the appeal at all reasonable times on any week day to interview his legal adviser being a barrister and solicitor or the authorized clerk of a barrister and solicitor and at any time to send to and receive from his legal adviser letters with reference to his appeal.

Visitors causing disturbance, &c.

149.—(1.) Any visitor to a prison who occasions disturbance or commits a breach of discipline or behaves in a disorderly manner or is under the influence of intoxicating liquor or is insolent to any officer may be refused permission to visit any prisoner and may be required to leave the prison.

(2.) Any visitor who refuses to leave the prison when ordered to do so by a prison officer may be forcibly ejected therefrom.

(3.) The senior gaoler shall report to the head gaoler all cases in which a visitor is refused admittance or required to leave the prison.

Supervision of visitors.

150.—(1.) The senior gaoler may demand the name and address of any visitor to a prisoner.

(2.) When a senior gaoler has any ground for suspecting that a visitor is trying to convey any unauthorized article into the prison, he may search, or direct to be searched, such visitor, and, in the case of the visitor's refusing to be searched or to give his name and address, may refuse to admit him.

(3.) The senior gaoler shall enter in the prison journal and report to the head gaoler all cases in which a visitor has been searched.

(4.) Female visitors shall not be searched by male officers, but the senior gaoler may make suitable arrangements for such visitors to be searched by a female person.

Division 7.—Employment and Working Hours.

Working hours.
Sub-reg. (1)
sub. by Regs
gazetted on
24.12.1931, r. 4.

151.—(1.) Except as provided in these Regulations, the hours of labour shall be—

(a) for natives, from 6 a.m. to 11 a.m., and from 12 noon to 5 p.m.;

(b) for coloured prisoners other than natives, from 7 a.m. to 11 a.m. and from 12 noon to 5 p.m.; and

(c) for Europeans, from 7 a.m. to 12 noon and from 1.30 p.m. to 5 p.m.

Prisons Regulations.

(2.) Prisoners shall do only necessary work on Sundays, Christmas Day, and Good Friday; but on all other holidays they shall work as on non-holidays unless the Administrator otherwise directs.

152. Prisoners sentenced to imprisonment with hard labour shall be employed at such work or labour as the senior gaoler directs. Prisoners sentenced to hard labour.

153. Prisoners of the third, fourth, or fifth classes sentenced to imprisonment without being sentenced to hard labour shall be employed at some light work or labour at such hours as the head gaoler directs not exceeding eight hours each day. Prisoners not sentenced to hard labour.

154. Male native prisoners sentenced to imprisonment with hard labour may be required to perform pack drill in accordance with the following rules:— Pack drill.

- (a) Male native prisoners sentenced for any period of imprisonment not in excess of fourteen days may be required to perform pack drill on two thirds of the number of days of the sentence.
- (b) Male native prisoners sentenced for any period of imprisonment exceeding fourteen days but not exceeding one month may be required to perform pack drill on one half of the number of days of the sentence.
- (c) Male native prisoners sentenced for any period of imprisonment exceeding one month but not exceeding six months may be required to perform pack drill on one third of the number of days of the sentence.
- (d) Pack drill shall not be performed on any Sunday.
- (e) Pack drill shall be performed for two hours in the morning and one hour in the afternoon and there shall be an interval of ten minutes between any two consecutive half-hours of such drill. Para. (e) am. by Regs gazetted on 24.12.1931, r. 5.
- (f) The pack used for the purpose of pack drill shall be of a similar pattern to the pack issued to the New Guinea Police Force and shall be weighted with dry earth in accordance with the following scale:—
 - (i) For fully developed prisoners .. 40 lb.
 - (ii) For partially developed prisoners .. 30 lb.
 - (iii) For juveniles 20 lb.:

Provided that the visiting medical officer or the head gaoler, should he consider the physique of any prisoner such that the weight set out in this paragraph would be too heavy, may order such lesser weight to be carried as he thinks fit.

PRISONS—

(g) Pack drill shall be performed by marching with the pack weighted as prescribed in quick time of 120 paces to the minute and, after four paces have been taken in any one direction, turning to another direction on a word of command from the warder in charge.

(h) Pack drill shall not be carried out in double time.

Sickness, &c.,
of prisoners.

