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## RULE

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**Prisons**

Cap. 168.

**PRISONS RULES, 1974**

**Authority:** These Rules were made on 8th November, 1974 by the Minister under section 66 of the *Prisons Act*. 1974/271.  
1978/59.  
1982/112.

**Commencement:** 5th December, 1974. 1996/51.  
1996/125.  
2005-7.  
2007/111.

1. These Rules may be cited as the *Prisons Rules, 1974*. Short title.

**PART I***Interpretation*

2. For the purposes of these Rules, Interpretation.

"Committee" means the After-Care Committee established by rule 29;

"Coroner" has the same meaning as in section 2 of the *Coroners Act*; Cap. 113.

"legal adviser" means, in relation to a prisoner, the prisoner's attorney-at-law;

"medical practitioner" has the same meaning as in section 2 of the *Medical Registration Act*; Cap. 371.

"prohibited article" has the meaning assigned to it by section 25 of the Act;

"restricted diet No.1" and "restricted diet No. 2" mean the restricted diets as set out in the *Schedule*; Schedule.

"Board" means the Advisory Board established under section 8 of the Act; 1996/51.

"Visiting Justice" means the Visiting Justice of Prisons appointed under section 9 of the Act.

## PART II

*General Rules for Treatment of Prisoners*

Purpose of  
training.

**3.** The purpose of training and treatment of convicted prisoners shall be to establish in them the will to lead a good and useful life on discharge, and to fit them to do so.

Reception  
interview.

**4.** (1) The Officer-in-charge shall interview every prisoner as soon as possible after his reception in the prison and consider what arrangements are to be made for work and training.

(2) The Officer-in-charge shall also as soon as possible after reception classify all prisoners, having regard to their age, character and previous history.

(3) The Superintendent may set aside particular prisons or parts of prisons for the detention and training of particular classes of prisoners.

Classifica-  
tion.

**5.** (1) With a view to facilitating training and minimising the danger of contamination, convicted prisoners should, where possible, be classified in accordance with this rule.

(2) A prisoner under 21 years of age shall be placed in the Young Prisoners' Class.

(3) A prisoner of 21 years of age and over who has not previously been in prison on conviction shall be placed in the Star Class unless the Officer-in-charge considers that in view of his record or character he is likely to have a bad influence on other prisoners in that Class. The Officer-in-charge may also place in the Star Class a prisoner of 21 years of age or over who has previously been in prison on conviction if he is satisfied, having regard to the nature of the previous offence, or to the length of time since it was committed, or to the prisoner's general record and character, that he is not likely to have a bad influence on other prisoners in that Class.

(4) Any other convicted prisoner shall be placed in the Ordinary Class.

(5) The Officer-in-charge may, after consideration of all the circumstances and having regard to the welfare of both the prisoner and others in the Young Prisoners' Class, remove a prisoner therefrom whom he regards as unsuitable by character for that Class, and may place him in the Star Class or in the Ordinary Class.

(6) The Officer-in-charge may in his discretion at any time remove from the Star Class to the Ordinary Class any prisoner whose character or conduct has shown him to be unfit to associate with other prisoners of the Star Class.

(7) The Officer-in-charge shall, so far as is practicable, make arrangements for the effective separation at all times of the three Classes of convicted prisoners.

**6.** (1) The Superintendent shall, in the interests of good conduct and training, establish at the prisons such system or systems of privileges as may be appropriate for different classes of prisoners and different methods of training. Such system or systems of privileges shall be approved by the Minister. Privileges.

(2) Every system shall include arrangements under which sums paid to prisoners under these rules may be spent on such articles, and shall be subject to such conditions as the Superintendent determines.

**7.** (1) There shall be four Stages of imprisonment: First, Second, Third and Fourth, and every prisoner shall pass through each of them, or through as many of them as the term of his imprisonment admits. The promotion of a prisoner from Stage to Stage shall be gained by industry and good conduct. Stages.

(2) The Officer-in-charge shall have the power to postpone promotion of any prisoner to a higher Stage or as a punishment or part of a punishment on being found guilty of an offence against discipline, to reduce such prisoner to a lower Stage.

(3) A prisoner who has been reduced from the Second Stage to the First Stage shall not re-enter the Second Stage until he has served at least 3 months in the First Stage without being found guilty of an offence against discipline.

(4) A prisoner who has been reduced from the Third Stage to the Second Stage or from the Fourth Stage to the Third Stage shall not re-enter the Stage from which he has been reduced until he has served 4 months in the Stage to which he has been reduced without being found guilty of an offence against discipline.

(5) **First Stage:** Prisoners on admission shall be put in the First Stage. They shall be eligible for promotion to the Second Stage after having served the first 3 months of their sentence in the First Stage. They shall wear ordinary prison dress and be treated in accordance with the general rules for prisoners. They

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shall be allowed to earn other privileges which may be accorded to prisoners in this Stage.

(6) **Second Stage:** Prisoners in the Second Stage shall wear ordinary prison dress with the addition of one red stripe on the left sleeve above the elbow, and shall be treated in accordance with the general rules for prisoners. They shall be allowed to earn other privileges which may be accorded prisoners in this Stage. They shall be eligible for promotion to the Third Stage after having served 9 months in the Second Stage.

(7) **Third Stage:** Prisoners in the Third Stage shall wear ordinary prison dress with the addition of 2 red stripes on the left sleeve above the elbow. They shall be eligible for all privileges accorded to prisoners in the Second Stage and any additional privileges which may be accorded prisoners in this Stage. They shall be eligible for promotion to the Fourth Stage after having served 9 months in the Third Stage.

(8) **Fourth Stage:** Prisoners promoted to the Fourth Stage shall remain therein for the remainder of their sentences unless reduced to the Third Stage by the Officer-in-charge. They shall wear ordinary prison dress with the addition of three red stripes on the left sleeve above the elbow. They shall be eligible for all the privileges accorded to prisoners in the Third Stage and any additional privileges which may be accorded prisoners in this Stage.

Red band  
prisoners.

