

# PRISON REGULATIONS\*

## PART I.—PRELIMINARY.

- Citation.** 1. These Regulations may be cited as the Prison Regulations.\*
- Parts.** 2. These Regulations are divided into parts, as follows:—
- Part I.—Preliminary, rr. 1-3.
- Part II.—Administration.
- Division 1.—General, rr. 4-17.
- Division 2.—Comptroller, rr. 18-25.
- Division 3.—Gaoler and Chief Guard, rr. 26-55.
- Division 4.—Guards, rr. 56-71.
- Division 5.—Visiting Medical Officer, rr. 72-89.
- Division 6.—Visiting Justice, rr. 90-95.
- Part III.—Prisoners.
- Division 1.—Admission and Discharge, rr. 96-104.
- Division 2.—Condemned Prisoners, rr. 105-112.
- Division 3.—Accommodation, rr. 113-119.
- Division 4.—Health and Cleanliness, rr. 120-129.
- Division 5.—Visitors and Communications, rr. 130-138.
- Division 6.—Employment and Working Hours, rr. 139-143.
- Part IV.—Remission of sentence and payment of wages, rr. 144-153.
- Part V.—Prison offences, rr. 154-156.
- Part VI.—Miscellaneous, rr. 157-161.
- Definitions.** 3. In these Regulations, unless the contrary intention appears—
- “Comptroller” means the Comptroller of Prisons appointed under the *Prisons Ordinance* 1950-1953;
- “Gaoler” means the senior officer in charge of a prison; and includes the officer in charge of a prison in respect to which the term is used;
- “Guard” means an officer below the rank of Gaoler;

\* The Prison Regulations, in force under the *Prisons Ordinance* 1950-1966, comprise the following Regulations:—

Year and Number	Date on which made	Date notified in <i>Northern Territory Government Gazette</i>	Date of Commencement
1953, No. 12 ..	2nd December, 1953 ..	9th December, 1953 ..	1st January, 1954
1954, No. 6 ..	25th May, 1954 ..	2nd June, 1954 ..	2nd June, 1954
1954, No. 12 ..	24th August, 1954 ..	1st September, 1954 ..	1st September, 1954
1958, No. 1 ..	17th February, 1958 ..	26th February, 1958 ..	26th February, 1958
1961, No. 21 ..	27th November, 1961 ..	6th December, 1961 ..	6th December, 1961

Note.—Regulations 1957, No. 10, made on 13th June, 1957, and notified in *Northern Territory Government Gazette* on 26th June, 1957, were disallowed by the Minister—*vide* notice in *Commonwealth of Australia Gazette* No. 41 of 18th July, 1957.

“**Matron**” means principal female officer of a prison; and  
 “**Prisoner**” means a person detained in custody in a prison irrespective of the cause of his detention.

**PART II.—ADMINISTRATION.**

*Division 1.—General.*

4. Prison officers shall acquaint themselves with the provisions of—
  - (a) the Ordinance and these Regulations; and
  - (b) instructions and orders which are contained in the Prison Instruction Book.

Acquaintance with Ordinance, Regulations, &c.,
  
5. Prison officers shall observe the provisions of—
  - (a) the Ordinance and these Regulations; and
  - (b) instructions and orders issued by senior prison officers,

insofar as their respective duties extend.

Observance of Ordinance and Regulations.
  
6. Prison officers shall wear such uniforms as may be prescribed by the Administrator. Uniforms.
  
7. Prison officers shall not punish or inflict privation on a prisoner except as provided by the Ordinance or these Regulations. Punishment of prisoners.
  
8. Prison officers shall not strike or use force to prisoners except—
  - (a) in self defence;
  - (b) in defence of another person;
  - (c) to prevent a prisoner’s escape; or
  - (d) to preserve the peace,

and then only such force as is necessary shall be used.

Striking a prisoner.
  
9. Prison officers shall not—
  - (a) communicate or converse with a prisoner except in the course of duty;
  - (b) allow familiarity by a prisoner; or
  - (c) speak of—
    - (i) their duties;
    - (ii) matters of discipline; or
    - (iii) their private affairs, in the hearing of a prisoner.

Communication with prisoners.
  
10. Prison officers shall assist in maintaining order and discipline in the prison. Maintenance of discipline.
  
11. A prison officer shall treat his superior officers with respect and his subordinates with courtesy. Conduct.
  
12. A prison officer shall not censure another officer in the presence of a prisoner. Censure of officers.
  
13. Prison officers shall not receive a present from traffic or deal with a prisoner. Receiving presents, &c.

Unauthorised communication, photographs, &c.

**14. Prison officers shall not—**

- (a) communicate information—
  - (i) regarding a prison or prisoner; or
  - (ii) derived from official sources or connected with their duties,
 to an unauthorized person; or
- (b) take a photograph or make a picture of—
  - (iii) a prison or prisoner; or
  - (iv) an execution
 without the authority of the Comptroller.

Certificates &c., as to prisoner's conduct.

**15. A prison officer shall not give a certificate or testimonial with reference to the conduct of a prisoner unless required so to do by the Comptroller or a visiting justice.**

Prevention of fire.

**16. Prison officers shall acquaint themselves with the Prison Fire Orders which shall be displayed in a prominent place within a prison, and take reasonable precautions to guard against accidents by fire.**

Employment of prisoners.

**17. A prison officer shall not employ a prisoner as a domestic servant without the consent in writing of the Comptroller.**

*Division 2.—Comptroller.*

Function of Comptroller.

**18. The Comptroller is responsible for—**

- (a) the general administration of prisons; and
- (b) prison officers observing—
  - (i) the Ordinance and these Regulations; and
  - (ii) instructions and orders made pursuant to the Ordinance and these Regulations.

Power to act on advice of Administrator.

**19. The Comptroller—**

- (a) may seek the advice of the Administrator upon matters connected with prisons under his charge;
- (b) may act in accordance with that advice provided it is not contrary to the Ordinance and these Regulations; and
- (c) shall keep a book recording that advice and what action he has taken (if any).

