

Penal System Reform

Cap. 139.

**PENAL SYSTEM REFORM (ATTENDANCE CENTRE)
RULES, 1999**

1999/98.

Authority: These Rules were made on 12th November, 1999 by the Minister under section 9(3) of the *Penal System Reform Act*.

Commencement: 2nd December, 1999.

1. These Rules may be cited as the *Penal System Reform (Attendance Centre) Rules, 1999*. Citation.

2. In these Rules, the expression Interpretation.

"centre" means an attendance centre;

"member of the staff" means any person for the time being carrying out any instructional or supervisory duties at a centre;

"the officer in charge" means the member of the staff for the time being in charge of a centre;

"order" means an attendance centre order.

3. (1) The occupation and instruction given at a centre shall include a programme of group activities designed to assist offenders to acquire or develop personal responsibility, self-discipline, skills and interests. Occupation and instruction.

(2) A female member of the staff shall, save in exceptional circumstances, always be in attendance at a centre which is available for the reception of female offenders; and female offenders attending at a centre shall, at any time when participating in physical training, so far as practicable be supervised by a female member of the staff.

Officer in charge.

4. (1) The officer in charge shall maintain a record in respect of each person required to attend showing

- (a) the number of hours specified in the order;
- (b) every attendance or failure to attend;
- (c) the duration of each attendance; and
- (d) the commission by that person of any breach of these Rules, and the manner in which that breach is dealt with.

(2) Subject to rules 5(3)(b) and 10(2)(b), it is the duty of the officer in charge to ensure that any person attending at the centre who has not completed the period of attendance specified in the order is, before leaving the centre, informed (both orally and in writing) of the day and time when that person is next required to attend at the centre, unless in any particular case it is impracticable to give this information.

Attendance.

5. (1) Persons required to attend at a centre shall so attend,

- (a) on the first occasion, at the time specified in the order; and
- (b) on any subsequent occasion, at such time as may be notified to them in accordance with rule 4(2), or, if no such notification has been given, at such time as may be notified to them in writing by or on behalf of the officer in charge;

and on attending shall report to, and place themselves under the direction of, the officer in charge.

(2) The occasions of a person's attendance at a centre and the duration of each attendance shall, so far as practicable and subject to rules 7, 10 and 11, be so arranged by the officer in charge that the duration of attendance on any occasion is not less than one hour.

(3) Where a person without reasonable excuse attends at the centre later than the time at which he was required to attend, the officer in charge may refuse to admit that person; and in such a case the person shall be regarded as having failed to attend on that occasion and shall either

- (a) be instructed in accordance with rule 4(2) as to that person's further attendance at the centre; or
- (b) be informed (both orally and in writing) that that person is not required to attend at the centre again, and that it is intended to take steps to bring that person before a court under section 12(1) of the Act in respect of the failure to attend at the required time.

6. No person, other than a person required to attend in pursuance of an order, shall be admitted to, or remain in, a centre except with the permission of the Minister or the officer in charge. Admission to centre.

7. (1) The officer in charge may at any time require a person attending at the centre to leave it if, in the opinion of that officer, that person is Expulsion for unfitness.

- (a) so unwell as to be unfit to remain at the centre on that occasion; or
- (b) suffering from any infectious disease or otherwise in a condition likely to be detrimental to other persons attending at the centre.

(2) A person so required to leave shall be instructed in accordance with rule 4(2) as to that person's further attendance at the centre.

8. The discipline of a centre shall be maintained by the personal influence of the officer in charge and other members of the staff. Discipline.

9. Persons shall while attending at a centre behave in an orderly manner, and shall obey any instruction given by the officer in charge or any other member of the staff. Conduct.

Expulsion
for breach of
Rules.

10. (1) The officer in charge may at any time require any person committing a breach of these Rules to leave the centre.

(2) A person so required to leave shall either

(a) be instructed in accordance with rule 4(2) as to that person's further attendance at the centre; or

(b) be informed (both orally and in writing) that that person is not required to attend at the centre again, and that it is intended to take steps to bring that person before a court under section 12(1) of the Act in respect of the breach in question.

Loss of time
in conse-
quence of
expulsion.

11. Without prejudice to rule 10, where a person is required to leave a centre in accordance with rule 7(1) or 10(1), the officer in charge shall not count towards the duration of that person's attendance on that occasion the period following the requirement to leave.

Alternative
treatment for
breach of
Rules.

12. Without prejudice to rules 5(3), 10 and 11, the officer in charge or any other member of the staff may deal with a person committing a breach of these Rules in either or both of the following ways, that is to say:

(a) by separating that person from other persons attending at the centre;

(b) by giving that person an alternative form of occupation, during the whole or any part of the period of attendance specified in the order then remaining uncompleted.