8. Prisoners who are to be employed as orderlies, gardeners and in other similar capacities not under constant supervision of a prison officer shall be selected by the Officer-in-charge from amongst those in the Star Class or Third Stage. Each prisoner so selected must give his word of honour to the Officer-in-charge to obey all rules, to put his best efforts into his work and to conduct himself properly in every way, in return for the privilege of being trusted. While so employed prisoners shall wear a red band around the right arm.

#### *Accommodation*

Sleeping  
accommoda-  
tion.

9. (1) Subject to paragraph (2), where sleeping accommodation is in separate cells, only one prisoner may occupy a cell.

(2) When it is necessary for special reasons, the medical officer may authorise the sleeping of more than one, but not more than three, prisoners in a cell.

**10.** (1) Every prisoner shall be provided with a separate bed and with separate bedding adequate for warmth and health and such cell furniture as may be necessary. Furniture.

(2) Additional bedding shall be provided on the recommendation of the medical officer.

**11.** Every cell shall be lighted so as to permit of reading or working up to a reasonable hour. Cell lighting.

**12.** (1) In a prison for both male and female prisoners, the whole of the premises allocated to female prisoners shall be entirely separate, and the wards, cells and yards shall be secured by locks different from those used in the wards, cells and yards in that part of the premises allocated to male prisoners. Women's accom-  
modation.

(2) The keys of the premises allocated to female prisoners shall be under the control of female prison officers and no male prison officer shall enter the premises except on duty and in the company of a female prison officer.

### *Reception, Removal and Discharge*

#### A—RECEPTION

**13.** (1) Prisoners shall not be received at the prison earlier than 6 a.m. or later than 5 p.m. or on any Sunday, Christmas day or Good Friday, except with the special permission of the Officer-in-charge. Time of admission.

(2) This rule does not apply to prisoners sent from a court.

**14.** No prisoner shall be received into the prison unless the usual form of committal, properly filled up in all its parts, is delivered to the Officer-in-charge or other senior prison officer on duty. Committal form.

**15.** (1) Every prisoner shall be carefully searched on admission and at such subsequent times as may be directed by Search.

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the Officer-in-charge, and all articles prohibited by rules 60 to 62 shall be taken from him.

(2) The searching of a prisoner shall be conducted with due regard to decency and self-respect and in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No prisoner shall be stripped and searched in the sight of another prisoner.

(4) A prisoner shall be searched only by prison officers of the same sex as the prisoner.

Retention of  
property.

**16.** All money, clothing or other effects belonging to a prisoner which he is not allowed to retain shall be placed in the custody of the Officer-in-charge who shall be responsible for having an inventory thereof kept in the prisoners' property book. This inventory shall be signed by the prisoner on his admission and on his discharge or removal.

Medical  
examination.

**17.** (1) Every prisoner shall, as soon as possible after admission and in any case within 24 hours of admission, be separately examined by the medical officer, who shall record the state of health of the prisoner and such other particulars as may be required under rule 19.

(2) If any prisoner is found on admission to have any communicable disease, within the meaning of regulation 2 of the Health Services (Communicable and Notifiable Diseases) Regulations, 1969, or to be infested with vermin, the medical officer shall give instructions as to the treatment to be used for the remedy of such disease or the eradication and destruction of such vermin, and the instructions of the medical officer shall be complied with.

Baths.

**18.** Every prisoner shall take a bath on reception and at such other times as may be directed by the Officer-in-charge or the medical officer.

Recording of  
particulars.

**19.** The name, age, height, weight, particular marks, and such other measurements and particulars as may be required in

regard to a prisoner shall, upon his reception, and from time to time, be recorded in such manner as the Superintendent determines subject to the approval of the Minister.

**20.** A prisoner may be photographed and his fingerprints may be taken on reception, and subsequently, but no copy of such photograph or fingerprint shall be given to any person except those officially authorised to receive it. Photographs and fingerprints.

**21.** (1) Subject to such conditions as the Superintendent determines, a female prisoner may have her baby with her in prison during the normal period of lactation and on the recommendation of the medical officer, longer if required in special circumstances, and the baby may be supplied with clothing and necessities out of moneys voted for the purpose by Parliament. Babies.

(2) Prior to the discharge of any such baby, enquiry shall be made of the relatives of the mother whether they are willing and in a position to receive it. In the event of their unwillingness or inability to do so, the baby may remain in prison with the mother and shall be provided for out of moneys voted for the purpose by Parliament.

#### B—INFORMATION TO PRISONERS

**22.** (1) Arrangements shall be made to ensure that every prisoner on reception is provided in his cell, room or ward with full information about the rules governing the treatment of prisoners of his Class and about any other rules of which he should have knowledge, including those relating to earnings and privileges, to the proper methods of submitting petitions to the Governor-General and of making complaints about food, clothing, bedding and other necessities, and about the disciplinary requirements of the prison. Information to be given to prisoners on reception.

(2) The Officer-in-charge shall personally or through such prison officer as he may appoint ensure as soon as possible after reception, and in any case within 24 hours of reception, that every prisoner who can read has read the information provided under paragraph (1). Where a prisoner cannot read or has difficulty in understanding the information so provided, it shall be so explained to him that he may understand both his rights and his obligations.

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## C—REMOVAL AND DISCHARGE

Custody  
during  
removal.

**23.** (1) Subject to paragraph (2), a prisoner whom the Officer-in-charge or the Minister has directed to be taken to any place outside the prison shall be kept in the custody of prison officers.

(2) Notwithstanding paragraph (1), a prisoner directed to be brought before a court may, while outside the prison, be in the custody of a member of the Police Force.

Protection  
from public  
view.

**24.** When prisoners are being removed to or from a prison they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult or curiosity.

Final inter-  
view with  
Officer-in-  
charge.

**25.** The Officer-in-charge shall interview every prisoner before discharge.

Final  
examination  
by medical  
officer.

**26.** (1) Subject to paragraph (2), every prisoner shall, within as short a time as is practicable before discharge, be examined by the medical officer.

(2) Notwithstanding paragraph (1), a person committed to prison for non-payment of any sum adjudged to be paid by the conviction or order of a court, or for want of sufficient distress to satisfy such sum, may be discharged without being examined by the medical officer if in the opinion of the Officer-in-charge it is not practicable for the medical officer to examine such person before he is due to be discharged.