Inspection of records.

**20. The Comptroller shall—**

- (a) inspect the records and books required to be kept by these Regulations; and
- (b) enter the date of the inspection on the records and books.

Inspection of prisons, Darwin and Alice Springs. Substituted by 1954, No. 12.

**21.—(1.) The Comptroller shall—**

- (a) inspect the prisons at Darwin and Alice Springs; and
- (b) interview each prisoner at least once in every two months; and
- (c) enter a report of the inspection and interviews in the journal.

**(2.) The Comptroller shall—**

- (a) visit the prisons at Darwin and Alice Springs during the night at least once in every two months; and
- (b) enter in the journal the time and date of each visit.

**22.** The Comptroller shall—

- (a) visit all other prisons at least once in every six months; and
- (b) enter a report of the inspection in the journal.

Inspection of other prisons. Substituted by 1954, No. 12.

**23.** The Comptroller shall be present at executions and whippings within the prisons.

Executions and whippings.

**24.** The Comptroller shall issue instructions to gaolers on the use of firearms and batons.

Instructions on firearms.

**25.** The Comptroller shall issue to the prisons under his control written instructions with regard to the duties of, and precautions to be taken by, prison officers in case of fire.

Instructions for prisons in case of fire.

*Division 3.—Gaoler and Chief Guard.*

**26.** The Gaoler is responsible to the Comptroller for the performance of his duties.

Gaoler responsible to Comptroller.

**27.** The Gaoler is responsible for—

- (a) the maintenance of order and discipline;
- (b) the interior economy; and
- (c) the daily cleaning

Function of Gaoler.

of the prisons and—

- (d) the safe custody and control of prisoners; and
- (e) the cleanliness of prisons officers and prisoners.

**28.** The Gaoler shall ensure that subordinate officers are instructed in their duties and responsibilities.

Supervision of subordinate officers.

**29.—(1.)** The Gaoler shall ensure the prescribed returns and reports are prepared and forwarded to the proper quarters.

Returns and reports.

**(2.)** The Gaoler shall, in the months of January, April, July and October of each year, furnish to the Comptroller a return showing—

- (a) the names of visiting justices and medical officer; and
- (b) the dates of their visits during the preceding three months.

**30.—(1.)** The Gaoler shall inspect daily—

- (a) the wards, cells and kitchens; and
- (b) the latrines, and every other part of the prison.

Visits and inspections.

**(2.)** The Gaoler shall ensure that a prisoner confined in the prison is seen at least once in every twelve hours.

**31.** The Gaoler shall ensure the prisoners are mustered—

Muster of prisoners.

- (a) each morning when the cells or wards are opened; and
- (b) each evening before the cells are locked for the night, and the roll is called at each muster.

**32.** The Gaoler is responsible for the security and safe keeping of prison keys.

Prison keys.

- Surprise visits.**      **33.** The Gaoler shall—  
     (a) make surprise visits to the prison at night not less frequently than twice each month; and  
     (b) enter the time and date in the journal within twelve hours of the visit.
- Visit prisoners at meals.**      **34.** The Gaoler shall—  
     (a) visit the prisoners at their meals;  
     (b) ensure order is maintained; and  
     (c) inquire into complaints concerning the food.
- Inspection of provisions.**      **35.** The Gaoler shall—  
     (a) inspect the supplies of provisions furnished to the prison; and  
     (b) report to the Comptroller if the stores are not of good quality or deficient in quantity.
- Assistance to visiting justice.**      **36.** The Gaoler shall—  
     (a) facilitate inspections and interrogations by the visiting justice;  
     (b) ensure that prison officers are not present during an inspection and interrogation of a prisoner by the visiting justice; and  
     (c) remain within easy call should his presence be required by the visiting justice.
- Information to visiting justice.**      **37.** The Gaoler shall afford such information as may be required by the visiting justice in the performance of his duties.
- Note complaint by subordinate officer.**      **38.** The Gaoler shall—  
     (a) receive a reasonable complaint or application made by a subordinate officer; and  
     (b) make a note in the journal of the complaint or application, and, the action he has taken (if any).
- Prisoners requiring medical attention.**      **39.** The Gaoler shall—  
     (a) notify a visiting medical officer of a prisoner who appears to require medical attention; and  
     (b) carry out the directions in regard to medical attention given by the visiting medical officer.
- Safe keeping of money, &c., taken from prisoners.**      **40.** The Gaoler is personally responsible for the safe keeping of money and articles taken from a prisoner.
- Receive fines.**      **41.** The Gaoler shall—  
     (a) receive a fine paid by or on account of a prisoner; and  
     (b) pay it to the appropriate office without delay.
- Custody of articles used within the prison.**      **42.** The Gaoler is responsible for the safe custody, preservation and management of articles used within the prison.
- Working parties.**      **43.** The Gaoler shall superintend generally the distribution of work-  
 ing parties.