155. No prisoner whose sentence requires him to labour shall be compelled to work in case of sickness or physical disability except upon the written order of the visiting medical officer.

Reduced diet.

156. In no case shall hard labour be combined with reduced diet.

Female prisoners.

157. Female prisoners shall be employed as far as possible within the prison premises at sewing and washing and, in the case of native female prisoners, washing, scrubbing, weeding, grass-cutting, and light garden work.

Payment of
wages to
European
prisoners.

158.—(1.) Any European prisoner serving a sentence of not less than three months who is required to perform work other than that which is necessary for the maintenance of the prison in a clean and sanitary condition may with the approval of the Administrator be paid a sum not exceeding two shillings per day as wages.

(2.) No wage shall be allowed to prisoners for Sundays or other days they are not actually employed at labour.

(3.) Any wages so approved shall be credited to the prisoner.

(4.) On the expiration of a prisoner's sentence he shall be paid the amount then standing to his credit less any authorized deductions.

(5.) Any money owing by a prisoner in respect of postage paid for him on letters, shall be deducted from any wages earned by the prisoner under this regulation.

Purchase of
materials.

159. The Administrator may authorize the purchase of materials he considers necessary for providing prisoners with suitable labour.

Articles made
by prisoners.
Sub-reg. (1)
am. by 1936,
No. 20, r. 1.

160.—(1.) All articles made by prisoners shall be the property of the Administration and shall be disposed of in such manner as the Chief Inspector of Prisons directs.

(2.) Monies received from the disposal of such articles shall be paid to revenue but the head gaoler shall be advised of the amount received for each article, for the purpose of prison records.

Division 8.—Means of Restraint of Prisoners.

Restraint
equipment.

161. The following means of restraint may be used in the case of a prisoner whose conduct is so violent as to render such means necessary :—

Prisons Regulations.

- (a) Handcuffs.
- (b) Leg-irons.
- (c) Waistbelt of double leather sewn together and fastened by a lock round the waist with steel wristlets at equal distances at the sides in which to lock the wrists, weight of waistbelt not to exceed four pounds avoirdupois.

162. Handcuffs may be used as a means of restraint or prevention of escape when a prisoner is being taken to or from any prison or when beyond the precincts of a prison. Use of handcuffs.

163. The senior gaoler shall enter in the journal the name and number of any prisoner placed under restraint with the day and hour of the putting on and taking off of such restraint or of change in the manner of its application. Record in journal.

164.—(1.) Medical cases under treatment in hospitals shall be restrained in such manner as the visiting medical officer directs. Restraint in medical cases.

(2.) A report in each case shall be made by the visiting medical officer in the hospital register.

PART IV.—REMISSION OF SENTENCES.

165. The following remission of sentences for good conduct may be granted to prisoners undergoing sentences of imprisonment:— Remission of sentences for good conduct.

- (a) A prisoner sentenced to a term of imprisonment exceeding three months may be allowed a remission of four days in each month or part thereof.
- (b) A prisoner who has previously been convicted and sentenced to a term of imprisonment exceeding six months or to terms of imprisonment amounting in the aggregate to more than six months shall not be allowed any remission if his sentence does not exceed twelve months' imprisonment, and if his sentence exceeds twelve months' imprisonment he may be allowed a remission in respect of the period of the sentence to be served in excess of twelve months as provided in the last preceding paragraph.
- (c) Where a prisoner is serving concurrent or cumulative sentences he shall not be allowed any remission where the total period of imprisonment does not exceed twelve months, but where the total period of imprisonment exceeds twelve months he may be allowed a remission in respect of the balance of the total period of imprisonment to be served in excess of twelve months as provided in paragraph (a) of this regulation.

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- (d) On a prisoner's admission to prison his commitment warrant shall be endorsed with the date on which he may be released should he earn the full number of days' remission allowable under this regulation, and unless such endorsement is amended under the next succeeding paragraph the prisoner shall be released on that day.
- (e) Where a prisoner has been found guilty of an offence under the Ordinance or these Regulations or his conduct has been adversely reported upon by a head gaoler, the Administrator may order that the whole or any number of the days, which under this regulation may be remitted, shall not be remitted, and the endorsement on the commitment warrant shall be amended in accordance with the order.