(3) A prisoner due for discharge who is suffering from an acute or dangerous illness may not be discharged until in the opinion of the medical officer it is safe to discharge him.

(4) If a prisoner mentioned in paragraph (3) refuses to remain in prison and certifies that fact in writing, he may be discharged.

Return of  
clothes and  
property.

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

Time of  
release.

**28.** A prisoner shall be released on the day on which his sentence expires or on the previous day if the sentence expires

on Sunday, Christmas Day or Good Friday, the normal hour of discharge being 9 a.m.

29. (1) The Minister shall appoint a Committee to be known as "the After-Care Committee," consisting of not more than 15 members.

Ald on  
discharge.  
1978/59.  
1982/112.

(2) The members of the Committee shall

- (a) be appointed by the Minister by instrument in writing;
- (b) hold office for a period of 3 years; and
- (c) be eligible for re-appointment.

(3) The functions of the Committee are

- (a) to review cases of prisoners from time to time during their sentence for the purpose of assisting with their rehabilitation;
- (b) to consider the recommendations of the Superintendent of the Prison and the Chief Probation Officer as regards grants and other assistance to be made to prisoners on discharge;
- (c) to assist wherever possible with planning extra-curricular activities, job placements, housing facilities and family contacts; and
- (d) to enlist the help of volunteers to assist with individual cases.

(4) The Officer-in-charge shall keep accounts of all payments made by way of assistance to prisoners on their discharge from prison, and such accounts shall be audited in accordance with the directions of the Auditor-General.

(5) Notwithstanding paragraph (2), the Minister may at any time revoke the appointment of the Chairman or any other member of the Committee and may appoint another person in his stead. Such other person shall hold office for the remainder of the term of office of the Chairman or other member whom he replaces.

#### D-DEATH OF PRISONERS

30. The medical officer shall keep a record of the death of any prisoner which shall include the following particulars

Record of  
death.

- (a) the time at which the deceased was taken ill;
- (b) the time at which the illness was first noticed by the medical officer;

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- (c) the nature of illness;
- (d) the time of death of the prisoner;
- (e) an account of the appearance after death (in a case where a *post mortem* examination is performed); and
- (f) any special remarks which appear to him to be required.

Notice of  
death.

31. Upon death in the prison of a prisoner or the baby of a female prisoner the Officer-in-charge shall give immediate notice thereof to the Minister, the Coroner, and, if practicable, to the nearest relative of the deceased.

Delivery of  
body.

32. If the relatives or friends of the prisoner who has died in prison, other than a prisoner who has been executed, wish to have the body of such prisoner delivered to them for burial, they may apply to the Officer-in-charge who, after ascertaining from the medical officer that it would not be injurious to public health to grant such request, may deliver up the body, and it shall be removed from the prison in a decent manner.

### *Discipline and Control*

#### A-GENERAL

General  
principles.

33. The rules under this heading shall be applied, due allowance being made for the difference of character and response to discipline of different types of prisoners in accordance with the following principles

- (a) discipline and order shall be maintained with firmness, but with no more restriction than is required for safe custody and well-ordered community life;
- (b) in the control of prisoners, prison officers shall seek to influence them through their own example and leadership, and to enlist their willing co-operation;
- (c) at all times the treatment of prisoners shall be such as to encourage their self-respect and a sense of personal responsibility.

Supervision  
by Officer-  
in-charge.

34. (1) The Officer-in-charge shall exercise a close and constant personal supervision of the prison. He shall visit and inspect daily the kitchens and all parts of the prison where prisoners are working or accommodated, and shall give special attention to every prisoner who is a hospital patient or under

restraint or undergoing cellular confinement. He shall also periodically inspect the prisoners' food.

(2) At least once a week, the Officer-in-charge shall visit and inspect every part of the prison at an uncertain hour between the hours of 6.30 p.m. and 5 a.m. of the following day and shall record in red ink in his journal both the time of such visit and the condition of the prison.

**35.** (1) The Superintendent may depute any prison officer to act in his stead during his absence, and that prison officer shall in the Superintendent's absence perform all the duties of the Superintendent. Performance of Superintendent's duties by other person s

(2) The Superintendent may delegate to the Assistant Superintendent or to any suitable prison officer such of his duties from time to time as he thinks fit.

(3) For the purposes of these rules "Assistant Superintendent" means the Assistant Superintendent of Prisons.

**36.** Female prisoners shall be attended only by female prison officers, and if working under a male instructor shall be supervised by a female prison officer. Supervision, etc., of female prisoners.

**37.** (1) Where part of a prison is allocated for female prisoners, that part shall be in the charge of a female prison officer to be known as the Chief Matron, who shall have the care and superintendence of all female prisoners. The keys of all the locks of that part of the prison shall be in her custody. Chief Matron.

(2) The Chief Matron shall exercise a close and constant personal supervision over the whole of the female prison; she shall visit and inspect daily all parts of the prison where a female prisoner is working or accommodated, and she shall give special attention to every female prisoner who is ill or under restraint or undergoing cellular confinement, or upon restricted diet.

(3) Whenever the Chief Matron is absent, her functions shall be performed by a female prison officer approved by the Superintendent.

**38.** (1) A prison officer in dealing with prisoners may not use force unnecessarily, and in any case in which the application Use of force.

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of force to a prisoner is necessary, may use no more force than is necessary.

(2) A prison officer shall not deliberately act in a manner calculated to provoke a prisoner.

Prisoners  
not to hold  
disciplinary  
posts.

**39.** A prisoner shall not be employed in any disciplinary capacity, but prisoners carefully selected by the Officer-in-charge may be given positions of responsibility and leadership within such limits as the Officer-in-charge determines.

Temporary  
work in cell.

**40.** (1) If at any time it appears to the Officer-in-charge or the Visiting Justice that it is desirable for the maintenance of good order and discipline or in the interest of a prisoner that the prisoner should not work in association with other prisoners, the Officer-in-charge shall arrange for him to work temporarily in a cell and not in association with other prisoners.