44. The Gaoler or his subordinate officers shall—
- (a) visit the working parties frequently; and
  - (b) ensure that the prisoners are kept steadily to their labour.
- Inspection of working parties.
- 45.—(1.) During a temporary absence of the Gaoler, the senior officer on duty shall carry out the duties of the Gaoler.
- Absence of Gaoler.
- (2.) The Gaoler shall instruct that officer where he is to be found in the event of his presence being required at the prison.
- (3.) The officer carrying out the duties of the Gaoler shall, during that period, possess the same powers and incur the same liabilities as the Gaoler.
46. The Gaoler shall immediately report to the Comptroller matters affecting—
- (a) the safety, health or comfort of prisoners;
  - (b) the efficiency of subordinate officer; and
  - (c) the administration of the prison and which require the attention of the Comptroller.
- Report of certain matters to Comptroller.
47. The Gaoler shall inquire daily as to the condition of prisoners in hospital.
- Daily enquiry as to prisoner patients.
48. The Gaoler shall ensure—
- (a) a receipt, in the prescribed form, is given for a prisoner delivered into his custody; and
  - (b) a warrant of commitment is filed.
- Receipts for prisoners, &c.
49. Prisoners shall have access at reasonable times to the Gaoler who shall hear, with patience, reasonable complaints.
- Complaints by prisoners.
- 50.—(1.) The Gaoler is the medium of communication between persons outside the prison exercising control over prisons, and prisoners and prison officers within it.
- Communication between superior authority and persons within the prison.
- (2.) The Gaoler—
- (a) shall, without delay, forward reports, petitions and complaints which he may receive addressed to the persons mentioned in the last preceding sub-regulation; and
  - (b) may forward such remarks concerning a report, petition or complaint as he deems necessary
- to the Comptroller.
51. The Gaoler shall ensure that the money and property of prisoners awaiting trial or under remand are not used without the consent of the Comptroller.
- Property, &c., of prisoners awaiting trial, &c.
- 52.—(1.) The Gaoler may direct that a sum of money be forwarded to a prisoner's dependant provided that—
- (a) the prisoner requests the disposal of the money;
  - (b) the request is made within one month after the prisoner's admission to prison; and
  - (c) the sum of money does not exceed Five pounds.
- Money forwarded to dependants.
- (2.) The Gaoler shall make a written report to the Comptroller of the circumstances under which the money was sent to the prisoner's dependant.

Records kept.

53. The Gaoler shall ensure that the following prison records and books are kept—

- (a) the Prison Instruction Book in which shall be recorded instructions given to the Gaoler or prison officers by the Comptroller, a visiting medical officer, or a visiting justice;
- (b) a register of prisoners giving the following particulars of prisoners—
  - Name.
  - Number (numbers shall 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.
  - Distinguishing marks and description.
  - Offences during current period of incarceration.
  - Number of days' remission for good conduct.
- (c) a property book recording—
  - (i) the articles taken from a prisoner on his reception together with the name of the prisoner; and
  - (ii) an account of moneys taken from a prisoner for safe custody;
- (d) a ration book recording—
  - (i) the quantity of rations received;
  - (ii) the quantity of the rations issued;
  - (iii) the number of prisoners for whom the ration was issued; and
  - (iv) the balance of rations on hand;
- (e) a conviction book in which shall be recorded—
  - (i) particulars of charges against prisoners tried by a visiting justice or magistrate and of the adjudication thereon; and
  - (ii) particulars of charges against prison officers tried by a visiting justice and of the adjudication thereon;
- (f) a journal recording—
  - (i) the matters which are directed to be recorded by these Regulations;
  - (ii) matters of importance occurring within the prison; and
  - (iii) the name of a prison officer or prisoner complaining of illness and the nature of the illness described by the person complaining;
- (g) a discharge index recording—
  - (i) the name of a prisoner under sentence of imprisonment;

- (ii) the date on which the prisoner may, at the time of entry in the index, be released; and
- (iii) the date on which the prisoner was discharged;
- (h) an equipment ledger recording a description of—
  - (i) the furniture and public property belonging to the prison; and
  - (ii) the books and documents committed to the Gaoler's care;
- (i) a record showing the manner in which prisoners have been employed from day to day;
- (j) a medical register;
- (k) a visiting justice's minute book; and
- (l) a separate file for a prisoner in which shall be kept all papers relating to him.

**54. The Gaoler—**

- (a) may seek the advice of the Comptroller upon matters connected with a prison under his charge;
- (b) may act in accordance with that advice provided it is not contrary to the Ordinance and these Regulations; and
- (c) shall keep a book recording that advice and what action he has taken (if any).

Advice of  
Comptroller.

**55.—(1.)** The Chief Guard is the officer next in authority to the Gaoler and shall perform such duties as the Gaoler may direct.

Chief Guard  
next in  
authority.

(2.) The Chief Guard shall, when available, carry out the duties of the Gaoler during his absence.

(3.) The Chief Guard shall, during the period he carries out the duties of the Gaoler, possess the same powers and incur the same liabilities as the Gaoler.

*Division 4.—Guards.*

**56. The main duties of a guard are—**

- (a) to prevent the escape of prisoners;
- (b) to prevent breaches of the Ordinance, these Regulations, prison orders and instructions;
- (c) to conduct prisoners to and from their work;
- (d) to keep prisoners at their appointed work; and
- (e) to supervise, guard and ensure the safe custody of prisoners.

Duties of  
guards.

**57. A guard shall, as soon as practicable, report to the Gaoler—**

- (a) a breach of prison discipline; or
- (b) a breach of the Ordinance or these Regulations,

by a guard or prisoner.

Report breach  
of discipline.

**58. A guard shall, as soon as practicable, report a case of illness to the Gaoler.**

Report illness.

**59. A guard shall, as soon as practicable, inform the Gaoler of a prisoner who desires to make a complaint or prefer a request.**

Report  
complaints, &c.