166. Notwithstanding anything contained in this Part, a remission shall not be granted under these Regulations to any prisoner removed from the Territory under the provisions of the *Removal of Prisoners (Territories) Act 1923*⁽³⁾ to a State or another Territory there to undergo his sentence or the residue thereof.

PART V.—PRISON OFFENCES.

Punishment.

167. No punishment of any kind shall be awarded a prisoner for a prison offence except as provided for in the Ordinance or these Regulations.

Prisoners' labour in case of reduced diet.

168. If the punishment awarded a prisoner for a prison offence consists of reduced diet the prisoner shall be relieved from performing hard labour during the period over which the punishment extends.

Acts and omissions constituting prison offences.

169. Any of the following acts or omissions by a prisoner shall constitute a prison offence under the Ordinance:—

- (a) Disobedience of prison regulations.
- (b) Common assault on any prisoner or prison officer.
- (c) Profane, indecent, insulting, or threatening language or behaviour.
- (d) Insubordination.
- (e) Irreverent behaviour at divine service.
- (f) Idleness or negligence at work or leaving place of work without authority.
- (g) Wilful mismanagement of work.
- (h) Absence from divine service without leave.
- (i) Obstructing any prison officer in the execution of his duty.

(3) Now the *Removal of Prisoners (Territories) Act 1923-1935*.

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- (j) Talking in cells or wards after 8 p.m.
- (k) Talking loudly or singing or laughing at any time after having been ordered by a prison officer to desist.
- (l) Quarrelling with any other prisoner.
- (m) Secreting any article whatever.
- (n) Showing any disrespect to a prison officer or visitor.
- (o) Making groundless complaints.
- (p) Answering untruthfully any question put by the visiting justice, the visiting medical officer, or a prison officer.
- (q) Holding any communication in writing or by word of mouth or otherwise with any person not connected with the prison management and control except as otherwise provided in these Regulations.
- (r) Aiding and abetting the commission of any prison offence.
- (s) Refusing to give assistance to a prison officer when called upon to do so.
- (t) Doing any act or using any language calculated to offend the feelings of a fellow prisoner.
- (u) Omitting or refusing to walk in file when moving about.
- (v) Refusing to eat the food prescribed by the prison dietary.
- (w) Eating or appropriating any food not assigned to him, or taking from or adding to the portions assigned to other prisoners.
- (x) Wilfully destroying food or throwing it away.
- (y) Introducing into food or drink anything liable to render it unpalatable or unwholesome.
- (z) Omitting or refusing to keep the clothes given to him or exchanging any portion of them for the clothing of any other prisoner, or losing, discarding, damaging, or altering any part of them.
- (ba) Removing, defacing, or altering any distinctive number or mark branded on or attached to clothing.
- (bb) Omitting or refusing to keep clothing, cups, platters, or spoons or other articles of cutlery clean, or disobeying any order as to the arrangement or disposition of such articles.
- (bc) Tampering in any way with prison locks, lamps, lights, or other property with which he has no concern.
- (bd) Stealing the prison clothing or any part of the prison kit of any other prisoner.
- (be) Committing a nuisance in any part of the prison.

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- (bf) Wilfully or negligently befouling the cells, wards, tanks, latrines, or other places in or connected with the prison.
- (bg) Damaging the trees or shrubs within the prison enclosure.
- (bh) Omitting or refusing to take due care of all prison property entrusted to him.
- (bi) Omitting to report at once any loss, breakage, or injury which he may have accidentally caused to prison property.
- (bj) Wilfully causing to himself any injury, illness, or disability.
- (bk) Refusing or omitting to assist in suppressing violence or insubordination of any kind.
- (bl) Taking part in any attack upon a prisoner or prison officer.
- (bm) Omitting or refusing to help any prison officer in case of the attempted escape of a prisoner or in case of an attack upon any prison officer.
- (bn) Disobeying any lawful order of a prison officer.
- (bo) Pretending illness.
- (bp) Making frivolous complaints.
- (bq) Insolence, rudeness, or any conduct subversive of the peace, order, or good government of the prison.
- (br) Having unauthorized articles in his possession.
- (bs) Damaging or defacing any prison property.
- (bt) Holding any communication with a prisoner of the opposite sex.

PART VI.—GENERAL.

Female prison officers.