(2) The Officer-in-charge may arrange as he thinks fit for the prisoner to work again in association with other prisoners, and shall so arrange where the medical officer so advises on medical grounds, or at the expiration of one month from the date on which the prisoner commenced to work temporarily in a cell and not in association with other prisoners, unless further authority is given from month to month by the Visiting Justice.

#### B—REMISSION

Conditions  
of remitting  
sentence.

**41.** (1) Subject to paragraph (2), arrangements shall be made by which a prisoner who is serving a sentence of imprisonment, whether by one sentence or by consecutive sentences, for a period exceeding one month, including a person committed to prison in default of payment of a sum adjudged to be paid by a conviction, may by good conduct and industry become eligible for discharge when a portion of his sentence not exceeding one-fourth of the whole sentence has yet to run.

(2) Notwithstanding paragraph (1), the arrangements to be made shall not authorise the reduction of any period of imprisonment to a period less than 31 days.

Review of  
sentence.

**42.** The case of every prisoner serving a term of imprisonment exceeding 4 years shall be reviewed by the Governor-General at four-yearly intervals or shorter periods if deemed advisable.

## C—OFFENCES AGAINST DISCIPLINE

**43.** No punishments or privations of any kind shall be awarded except by the Visiting Justice or the Officer-in-charge, and a prisoner shall not be punished until he has had an opportunity of hearing the charges against him, and of making his defence.

Officer-in-charge and Visiting Justice to deal with reports.

**44.** Where a prisoner has been reported for an offence against discipline, the Officer-in-charge may order him to be kept apart from other prisoners pending adjudication.

Separation of reported prisoners.

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

Information to reported prisoners.

**46.** (1) Cellular confinement, corporal punishment or restriction of diet shall in no case be awarded unless the medical officer has certified that the prisoner is in a fit condition of health to sustain it.

Dietary punishment and corporal punishment.

(2) Every prisoner undergoing cellular confinement or subject to restricted diet No. 1 shall be visited at least once a day by the Officer-in-charge and the medical officer, and if he is undergoing cellular confinement he shall be visited by a prison officer appointed for that purpose at intervals of not more than 3 hours during the day and night.

**47.** The Officer-in-charge may deprive a prisoner of any unauthorised article found in his cell or in his possession.

Unauthorised articles.

**48.** A prisoner is guilty of an offence against discipline if he—

- (a) disobeys any lawful order of the Officer-in-charge or of any other prison officer or contravenes any prison rule;
- (b) treats with disrespect any prison officer or any person authorised to visit the prison;
- (c) is idle, careless or negligent at work, refuses to work, or malingers;
- (d) uses any abusive, insolent, threatening or other improper language;

Offences against discipline.

## THE LAWS OF BARBADOS



- (e) is indecent in language, act or gesture;
- (f) commits any assault;
- (g) communicates with another prisoner without permission;
- (h) leaves his cell or place of work or other appointed place without permission;
- (i) wilfully disfigures or damages any part of the prison or any property which is not his own;
- (j) commits any nuisance;
- (k) has in his cell or possession any unauthorised article or attempts to obtain such an article;
- (l) gives to or receives from any person any unauthorised article;
- (m) escapes from prison or from legal custody;
- (n) mutinies or incites other prisoners to mutiny;
- (o) commits gross personal violence to a prison officer;
- (p) commits gross personal violence to another prisoner;
- (q) makes repeated and groundless complaints;
- (r) makes false and malicious allegations against a prison officer;
- (s) in any other way offends against good order and discipline;
- (t) attempts to do any of the foregoing things.

Investigation  
of offences.

**49.** (1) An offence against discipline shall be reported forthwith to the Officer-in-charge who shall commence to investigate every report of such an offence not later than the following day, unless that day is a Sunday or a public holiday.

(2) If upon investigation the Officer-in-charge is satisfied that the offence is proved, he shall, unless the offence is one specified under rule 50, make one or more of the following awards—

- (a) caution;
- (b) forfeiture of remission of sentence for a period not exceeding 30 days;
- (c) forfeiture or postponement of privileges for a period not exceeding 28 days;

- (d) exclusion from associated work for a period not exceeding 14 days;
- (e) cellular confinement on restricted diet No. 1 for a period not exceeding 3 days;
- (f) cellular confinement on restricted diet No. 2 for a period not exceeding 15 days;
- (g) cellular confinement for a period not exceeding 3 days;
- (h) stoppage of earnings for a period not exceeding 14 days;
- (i) reduction in Stage for such period as he determines under paragraph (2) of rule 7.

**50.** (1) Where a prisoner is reported for any of the following offences—

- (a) escaping or attempting to escape from prison or legal custody;
- (b) assault upon a prison officer;
- (c) gross personal violence to a prison officer;
- (d) gross personal violence to another prisoner;
- (e) any serious or repeated offence against discipline for which such award as the Officer-in-charge is authorised to make is deemed by him to be insufficient,

Investigations and awards by Visiting Justice.

the Officer-in-charge shall, unless upon investigating the report he is satisfied that it should be dismissed, refer the case to the Visiting Justice.

(2) The Visiting Justice shall inquire into every case referred to him under paragraph (1), and, if he is satisfied that the offence is proved, shall make one or more of the following awards—

- (a) caution;
- (b) forfeiture of remission of sentence for a period not exceeding 90 days, provided that any such forfeiture shall not exceed the total amount of remission earned at the time of this offence;
- (c) forfeiture or postponement of privileges;
- (d) exclusion from associated work for a period not exceeding 28 days;

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- (e) cellular confinement on restricted diet No. 1 for a period not exceeding 15 days;
- (f) cellular confinement on restricted diet No. 2 for a period not exceeding 28 days;
- (g) cellular confinement for a period not exceeding 15 days, or where the prisoner is found guilty of mutiny or incitement to mutiny or of gross personal violence to any prison officer, not exceeding 28 days;
- (h) stoppage of earnings for a period not exceeding 28 days.

Grave  
offences.

**51.** Notwithstanding rule 50, the Visiting Justice may, after an inquiry in which the evidence is given on oath in the presence of the prisoner, order corporal punishment to be inflicted on male prisoners for the following offences—

- (a) mutiny or incitement to mutiny in the prison;
- (b) gross personal violence to any prison officer.