- Conduct of working parties.** **60.**—(1.) Before proceeding with prisoners to their labour, the guard in charge of a working party shall—
- (a) count the number of prisoners in the party; and
  - (b) report the number to the Gaoler, or in his absence, the senior officer on duty.
- (2.) A guard in charge of a working party is responsible for—
- (a) the safe custody of prisoners;
  - (b) the conduct of prisoners; and
  - (c) ensuring prisoners do not—
    - (i) communicate with persons unconnected with the prison; or
    - (ii) gain possession of an unauthorized article.
- Movement of working parties.** **61.**—(1.) The guard in charge of a working party shall ensure—
- (a) the party moves in an orderly way; and
  - (b) the prisoners do not straggle or go out of his sight.
- (2.) The guard in charge shall always walk at the rear of the party.
- (3.) Where there are two or more guards, one guard shall walk beside the party.
- Search of prisoners.** **62.** Guards shall thoroughly search prisoners before they are locked up for the night and ensure that prisoners are not in possession of unauthorized articles.
- Prison keys.** **63.**—(1.) Guards who are entrusted with keys shall not take them out of the prison or leave them lying about.
- (2.) When leaving the prison, the guards shall deliver the keys to the officer who is authorized to receive them.
- Night duty.** **64.** A guard who has been assigned night duty—
- (a) shall not leave the precincts of the prison;
  - (b) shall not sleep during his hours of duty; and
  - (c) shall, at intervals, make a tour of the prison in such a manner as not to disturb the prisoners' rest.
- Giving prisoners tobacco.** **65.** A guard shall ensure that tobacco is not given or sold to prisoners without the permission of the Gaoler.
- Visitors.** **66.** A guard shall not receive visitors into the prison without the permission of the Gaoler.
- Quarters.** **67.**—(1.) A guard shall live in such quarters as are assigned to him.
- (2.) A guard shall notify the Gaoler of his intention to sleep, temporarily, at a place other than the quarters assigned to him.
- Offences.** **68.** A guard shall not—
- (a) come late on duty;
  - (b) absent himself from duty without the permission of the Gaoler;
  - (c) leave a cell, door or gate unlocked;
  - (d) allow an unauthorized person to communicate with a prisoner;
  - (e) curse, swear, or use indecent or immoral language;
  - (f) neglect to guard, supervise or attend prisoners under his charge;

- (g) speak of the prison arrangements in the hearing of a prisoner or persons not connected with the prison;
- (h) carelessly search, or neglect, when necessary or directed, to search, a prisoner or visitor;
- (i) neglect to examine the cells, wards and fastenings of the cells and wards under his charge;
- (j) allow tools, materials, or other articles to be lying about out of their appointed places;
- (k) allow dirt to accumulate in the cells, wards, passages, or other places under his charge;
- (l) omit to report a breach of duty in himself;
- (m) omit to report an injury done to prison property;
- (n) be inattentive when in charge of prisoners;
- (o) allow unauthorized persons to remain in the vicinity of prisoners;
- (p) appear on duty out of uniform, improperly or slovenly dressed, or dirty;
- (q) quit his post without authority and before being properly relieved;
- (r) make unnecessary noise either within the prison or when on duty outside;
- (s) omit, when sick and unable to attend the prison, to send notice to the Gaoler;
- (t) neglect to count the prisoners at the times prescribed by these Regulations or when directed by the Gaoler;
- (u) allow prisoners to stray from their work;
- (v) fail to enforce silence among the prisoners;
- (w) smoke when on duty without the permission of the Gaoler;
- (x) disobey or neglect to carry out an order or direction given by the Gaoler, Comptroller or a senior officer;
- (y) enter a prison cell at night unless in the course of duty and accompanied by another prison officer;
- (z) allow a prisoner to leave the prison without the order or permission of the Comptroller or Gaoler; or
- (aa) allow unauthorized persons or unauthorized articles to pass in or out of the prison.

69. Guards shall, in addition to their ordinary duties, perform such additional duties as the exigencies of service may require. Additional duties.

70. A guard shall not, intentionally, by word, gesture or demeanour do or say anything to irritate a prisoner. Irritating prisoners.

71.—(1.) A guard shall render with promptitude the same explicit obedience that he is required to exact. Obedience to superiors.

(2.) A guard shall not question the order of a superior, but will obey first, and if he thinks himself warranted in doing so, may afterwards appeal to a higher authority.

*Division 5.—Visiting Medical Officer.*

72. The visiting medical officer shall—

- (a) at least once in every month, visit and inspect the prison and examine the prisoners; Visit by medical officer.

- (b) at least once in every year and as he may consider necessary, examine the prison officers; and
- (c) enter in the journal such observations as he thinks fit with regard to—
  - (i) the condition of the prison building;
  - (ii) the quantity and quality of the water; and
  - (iii) other matters which concern the health of prisoners.

Prison food.

73. The visiting medical officer shall—

- (a) examine the cooked and uncooked food of prisoners; and
- (b) enter in the journal such observations as he thinks fit with regard to the quantity and quality of the food.

Additional visits as Administrator directs.

74. The visiting medical officer shall make such additional visits to the prison as the Administrator directs.

Medical examination of prisoners.

75. The visiting medical officer shall—

- (a) examine a prisoner as soon as possible after his admission to prison;
- (b) examine a prisoner before his discharge from prison; and
- (c) record in the medical register the state of health of the prisoner and such other observations as he thinks fit.

Register of sick persons, &c.

76. The visiting medical officer shall record—

- (a) the name of the prisoner who is sick;
- (b) the name of the disease from which he is suffering; and
- (c) a description of the medicines, diet and other treatment which he may prescribe,

in the medical register.

Reports, &c., of special treatment to Comptroller.

77.—(1.) The visiting medical officer shall—

- (a) report the case of a prisoner who requires special care and treatment; and
- (b) make such recommendations as he deems advisable

to the Comptroller.

(2.) The visiting medical officer may direct such special care and treatment as he considers necessary pending the consideration of the Comptroller.

Intoxicating liquor.

78. When a visiting medical officer orders intoxicating liquor for a sick prisoner, he shall immediately report, in writing, to the Comptroller his reason for the order.

Prisoner undergoing hard labour.

79.—(1.) When the visiting medical officer considers a prisoner undergoing or about to undergo a sentence of hard labour, is unfit, he shall intervene by delivering to the Gaoler, for transmission to the Comptroller, a report stating the grounds of his intervention.

(2.) The visiting medical officer may order the hard labour to cease or not come into operation, either wholly or partly, pending the decision of the Comptroller.

80.—(1.) Where the visiting medical officer considers—

- (a) the life of a prisoner is endangered by his continuance in prison;
- (b) a sick prisoner may not survive his sentence; or
- (c) a prisoner is totally and permanently unfit for prison discipline,

Report as to prisoners' unfitness in certain cases.

he shall report his opinion and the reasons in writing to the Comptroller.