170. In every prison in which female prisoners are confined there shall be one or more female prison officers.

Promotion of prisoner to ganger.

171.—(1.) On the recommendation of the senior gaoler the head gaoler may promote to the position of ganger a prisoner whose conduct has been good and who has displayed keenness and intelligence in performing work allotted to him.

Sub-reg. (2) am. by Regs gazetted on 24.12.1931, r. 7.

(2.) Any prisoner so promoted shall wear an armlet bearing the letter "G" and shall be employed in overseeing the work of the other prisoners in his gang.

(3.) Should a ganger be found guilty of a prison offence or in any other way abuse his position, the head gaoler may deprive him of his position as ganger.

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172. The Administrator, the Chief Inspector of Prisons, and the visiting justice may at any time of the day or night enter a prison and inspect any part thereof, and shall have authority to hear and inquire into any complaints of prison officers or prisoners, and to examine any of the prison books, records, stores, or other property.

Inspection of prison by Administrator and others.
Am. by 1936, No. 20, rr. 1 and 3.

173. The Director of Public Health may at any time of the day enter a prison and inspect any part thereof.

Inspection of prison by Director of Public Health.

174.—(1.) The Director of Public Works of the Territory may at any time of the day enter any prison in the performance of his official duties.

Powers of Director of Public Works, &c., to enter prison.

(2.) An officer of the Public Works Department of the Territory may at any time between 8 a.m. and 5 p.m. enter any prison, on the written order of the Director of Public Works or the head gaoler addressed to the senior gaoler, to perform some necessary work.

175. No gaming shall be permitted in a prison and no cards, dice, or other instruments of gaming shall be introduced into a prison.

Gaming.

176. Except as otherwise provided in the Ordinance and these Regulations, no person shall be permitted to visit a prison without the written authority of the Administrator.

Visitors in general.

THE SCHEDULE.

SCALE OF RATIONS.

1. Europeans.

(a) Ordinary diet:—

	per week.
Bread	6 lb.
Butter	$\frac{1}{2}$ "
Meat (fresh)	8 $\frac{1}{2}$ "
or meat (preserved)	5 $\frac{1}{4}$ "
or fish (fresh or tinned)	5 $\frac{1}{4}$ "
Bananas	1 doz.
or pawpaws	2
Potatoes	7 lb.
Onions	1 "
Sugar	1 $\frac{1}{2}$ "
Tea	$\frac{1}{4}$ "
Salt	$\frac{1}{4}$ "
Pepper	$\frac{1}{2}$ oz.
Jam	1 $\frac{1}{2}$ lb.
Coffee	2 oz.
Flour	1 lb.
Vegetables (tinned)	1 $\frac{1}{2}$ "
Soap	$\frac{1}{2}$ "
Matches	2 boxes
Tobacco (plug)	2 oz.
or cigarettes (Capstan)	2 pkts.

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(b) Reduced diet:—

	per day.
Bread	1 lb.
Bananas	2
Potatoes	1 lb.
Onions	4 oz.
Salt	$\frac{1}{2}$ "
Soap	$\frac{1}{2}$ "

2. Coloured persons, other than natives.

(a) Ordinary diet:—

- Item 1. Rice, $7\frac{1}{2}$ lb. per week.
- Item 2. Taro, yam, or other vegetable equivalent, 14 lb. per week.
- Item 3. Meat (preserved), $1\frac{1}{2}$ lb. per week.
- Item 4. Fish (tinned), 1 lb. per week.
- Item 5. Sugar, 1 lb. per week.
- Item 6. Tea, 4 oz. per week.
- Item 7. Salt, 2 oz. per week.
- Item 8. Curry stuffs, 4 oz. per week.
- Item 9. Soap, 4 oz. per week:

Provided that—

- (i) item 1 shall be issued on 5 days in the week;
- (ii) item 2 shall be issued on 2 days in the week;
- (iii) in lieu of items 3 and 4 the following may, if practicable, be issued:—

Fresh meat (beef or pork) (free of bone) or fresh fish (free of head and tail) or preserved, smoked, salted, or dried fish (free of head and tail), 2 lb. per week; and

- (iv) curry stuffs shall consist of tamarind, garlic, chillies, onions, black pepper, turmeric, cummin seeds, and corriander seeds, not less than 20 per centum of which mixture shall be tamarind.