Remission  
and mitiga-  
tion of  
awards.

**52.** A disciplinary award under sub-paragraphs (b) to (g) of rule 49 (2) or sub-paragraphs (b) to (g) of rule 50 (2) may be determined or mitigated at any time during its currency by the authority responsible for the award.

Prisoner to  
pay for  
wilful  
damage.

**53.** The money or any other property of a prisoner may be ordered by the Officer-in-charge or the Visiting Justice to be applied towards the repair of any injury done by him wilfully to the prison or to the prison property, or any other property therein.

#### D—CORPORAL PUNISHMENT

Corporal  
punishment.

**54.** (1) All corporal punishment to be inflicted in any prison shall be attended by the Officer-in-charge, the medical officer and such other prison officers as the Officer-in-charge thinks proper.

(2) The medical officer shall immediately before the punishment is inflicted examine the prisoner and satisfy himself that he is mentally and physically fit to undergo the punishment, and shall make such recommendations for preventing injury to the prisoner as he deems necessary, and the Officer-in-charge shall carry such recommendations into effect.

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

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

(5) Every instrument used for the infliction of corporal punishment shall be of a pattern approved by the Minister.

#### E—RESTRAINTS

**55.** (1) Mechanical restraints shall not be used as a punishment or for any purpose other than safe custody during removal, except on medical grounds by direction of the medical officer, or in the circumstances and under the conditions stated in this rule. Mechanical restraints.

(2) When it appears to the Officer-in-charge that it is necessary to place a prisoner under mechanical restraint in order to prevent his injuring himself or others, damaging property or creating a disturbance, the Officer-in-charge may order him to be placed under mechanical restraint, and notice thereof shall forthwith be given to the Visiting Justice and to the medical officer.

(3) The medical officer on receipt of such notice shall forthwith inform the Officer-in-charge whether he concurs in the order, and if on medical grounds he does not concur, the Officer-in-charge shall act in accordance with any recommendations which the medical officer makes.

(4) A prisoner shall not be kept under mechanical restraint longer than is necessary, or for a longer period than 24 hours, unless an order in writing from the Visiting Justice or from the Minister is given, specifying the cause therefor and the time during which the prisoner is to be so kept, and such order shall be preserved by the Officer-in-charge as his warrant.

(5) Particulars of every case of mechanical restraint shall be forthwith recorded by the Officer-in-charge.

(6) No mechanical means of restraint shall be used except of such pattern and in such manner and under such conditions as the Minister approves.

Temporary  
confine-  
ment.

**56.** The Officer-in-charge may order any refractory or violent prisoner to be temporarily confined in a cell suitable for the safe custody of such prisoner, but no prisoner shall be confined in such a cell as a punishment or after he has ceased to be refractory or violent.

#### F-REQUESTS BY PRISONERS

Requests to  
be recorded  
and put  
forward.  
1996/51.

**57.** (1) Arrangements shall be made that every request by a prisoner to see the Officer-in-charge or a member of the Board shall be recorded by the prison officer to whom it is made and conveyed without delay to the Officer-in-charge through the Chief Officer.

1996/51.

(2) The Officer-in-charge shall at a convenient hour of every day, other than a Sunday, Christmas Day, Good Friday, or other public holiday, hear the applications of all prisoners who have made a request to see him, and shall inform the Board of every request by a prisoner to see it.

Petitions.

**58.** Permission shall be granted by the Superintendent to any prisoner who requests to petition the Governor-General

Provided that

- (a) the prisoner is not at the time awaiting a reply to a previous and substantially similar petition;
- (b) if the prisoner has submitted a petition prior to such request during the same sentence, a reasonable period has elapsed.

Superintend-  
ent to  
forward  
petitions.

**59.** The Superintendent shall forward any petition allowed a prisoner under rule 58 to the Governor-General together with any comments he deems necessary.

#### G-PROHIBITED ARTICLES

Prohibited  
articles  
generally.

**60.** A person shall not without lawful authority convey into or throw into or deposit in a prison, or convey or throw out of

a prison or convey to a prisoner, or deposit in any place with intent that it shall come into the possession of a prisoner, any money, clothing, food, drink, tobacco, letter, paper, book, tool, or other article whatever. Anything so conveyed, thrown, or deposited may be confiscated by the Officer-in-charge.

**61.** (1) A prisoner shall not be given or allowed to have any intoxicating liquor except in pursuance of a written order of the medical officer specifying the quantity to be given and the name of the prisoner for whose use it is intended.

Drink and tobacco.

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

**62.** Notice boards shall be affixed in some conspicuous place near the entrance gate of the prison, and in the office of the Officer-in-charge cautioning persons against bringing spirits, tobacco or other prohibited articles into the prison and of their being liable to severe penalties for so doing.

Notice relating to prohibited articles.

#### H—CONTROL OF ADMISSION

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

General restrictions.

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

(3) The Officer-in-charge or the senior prison officer on duty may refuse admission to the prison of a person who is not willing to be examined and searched.

(4) The Officer-in-charge or the senior prison officer on duty may direct the removal from the prison of a person who while

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in the prison is not willing to be examined and searched or whose conduct is improper.

(5) The Officer-in-charge may refuse admission to the prison of any person who in his opinion is undesirable.

(6) The Officer-in-charge shall not, except as directed by the Minister, or provided by any law, allow any person to view the prison.

(7) The Officer-in-charge shall ensure that no person authorised to view the prison makes any sketch or takes a photograph or holds communication with a prisoner unless authorised to do so by the Minister.

#### 1—WORK

General  
requirement  
of work.

**64.** (1) Every prisoner unless excused by the medical officer on medical grounds shall from the beginning of his sentence be employed on useful work.

(2) A prisoner shall not be employed on any type of work unless he has been certified by the medical officer as fit for that type of work.

(3) A prisoner shall not be employed on any type of work not authorised by the Minister.

(4) A prisoner shall not be employed in the service of any other prisoner, or of any prison officer, or for the private benefit of any person.