(2.) The visiting medical officer may direct such special treatment as he considers necessary pending the consideration of the Comptroller.

81.—(1.) The visiting medical officer shall immediately advise the Comptroller if a person in the prison is suffering from an infectious disease.

Infectious disease.

(2.) The visiting medical officer shall—

- (a) prescribe measures to protect persons in the prison against an infectious disease; and
- (b) supervise those measures.

82. The visiting medical officer shall give to the Gaoler written directions with regard to—

Arrangements in cas of infectious disease.

- (a) the segregation of prisoners having, or suspected of having, an infectious disease; and
- (b) the destruction, cleansing or disinfection of apparel, bedding or quarters.

83. Before corporal punishment, not amounting to capital punishment, is inflicted on a prisoner, the visiting medical officer shall certify the prisoner is physically fit to undergo the punishment.

Corporal punishment.

84. On the death of a prisoner, the visiting medical officer shall enter the following particulars in the medical register—

Death of prisoner.

- (a) the time the deceased was taken ill;
- (b) when the illness was first notified to him;
- (c) the nature of the illness;
- (d) the cause of death;
- (e) the date when he last saw the deceased;
- (f) the time of death;
- (g) the appearance after death; and
- (h) such comments as he deems advisable.

85. The visiting medical officer shall report to the Comptroller an irregularity with regard to the treatment of sick prisoners.

Report irregular treatment.

86.—(1.) On or before the thirty-first day of July in each year the visiting medical officer shall forward to the Comptroller a report and return for the preceding twelve months ended on the thirtieth day of June.

Annual report, &c.

(2.) The report shall deal with the health, sanitation, food and water supply of the prison.

(3.) The return shall show—

- (a) the number of prisoners medically treated at the prison;
- (b) the number of prisoners evacuated to hospital from the prison;
- (c) the types of disease treated;

- (d) the number of prisoners who had contracted disease before admission to the prison and who were treated in prison for those diseases;
- (e) the types of diseases contracted before admission and treated in the prison;
- (f) the number of deaths; and
- (g) the cause of death.

Executions and whippings.

87. The visiting medical officer shall witness the execution or whipping of a prisoner which takes place within the prison.

Medical officer's right of entry.

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

Observance of Ordinance and Regulations, &c.

89. The visiting medical officer shall—

- (a) conform to the provisions of the Ordinance and these Regulations; and
- (b) do nothing that is likely to prejudice the maintenance of discipline or safe custody of the prisoners.

#### *Division 6.—Visiting Justice.*

Gaoler to assist visiting justice.

90. The visiting justice may require the Gaoler to afford such assistance or information as the justice deems necessary for the performance of his duties.

Inspection of prisoners.

91.—(1.) The visiting justice shall—

- (a) see and interrogate every prisoner confined within the prison at the time of his visit; and
- (b) inspect and interrogate prisoners in private.

(2.) The visiting justice may require from the Gaoler particulars of prisoners who are absent from the prison precincts during his visit.

Complaints to be heard.

92. The visiting justice shall, during a visit to the prison, hear complaints which prisoners wish to make to him.

Money or effects of prisoners.

93.—(1.) A prisoner may request the visiting justice to dispose of his money or effects.

(2.) Upon receiving the request, the visiting justice may direct, by writing under his hand, that the property belonging to the prisoner be forwarded to a person nominated by the prisoner.

Religious services.

94.—(1.) A prisoner desirous of obtaining spiritual assistance may request the visiting justice to communicate with a minister of religion on his behalf.

(2.) The visiting justice shall, on receiving the request, communicate with a minister of religion and arrange for him to visit the prisoner at the prison.

**95.** The visiting justice shall record in the Visiting Justice's Minute Book— Minute book.

- (a) the date and duration of his visits;
- (b) the circumstances under which a prisoner is sentenced to punishment by him; and
- (c) such remarks and suggestions as he deems necessary.

**PART III.—PRISONERS.**

*Division 1.—Admission and Discharge.*

**96.** Immediately upon a prisoner's admission to a prison, a prison officer shall— Registration on admission.

- (a) enter in the register the prescribed particulars;
- (b) search the prisoner; and
- (c) subject to these Regulations—
  - (i) take the prisoner's clothing, money and other effects; and
  - (ii) record the particulars in the property book.

**97.—(1.)** A prison officer shall, at the first opportunity after a prisoner's admission, bring the prisoner before the visiting medical officer for an examination. Medical examination on admission.

- (2.) The visiting medical officer shall record in the medical register—
- (a) the state of health of the prisoner; and
  - (b) other necessary observations as to the prisoner's health.

**98.** The Comptroller may receive into prison a child of a female prisoner who is admitted to prison provided the child— Child of female prisoner.

- (a) is being nursed at the breast; or
- (b) is under the age of twelve months.

**99.—(1.)** Subject to these Regulations, a prison officer shall deliver to a prisoner upon his discharge, the clothing, money, or other effects which were taken from the prisoner on his admission. Prisoner's property to be returned on discharge.

(2.) The prisoner shall give a receipt for his property in the prisoner's property book.

(3.) If the prisoner is unable to write, the Gaoler and a guard shall witness the delivery and sign the prisoner's property book as witnesses.

**100.** If the Gaoler considered it necessary and the clothes of a prisoner, on his admission to prison, were destroyed, the prisoner on his discharge shall be provided with such clothing as the Gaoler considers necessary. Prisoner's clothing on discharge.

**101.** If the Gaoler is of opinion that a prisoner is unfit to undergo hard labour, the prisoner shall not be sent to hard labour until the visiting medical officer certifies the prisoner is fit to undergo hard labour. Prisoners unfit to perform hard labour.

**102.** A prison officer shall bring a prisoner, who is being discharged or removed to another prison, before the visiting medical officer for examination. Medical examination on discharge or removal.

Washing of  
prison clothes.

**103.** A prison officer is responsible for ensuring the prison clothes, which were used by the prisoner, are washed by boiling and dried before being put into the store or given to another prisoner.