(b) Reduced diet:—

- Item 1. Rice, $\frac{1}{2}$ lb. per day.
- Item 2. Taro, yam; or other vegetable equivalent, 2 lb. per day.
- Item 3. Fish (tinned), 3 oz. per day.
- Item 4. Salt, $\frac{1}{2}$ oz. per day.
- Item 5. Soap, $\frac{1}{2}$ oz. per day.

3. Natives.

DAILY RATIONS.

(a) Ordinary diet:—

Diet No. I.—

- Item 1. Rice, 1 lb.; or
Sak sak (dry), $2\frac{1}{2}$ lb.; or
Tapioca (manioc) (dry), $2\frac{1}{2}$ lb.
- Item 2. Dried peas, dried beans, or dried lentils, $\frac{1}{2}$ lb.; or
Germinated peas, germinated beans, or germinated lentils,
6 oz.
- Item 3. Fresh meat (mutton, beef, goat, pork, or any recognized
native meat) (free of bone), 3 oz.; or
Fresh fish (free of head and tail), 4 oz.
- Item 4. Salt, $\frac{1}{7}$ oz.

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Diet No. II.—

- Item 1. Taro, breadfruit, or yam, 5 lb.; or
Bananas, 7 lb.; or
Green maize, 6 cobs; or
Kau kau (sweet potato), 7 lb.
- Item 2. Coconut (ripe), 3 oz., approximately.
- Item 3. Meat (preserved, smoked, salted, or dried) (free of
bone), 1/7 lb.; or
Fish (preserved, smoked, salted, or dried) (free of head
and tail), 1/7 lb.
- Item 4. Salt, 1/7 oz.

Diet No. III.—

- Item 1. Rice, 1½ lb.; or
Sak sak (dry), 2½ lb.; or
Tapioca (manioc) (dry), 2½ lb.
- Item 2. Marmite or autolysed yeast, ½ oz.; or
Edible native leaves (free of stems), ½ lb.; or
Green vegetables, ½ lb.; or
Green maize, 2 cobs; or
Fresh fruit, 1 lb.
- Item 3. Meat (preserved, smoked, salted, or dried) (free of
bone), 1/7 lb.; or
Fish (preserved, smoked, salted, or dried) (free of head
and tail), 1/7 lb.
- Item 4. Salt, 1/7 oz.
- Item 5. Mixture of cod liver oil and malt, one tablespoonful.

(b) Reduced diet:—

Diet No. I.—

- Item 1. Rice, ¾ lb.; or
Sak sak (dry), 1 lb.; or
Tapioca (manioc) (dry), 1 lb.
- Item 2. Dried peas, dried beans, or dried lentils, ½ lb.
- Item 3. Fresh meat (mutton, beef, goat, pork, or any recognized
native meat) (free of bone), 1 oz.; or
Fresh fish (free of head and tail), 3 oz.
- Item 4. Salt, 1/7 oz.

Diet No. II.—

- Item 1. Taro, breadfruit, or yam, 3 lb.; or
Bananas, 3 lb.; or
Kau kau (sweet potato), 3 lb.
- Item 2. Coconut (ripe), 1 oz., approximately.
- Item 3. Meat (preserved, smoked, salted, or dried) (free of
bone), 1/14 lb.; or
Fish (preserved, smoked, salted, or dried) (free of head
and tail), 1/14 lb.
- Item 4. Salt, 1/7 oz.

Diet No. III.—

- Item 1. Rice, 10 oz.; or
Sak sak (dry), 10 oz.; or
Tapioca (manioc) (dry), 12 oz.

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- Item 2. Marmite or autolysed yeast, $\frac{1}{2}$ oz.; or
Edible native leaves (free of stems), $\frac{1}{2}$ lb.; or
Green vegetables, $\frac{1}{2}$ lb.; or
Fresh fruit, 1 lb.
 - Item 3. Meat (preserved, smoked, salted, or dried) (free of
bone), $\frac{1}{14}$ lb.; or
Fish (preserved, smoked, salted, or dried) (free of head
and tail), $\frac{1}{14}$ lb.
 - Item 4. Salt, $\frac{1}{7}$ oz.
 - Item 5. Mixture of cod liver oil and malt, 1 tablespoonful.
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