Payment.

**65.** Prisoners may receive payment for work in accordance with such rates as the Minister approves.

Sunday work.

**66.** Arrangements shall be made for avoiding all unnecessary work by prisoners of the Christian religion on Sunday, Christmas Day and Good Friday, and by prisoners recorded as belonging to other religions on their recognised days of religious observance.

*Religion, Education and Welfare*

## A–RELIGION

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

Recording of denomination.

1996/51.  
1996/125.

**68.** (1) Every prisoner who can read shall be furnished with a Bible and a Book of Common Prayer of the Anglican Church or with such other religious books of the denomination to which he belongs as are approved by the Officer-in-charge.

To be furnished with religious books.

(2) Adequate arrangements shall be made for the provision of religious ministrations to all prisoners.

**69.** (1) Every prisoner shall attend divine service of his denomination whenever such service is held at the prison, unless he is specially excused by the Officer-in-charge, or prevented by illness.

Prisoners to attend divine service.

(2) A prisoner may attend the religious service of a denomination to which he does not belong provided he obtains the prior permission of the Officer-in-charge.

(3) Every prisoner shall be informed of this rule on reception.

**70.** Every prisoner shall, so far as practicable, be regularly visited at proper and reasonable times by the Chaplain or, if he is recorded as belonging to a denomination other than that to which the Chaplain belongs, by a minister of his own denomination.

Visits by Chaplain, etc.

**71.** When a prisoner is sick, or under cellular confinement, and is not regularly visited by a minister of his own denomination, the Chaplain shall visit him if the prisoner is willing.

Chaplain may see sick prisoner of other denomination.



Chaplains to  
conform  
with rules.

**72.** Every Chaplain or minister of a religious denomination shall conform with these rules. He shall not convey messages, letters or information to or from prisoners and their friends or relatives nor give information to persons outside the prison nor make public any matter that may come to his knowledge or notice in respect of the security or discipline of prisoners.

#### B-EDUCATION AND LIBRARIES

Evening  
classes.

**73.** (1) Programme of evening educational classes shall be arranged and reasonable facilities, under such conditions as the Officer-in-charge determines, shall be allowed to prisoners who wish in their leisure time to improve their education by private study, or to practise handicrafts.

(2) Special attention shall be paid to the education of illiterate prisoners.

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

(4) Educational facilities shall be provided for female prisoners similarly as for male prisoners and shall, so far as possible, include instruction in home-making and child-care in all appropriate cases.

Library.

**74.** A library shall be provided in every prison, and, subject to such conditions as the Officer-in-charge determines, every prisoner shall be allowed to borrow library books and to exchange them as often as practicable.

Books, etc  
from  
outside.

**75.** Prisoners may receive books or periodicals from outside the prison under such conditions as the Officer-in-charge determines.

## C-PRISON WELFARE AND AFTER-CARE SERVICE

**76.** The Chief Probation Officer shall be responsible for the establishment and operation of the Prison Welfare and After-Care Service to

Chief Probation Officer to be responsible for establishment and operation of Prison Welfare and After-Care Service. 1978/59.

- (a) undertake case work with prisoners with a view to their rehabilitation;
- (b) maintain contacts with families of prisoners;
- (c) maintain liaison with the Superintendent and staff of the Prisons;
- (d) maintain liaison with Government, the Committee, employment, housing and voluntary agencies;
- (e) undertake after-care work with discharged prisoners who request this service;
- (f) prepare data for the Committee on prisoners about to be discharged; and
- (g) perform secretarial services for the Committee and the Board.

1996/51.

## D-LETTERS AND VISITS

**77.** (1) Every prisoner shall be allowed to write and to receive a letter on reception and thereafter once in 4 weeks, to receive a visit once in 4 weeks if he is in the Young Prisoners' Class or Star Class, and to receive a visit once in 8 weeks if he is in the Ordinary Class. All letters from prisoners should be enclosed in a plain envelope and stamped with an ordinary postage stamp.

Normal minimum provision.

(2) Every prisoner shall be provided with all reasonable facilities, including the provision of writing materials, to enable him to communicate by letter.

(3) The letters and visits to which a prisoner is entitled under this rule shall not be liable to forfeiture under rules 49 and 50.

Letters and visits generally.

**78.** (1) Notwithstanding these rules and without prejudice to rule 77, the Officer-in-charge may impose such restrictions upon, and supervision over, letters and visits as he considers necessary for securing discipline and good order, for the prevention of crime and criminal associations, and for the welfare of individuals.

(2) Except as provided in these rules, a person shall not be allowed to communicate with a prisoner without the authority of the Minister or the Superintendent.

(3) Every letter to or from a prisoner shall, (except as provided in these rules in the case of certain communications to a legal adviser) be read by the Officer-in-charge or by a suitable prison officer deputed by him for the purpose, and the Officer-in-charge may as he sees fit stop any letter on the ground that its contents are objectionable.

Visits to prisoners.

**79.** (1) Subject to paragraph (2) and to these rules, visits to a prisoner shall not, except in an emergency, take place on Sunday, Christmas Day, Good Friday or other public holiday, and, except in the case of a legal adviser or certain medical advisers, shall be in the sight and hearing of a prison officer.

(2) Notwithstanding paragraph (1), the Officer-in-charge may allow exceptions to this rule either generally or as applied to particular prisoners.

Deferment in case of cellular confinement.

**80.** Where a prisoner who becomes entitled to write and receive a letter or visit under any of these rules is at the time undergoing cellular confinement, the letter or visit may in the discretion of the Officer-in-charge be deferred until such confinement has expired.

Additional letters or visits as privilege.

**81.** The Officer-in-charge may allow such additional letters or visits as he determines as a privilege for any Class of prisoner.

Letters instead of visits.

**82.** The Officer-in-charge may allow a prisoner who is entitled to a visit to write a letter and receive a reply instead of such a visit.

**83.** A prisoner may be allowed, at the discretion of the Officer-in-charge, to have special letters and visits for any purpose which in the opinion of the Officer-in-charge is likely to promote the best interests of the prisoner or his family, either during his sentence or after discharge.

Discretionary letters and visits.