Discharge of  
prisoners.

**104.** Subject to the Ordinance and these Regulations, the Gaoler is responsible for ensuring that a prisoner is discharged at ten o'clock in the forenoon, or, as soon before or after as is practicable, on the day when his sentence expires or terminates.

*Division 2.—Condemned Prisoners.*

Dangerous  
articles.

**105.** A prison officer shall—

- (a) search, each day, a prisoner who has been condemned to death; and
- (b) remove articles which may be dangerous or inexpedient to leave in the prisoner's possession.

Confined apart  
from other  
prisoners.

**106.** Prison officers shall ensure that a prisoner who has been condemned to death—

- (a) is confined apart from other prisoners;
- (b) kept under supervision day and night.

Search  
condemned  
prisoner's cell.

**107.** At six o'clock in the afternoon of each day a prison officer shall search and examine thoroughly the cell or room in which a prisoner, who has been condemned to death, is confined.

Visits by  
medical officer.

**108.** The visiting medical officer shall visit a prisoner who is condemned to death as often as he deems necessary.

Diet.

**109.** The Gaoler shall allow a prisoner who is condemned to death such diet and exercise as the visiting medical officer may direct.

Minister of  
religion.

**110.** A chaplain of the denomination to which a prisoner who is condemned to death belongs, and also a minister of religion for whom the prisoner may ask admission, shall have free access to the prisoner.

Visitors.

**111.** Notwithstanding the provisions of these Regulations, the relatives, friends or legal adviser of a prisoner who is condemned to death shall have access to him at reasonable hours.

Order from  
Comptroller.

**112.** Persons other than—

- (a) the class mentioned in the last preceding regulation;
- (b) a visiting justice; or
- (c) prison officers,

shall not have access to the prisoner without an order from the Comptroller.

*Division 3.—Accommodation.*

Numbering of  
cells.

**113.** A prison officer shall ensure—

- (a) the cells are numbered consecutively from number one upwards; and
- (b) the normal number of prisoners which the cell can accommodate is shown immediately below the cell number.

**114.** Prison officers shall keep female prisoners entirely separate from male prisoners. Female prisoners.

**115.—**(1.) The Gaoler or a visiting justice may, in order to prevent contamination by the association of prisoners, order a prisoner— Separate confinement.

- (a) for his own good; or
- (b) the good of other prisoners,

be separately confined.

(2.) The Gaoler or visiting justice shall enter the fact of and reasons for the separate confinement in the journal.

(3.) The confinement provided for in this regulation is not of the nature usually known as solitary confinement.

**116.—**(1.) Prisoners are entitled to— Meals.

- (a) three meals a day; and
- (b) half an hour for each meal.

(2.) The Comptroller shall, by notice in writing to the Gaoler, direct the times at which meals are to be supplied.

(3.) Subject to these Regulations, prisoners shall receive the rations specified in the Schedule.

**117.** If any prisoner complains that he has not received a normal 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. Complaints by prisoners as to food.

**118.** A prisoner shall wear the prison dress as is provided and directed by the Comptroller. Prison dress.

**119.—**(1.) The Comptroller, by notice in writing to the Gaoler, shall prescribe the bedding equipment which is to be supplied to a prisoner. Bedding equipment and disinfection.

(2.) The Gaoler shall ensure the clothing, bedding and sleeping places of prisoners are washed and disinfected as often as he considers necessary.

(3.) The visiting medical officer shall order such additional precautions as he deems necessary.

(4.) The Gaoler shall allow a prisoner clothing and bedding additional to that prescribed if advised so to do by the visiting medical officer.

*Division 4.—Health and Cleanliness.*

**120.—**(1.) Prisoners shall keep themselves clean and decent and shall bathe when directed by the Gaoler. General cleanliness.

(2.) A prison officer shall ensure that prisoners change their clothing at least twice a week.

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

**121.—**(1.) Male prisoners, except aboriginal prisoners, whose sentence exceeds one month shall, unless the visiting medical officer otherwise orders, have their hair cut upon admission and afterwards monthly. Haircutting, &c., of prisoners.



(2.) Male prisoners, except aboriginal prisoners, shall shave at least twice a week.

(3.) The visiting medical officer may order that the hair of an aboriginal prisoner or a female prisoner may be cut.

Blankets.

**122.** A prison officer shall ensure that the prisoners' blankets are aired weekly in the sun.

Vaccination.

**123.** The visiting medical officer may vaccinate or re-vaccinate a prisoner.

Infectious disease.

**124.**—(1.) Prison officers shall separate from other prisoners a prisoner who has, or is suspected of having, an infectious disease.

(2.) Prison officers shall remove the prisoner to a hospital or place set aside for the treatment or segregation of infected prisoners, as soon as it can be done with safety.

Exercise.

**125.**—(1.) Prisoners who are employed in a building may exercise in the open air each day.

(2.) The Gaoler shall direct the time and duration of the exercise.

Cleaning of prison.

**126.**—(1.) It is the duty of prison officers to ensure that the prison is kept in a clean state.

(2.) The Comptroller may direct the cells, wards, rooms, passages and other enclosures shall be painted or limewashed.

(3.) Prisoners shall scrub, wash or clean the cells, wards, rooms, passages and other enclosures once a week or more often if directed by the Gaoler.

Night pans, &c.

**127.** Prisoners shall keep the night pans clean and dispose of their contents daily as directed by the Gaoler.

Disposal of rubbish.

**128.** The visiting medical officer shall advise the Gaoler of the manner of disposal of rubbish which shall be taken outside the prison compound and burnt or disposed of daily.

Precautions ordered by medical officer.

**129.** The visiting medical officer shall order such precautions as he deems necessary for the health and cleanliness of the prisoners.

#### *Division 5.—Visitors and Communications.*

Officer to be present during visit to prisoner.

**130.** A prison officer shall remain within hearing and observe all that may pass between a prisoner and person visiting the prisoner.

Visits of members of legal profession.