#### E—VISITS FOR SPECIAL PURPOSES

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

Visits by legal advisers.

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

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

**85.** A police constable may visit any prisoner who is willing to see him on production of an order issued by or on behalf of the Commissioner of Police. Such visit shall be in the sight but not in the hearing of a prison officer.

Visits by police.

#### *Physical Welfare*

#### A—INFIRMARY

**86.** (1) In every prison an infirmary or proper place for the care and reception of sick prisoners shall be provided.

Infirmary.

(2) The medical officer shall have the care of the mental and physical health of prisoners and shall every day visit every sick prisoner, every prisoner who complains of illness, and every other prisoner to whom his attention is specifically directed.

(3) The medical officer shall —

- (a) advise the Officer-in-charge as to any prisoner who should be transferred to a hospital;
- (b) advise the Officer-in-charge as to any prisoner who should be released by reason of his health being likely to be endangered by remaining in prison, or being unlikely to survive his sentence or being permanently unfit for prison discipline;
- (c) keep observation on the mental health of all prisoners held on a capital charge or sentenced to death, and on all prisoners serving long sentences;
- (d) report to the Officer-in-charge any case where he considers a prisoner is mentally disordered; and
- (e) submit to the Officer-in-charge in respect of every prisoner held on a capital charge a full report on the mental state of the prisoner at least 4 days before his trial at the Supreme Court and not more than 3 weeks after his conviction.

#### B—HYGIENE

Washing,  
shaving and  
hair cutting.  
2005-7.

Cap. 141.  
2005-7.

**87.** (1) Arrangements shall be made for every prisoner to wash with soap daily at all proper times and for male prisoners (unless excused or prohibited on medical or other grounds) to shave regularly and to have their hair cut as required. The hair of a male prisoner may be cut as short as is necessary for good appearance but save as provided by section 76 of the *Offences against the Person Act* and in the following paragraph, the hair of a female prisoner shall not be cut without her consent except by direction of the medical officer in his journal, for the eradication of vermin, dirt or disease.

(2) For the avoidance of doubt and without prejudice to the provisions of paragraph (1), where the Superintendent considers it to be reasonably expedient or necessary in the interests of

- (a) public defence;
- (b) public safety;
- (c) public order; or
- (d) public health,

the Superintendent shall cause the hair of any prisoner to be cut to such length as the Superintendent determines.

**88.** (1) Subject to paragraph (2), every prisoner shall be provided on admission with such toilet articles as are necessary for health and cleanliness and arrangements shall be made for the replacement of these articles when necessary. Toilet articles.

(2) Such articles shall be replaced at the prisoner's own expense whenever such prisoner's earnings are sufficient to meet the cost of the replacement of the said articles.

**89.** Every prisoner shall keep his cell, utensils, clothing, books and bedding clean and neatly arranged unless provision for the performance of these duties is otherwise made in accordance with these rules. Cleaning of cell, etc.

## C—EXERCISE

**90.** (1) Prisoners who are not engaged in out-door work shall be given daily one hour's exercise in the open air, weather permitting, unless the officer-in-charge in special circumstances authorises the reduction of the daily period to half an hour. Exercise to be regular.

(2) Wherever practicable, prisoners of suitable age and physical condition shall receive physical and recreational training during the period of exercise and shall be provided with the equipment therefor.

(3) The medical officer shall decide on the fitness of every prisoner for exercise and to undergo physical training, and may on medical grounds modify the exercise of a prisoner or excuse a prisoner from exercise.

#### D—FOOD

**91.** The food provided for prisoners shall be of a nutritional value adequate for health and strength and of wholesome quality, well prepared and served, and reasonably varied in accordance with the dietary scales prescribed by the Minister. Such scales may be revised from time to time as the Minister directs.

Quality of food.

**92.** A prisoner shall not receive or have in his possession any food other than the normal prison diet except with the authority of the Officer-in-charge in special circumstances, or with the authority of the medical officer if a variation of diet is desirable on medical grounds for an individual prisoner.

No private food.

**93.** The diet of an individual prisoner who persistently wastes his food may be reduced on the written recommendation of the medical officer.

Reducing diet.

#### E—CLOTHING

**94.** Every prisoner shall be provided with an outfit of clothing adequate for warmth and health in accordance with a scale laid down by the Minister and shall wear such clothing and no other.

Prison dress.

**95.** Footwear or additional clothing shall be supplied for health reasons on the recommendation of the medical officer.

Additional clothing.

**96.** The clothing provided shall, where necessary, include suitable protective clothing for use at work.

Protective clothing.

#### F—WEIGHT OF PRISONERS

**97.** Every prisoner shall, on reception, once monthly, and on discharge, be weighed in ordinary prison dress without hat or footwear. His weight shall be recorded on every occasion on

Monthly weight.

#### THE LAWS OF BARBADOS

which the prisoner is weighed and such record shall be inspected monthly by the Officer-in-charge and the medical officer.

### PART III

#### *Special Rules for Particular Classes of Prisoners*

##### *Untried Prisoners*

###### A—GENERAL

Application  
of rules.

**98.** Rules 99 to 113 apply to persons, in those rules referred to as “untried prisoners”, committed to prison in any of the following circumstances—

- (a) on commitment for trial for any indictable offence;
- (b) pending or in course of the hearing before a court of summary jurisdiction of a charge for an indictable offence, or pending or in course of the hearing of an information or complaint;
- Cap. 303. (c) on commitment under section 24 or 26 of the Bankruptcy Act;
- (d) on commitment to await extradition.

Separation.

**99.** Untried prisoners shall so far as possible be kept apart from convicted prisoners.

Association.

**100.** Restrictions on the association of untried prisoners shall be limited to what is necessary to prevent contamination or conspiracy to defeat the ends of justice.

###### B—FOOD AND CLOTHING

Food.

**101.** An untried prisoner may be supplied with meals at his own expense or at the expense of friends, subject to such conditions as the Officer-in-charge determines.

Clothing.

**102.** (1) An untried prisoner may wear his own clothing and have necessary changes of his own underclothing from time to time:



Provided that—

- (a) the clothing is sufficient and suitable;
- (b) it is not required for the purposes of justice;
- (c) it shall be disinfected if the medical officer so requires.