**131.** Notwithstanding the provisions of these Regulations, a barrister, solicitor or authorized clerk of a barrister or solicitor may privately interview a prisoner on professional business, at reasonable times and with the written consent of the Comptroller.

Visits to prisoners.

**132.**—(1.) Subject to these Regulations, a prisoner may receive visits from persons holding an order signed by the Comptroller.

(2.) The Comptroller shall prescribe the day and the time a prisoner may receive visitors.

(3.) A prisoner shall not receive visitors more than once a fortnight.

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

(5.) A prison officer shall record in the journal the names of persons visiting prisoners.

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

(7.) Notwithstanding the provisions of these Regulations, in the case of sickness of a prisoner or some special circumstances, the Comptroller may grant permission in writing for the husband, wife or children of the prisoner to visit the prisoner at such times as the Comptroller may decide.

133.—(1.) Prison officers shall ensure that a prisoner does not send or receive a letter or parcel without the Gaoler's permission. Censorship of correspondence.

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

(3.) The Gaoler may withhold letters addressed to or written by a prisoner.

(4.) When the Gaoler withholds a letter he shall forward the letter to the Comptroller for his decision.

134. The Gaoler shall ensure that letters to and from prisoners are confined to matters personally concerning the prisoners, their relations and their friends and shall not contain general information or news of the day. Correspondence confined to personal matters.

135. Prisoners may write one letter each week. Correspondence.

136. Notwithstanding the provisions of these Regulations a prisoner, who has appealed against a conviction, may, pending the hearing of the appeal, send to or receive from his legal adviser, letters with reference to his appeal. Visits to appellants.

137.—(1.) The Gaoler may—

(a) refuse admission to a visitor to the prison who—

- (i) causes a disturbance;
- (ii) behaves in a disorderly manner;
- (iii) commits a breach of discipline;
- (iv) is under the influence of intoxicating liquor; or
- (v) is insolent to a prison officer; and

(b) require the visitor to leave the prison.

Visitors causing disturbances, &c.

(2.) A prison officer may forcibly eject a visitor who refuses to leave the prison when ordered so to do.

(3.) The Gaoler shall report to the Comptroller the circumstances in which a visitor is refused admission or required to leave the prison.

138.—(1.) A prison officer may require a visitor to the prison—

- (a) to give his name and address; and
- (b) to submit to a search.

Search of visitors.

(2.) A prison officer may refuse admission to a visitor who refuses to comply with the requirements of the last preceding sub-regulation.

(3.) The Gaoler shall enter in the journal and report to the Comptroller the circumstances in which a visitor has been searched.

(4.) The Gaoler shall make suitable arrangements for female visitors to be searched by a female person.

*Division 6.—Employment and Working Hours.*

**Working hours.** 139.—(1.) The Comptroller shall, by notice in writing given to the Gaoler, direct the working hours of prisoners.

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

**Prisoners sentenced to hard labour.**

140.—(1.) Prisoners sentenced to imprisonment with hard labour shall be employed at such work or labour as the Gaoler directs.

(2.) Prison officers shall not compel a prisoner to do hard labour if the prisoner is suffering from sickness or physical disability except upon the written order of the visiting medical officer.

(3.) Prison officers shall ensure that hard labour is not combined with a reduced diet.

**Female prisoners.**

141. The prison officer in charge of the female prisoners shall ensure as far as possible that—

- (a) female prisoners are employed within the prison at sewing and washing; and
- (b) aboriginal female prisoners are employed at washing, scrubbing, weeding, grass cutting and light garden work.

**Purchase of materials.**

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

**Articles made by prisoners.**

143.—(1.) Articles made by prisoners are the property of the Commonwealth of Australia.

(2.) The Comptroller shall—

- (a) direct the disposal of the articles;
- (b) pay the moneys received from such disposal into revenue; and
- (c) advise the Gaoler who shall make a record of the amount received for each article.

**Part IV. substituted by 1961, No. 21.**

**PART IV.—REMISSION OF SENTENCE AND PAYMENT OF WAGES.**

**Marks. Substituted by 1961, No. 21.**

144. Prisoners may by good conduct earn one, two or three marks per day.

**Prisoner to be paid for marks. Substituted by 1961, No. 21.**

145. On the day on which a prisoner is released he shall be paid for each mark standing to his credit the sum specified in section forty-one of the Ordinance.

146. The Gaoler shall—

- (a) at the end of each day, from his own observation or from reports made to him by guards, assess and record in a Conduct Book the marks (if any) earned by each prisoner on that day; and
- (b) on the day on which a prisoner is to be released, calculate the sum to be paid to that prisoner in accordance with regulation 145 of these Regulations.

Marks to be assessed and recorded daily. Substituted by 1961, No. 21.

147.—(1.) Subject to the next succeeding regulation, a prisoner undergoing a sentence of more than twenty-eight days shall have such partial remission of his sentence as will result in his serving two days out of every three days of that sentence.

Partial remission. Substituted by 1961, No. 21.

(2.) Notwithstanding the last preceding sub-regulation, a prisoner undergoing a sentence of more than twenty-eight days shall serve not less than twenty-eight days of his sentence.

148. A prisoner shall—

- (a) forfeit a half day of remission of his sentence for each day during which the prisoner fails to earn any marks for good conduct pursuant to regulation 144 of these Regulations;
- (b) forfeit one-sixth of a day of remission of his sentence for each day during which the prisoner earns only two marks for good conduct pursuant to regulation 144 of these Regulations;
- (c) forfeit one-third of a day of remission of his sentence for each day during which the prisoner earns only one mark for good conduct pursuant to regulation 144 of these Regulations;
- (d) forfeit one day of remission of his sentence for each day during which he is undergoing solitary confinement; and
- (e) where he is charged with and found guilty of an offence under section twenty-eight or section thirty-one of the Ordinance, forfeit such number of days of remission of his sentence as the Stipendiary Magistrate or Special Magistrate hearing the charge orders.

Forfeiture. Substituted by 1961, No. 21.

149. The Gaoler shall keep a Credit Remission Book and shall read or cause to be read to the prisoners on the Saturday of each week all entries made in the book after the last entry previously read to the prisoners.

Credit Remission Book. Substituted by 1961, No. 21.

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Regs. 150-153 repealed by 1961, No. 21.

PART V.—PRISON OFFENCES.

154.—(1.) Prison officers shall not award punishment to a prisoner for a prison offence except as provided for in the Ordinance and these Regulations.

Punishment.

(2.) 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.

155. The following acts or omissions by a prisoner constitute a prison offence under the Ordinance—

Acts and omissions constituting prison offences.

- (a) disobedience of prison Regulations;
- (b) common assault on a prisoner or prison officer;

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- (c) profane, indecent, insulting, or threatening language or behaviour;
- (d) insubordination;
- (e) idleness or negligence at work or leaving place of work without authority;
- (f) wilful mismanagement of work;
- (g) obstructing a prison officer in the execution of his duty;
- (h) talking in cells after nine thirty o'clock in the afternoon;
- (i) talking loudly, singing or laughing after having been ordered by a prison officer to desist;
- (j) quarrelling with another prisoner;
- (k) secreting an article;
- (l) showing disrespect to a prison officer or visitor;
- (m) making groundless or frivolous complaints;
- (n) answering untruthfully questions put by the visiting justice, the visiting medical officer, or a prison officer;
- (o) holding communication in writing or by word of mouth or otherwise with a person not connected with the prison management and control except as otherwise provided in these Regulations;
- (p) aiding and abetting the commission of a prison offence;
- (q) refusing to give assistance to a prison officer when called upon to do so;
- (r) doing an act or using language calculated to offend the feelings of a fellow prisoner;
- (s) refusing to eat the food prescribed by these Regulations;
- (t) eating or appropriating food not assigned to him, or taking from or adding to the portions assigned to other prisoners;
- (u) wilfully destroying food or throwing it away;
- (v) introducing into food or drink anything liable to render it unpalatable or unwholesome;
- (w) omitting or refusing to keep the clothes given to him or exchanging portion of them for the clothing of other prisoners, or losing, discarding, damaging or altering a part of them;
- (x) removing, defacing, or altering a distinctive number or mark branded on or attached to clothing;
- (y) omitting or refusing to keep clothing, cups, platters, or spoons or other articles of cutlery clean, or disobeying an order as to the arrangement or disposition of an article;
- (z) tampering with prison locks, lamps, lights, or other property with which he has no concern;
- (aa) stealing the prison clothing or a part of the prison kit of another prisoner;
- (ab) committing a nuisance in a part of the prison;
- (ac) wilfully or negligently befouling the cells, wards, tanks, latrines, or other places in or connected with the prison;
- (ad) damaging the trees or shrubs within the prison enclosure;
- (ae) omitting or refusing to take care of prison property entrusted to him;
- (af) omitting to report at once a loss, breakage or injury which he may have accidentally caused to prison property;
- (ag) refusing or omitting to assist in suppressing violence or insubordination;
- (ah) taking part in an attack upon a prisoner or prison officer;

- (ai) omitting or refusing to help a prison officer in case of the attempted escape of a prisoner; or in case of an attack upon a prison officer;
- (aj) disobeying a lawful order of a prison officer;
- (ak) insolence, rudeness, or conduct subversive to the peace, order, or good government of the prison;
- (al) having an unauthorized article in his possession;
- (am) damaging or defacing prison property; and
- (an) holding communication with a prisoner of the opposite sex.

156. A prisoner who contravenes or fails to comply with Regulations shall be guilty of a prison offence and shall be liable upon conviction to a penalty in Part VI. of the Ordinance.

PART VI.—MISCELLANEOUS.

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

158. The Administrator, the Comptroller, 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 complaints of prison officers or prisoners, and to examine the prison books, records, stores or other property. Visits by Administrator, Comptroller, &c.

159. The person for the time being performing the duties of Chief Medical Officer of the Territory, or a medical officer authorized by the Chief Medical Officer, may, at any time of the day enter a prison and inspect any part thereof. Inspection of prison by Chief Medical Officer, &c.

160. Gaming shall not be permitted in a prison and cards, dice, or other instruments of gaming shall not be introduced into a prison. Gaming.

161. Except as otherwise provided in the Ordinance and these Regulations, a person shall not be permitted to visit prison without the written authority of the Comptroller. Visitors in general.

THE SCHEDULE.  
SCALE OF RATIONS.

The Schedule amended by 1957, No. 10; and 1958, N. 1.

(1) Hard Labour—

	Per day.
Meat .. .. .	16 oz.
Milk (powdered whole milk) .. .. .	2 "
Cheese .. .. .	1 "
Bread .. .. .	16 "
Potatoes .. .. .	12 "
Oatmeal, wheatmeal, rice, barley .. .. .	6 "
Jam, honey or golden syrup .. .. .	3 "
Vegetables—other than potatoes .. .. .	6 oz.
Fruits, tropical or citrus (when not available fresh vegetables) .. .. .	6 "
Flavourings, curry powder, pepper, vinegar, &c. .. .. .	3 "
Tea .. .. .	0.5 "
Salt .. .. .	1 "
Soap .. .. .	1 "
	Per week.
Tobacco .. .. .	3 oz.
Cigarette papers .. .. .	3 packets
Matches .. .. .	1 box

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(2) The scale of rations for prisoners on light or reduced diet shall, unless otherwise ordered by the visiting medical officer, be the same as that given to a prisoner on hard labour with the exception that the bread ration will be reduced to 12 oz. and the meat ration reduced to 8 oz.

(3) A prisoner undergoing solitary confinement shall be allowed 24 oz. of bread a day, together with water as may be reasonably required, to be issued for alternate periods of seven days; ration (2) for prisoners on light or reduced diet to be issued during the intervening alternate periods of seven days.