(2) An untried prisoner who does not wear his own clothing shall wear prison dress.

(3) The privilege of wearing his own clothing may under rules 49 and 50 be forfeited by an untried prisoner who commits an offence under paragraph (a) of rule 50 (1).

#### C—HEALTH AND CLEANLINESS

**103.** An untried prisoner shall not be required to have his hair cut, or if he usually wears a beard, to shave or be shaved, unless the medical officer deems it necessary for purposes of health or cleanliness, and his hair shall not be cut closer than is necessary for those purposes.

Hair cutting  
and shaving.

**104.** If an untried prisoner desires the attendance of a medical practitioner or dentist and is able and willing to defray any expenses thereby incurred, the Officer-in-charge may, if he is satisfied that there is reasonable ground for the application, allow him to be visited and treated by that practitioner or dentist in consultation with the medical officer.

Private  
medical  
attendance.

**105.** An untried prisoner shall keep his cell, bedding and utensils clean, and shall perform all necessary tasks for the maintenance of his personal hygiene and cleanliness.

Cell cleaning  
and personal  
hygiene.

#### D—BOOKS, ETC.

**106.** (1) An untried prisoner may have supplied to him at his own expense books, newspapers, writing materials or other means of occupation except such as appear objectionable to the Officer-in-charge.

Supply of  
books, etc.

(2) The privilege allowed by this rule may at any time be withdrawn by the Officer-in-charge or a Visiting Justice on proof of any abuse thereof.

#### THE LAWS OF BARBADOS

**E—WORK**

Work not  
compulsory.

**107.** (1) An untried prisoner shall not be required to perform any labour, but may be offered the option of doing so. An account of the daily value of the labour of those who elect to work shall be kept, and a sum equal in the opinion of the Officer-in-charge to such value shall be paid to such prisoner upon his discharge.

(2) So far as prison arrangements admit, an untried prisoner shall be allowed to work at his trade.

**F—VISITS AND COMMUNICATIONS**

Visits  
generally.

**108.** (1) Every untried prisoner shall be allowed to receive one visit per week from his relatives and friends on any week day except Christmas Day, Good Friday or other public holiday, between the hours of 10 a.m. and 2 p.m. for a period not exceeding 15 minutes:

Provided that the Officer-in-charge may, for special reasons, extend the period of such visits.

(2) An untried prisoner shall not be allowed to receive more than 3 visitors at one and the same time:

Provided that the Officer-in-charge may, for special reasons, permit a greater number of visitors at the same time.

(3) An untried prisoner may, for the purpose of his defence, be visited by his legal adviser.

(4) Visits by legal advisers shall be in the sight but not in the hearing of a prison officer. Any other visit shall be in the sight and hearing of a prison officer.

Private  
medical  
adviser.

**109.** (1) An untried prisoner may for the purposes of his defence receive a visit from a medical practitioner selected by him or by his relatives or legal adviser, under the same conditions as apply to a visit by his legal adviser.

(2) For the purposes of these rules—

Cap. 367.

“dentist” means a person registered under the Dental Registration Act; and

Cap. 371.

“medical practitioner” has the meaning assigned to it by section 2 of the Medical Registration Act.

**110.** An untried prisoner shall be allowed all reasonable facilities including the provision of writing materials for communication by letter once per week with his friends or relatives or for conducting correspondence or preparing notes in connection with his defence.

Letters and other facilities for defence.

#### G-DISCIPLINE

**111.** (1) Subject to paragraph (2), the privileges allowed to an untried person under rules 101, 106, 108 and 110 shall be liable to forfeiture under rules 49 and 50.

Forfeiture of privilege.

(2) Notwithstanding paragraph (1), such forfeiture shall not affect visits or letters required for the purposes of securing bail or preparing a defence.

**112.** The sale or transfer or attempted sale or transfer to any person by an untried prisoner of an article allowed to be introduced into the prison for his use is an offence under rule 48, and, upon proof of the offence, rule 47 applies as it applies to an unauthorised article.

Sale of articles.

**113.** Untried prisoners shall be subject to the general rules for prisoners except in so far as the general rules are inconsistent with rules 98 to 112.

Untried prisoners subject to general rules.

#### *Appellant Prisoners*

**114.** Rules 115 to 120 apply to persons, in those rules referred to as "appellant prisoners", committed to prison by virtue of any enactment pending the hearing of an appeal or to any person who, after admission as a convicted prisoner, appeals against such conviction or sentence.

Application of rules.

**115.** Rules 99 to 112 apply, with the necessary modifications and adaptations, to appellant prisoners.

Application of rules 99 to 112.

**116.** Any confidential written communication prepared as instructions for the legal adviser of an appellant prisoner may be delivered personally to the legal adviser or his clerk without previous examination. All other written communication shall be considered as letters and treated as such.

Communication to legal advisers, etc.

Dress in  
Court.

**117.** An appellant prisoner when appearing in court shall wear his own clothes, or, if his clothing cannot be used, he shall be supplied with clothing different from prison clothes.

Payment for  
work done.

**118.** On release of an appellant prisoner by order of a court on an appeal, he shall be paid in accordance with a scale to be fixed by the Minister for any work he has done in prison other than work he has been required to do in order to keep his cell, the precincts of his cell, his furniture, his clothing and his utensils clean.

Appellant  
prisoners  
subject to  
general  
rules.

**119.** Appellant prisoners shall be subject to the general rules for prisoners except in so far as the general rules are inconsistent with rules 114 to 120.

Application  
to prisoner  
under  
sentence of  
death.

**120.** The application of the rules under this heading to appellant prisoners who are under sentence of death shall be subject to rules 128 to 132.

#### *Young Prisoners*

Young  
Prisoners  
Centre.

**121.** (1) In order to secure the more complete separation of young prisoners, that is to say, prisoners under 21 years of age, from other classes, the Officer-in-charge may remove young prisoners to such part of the prison as under rule 4 may be set aside for the training of young prisoners, and referred to in these rules as the "Young Prisoners' Centre".

(2) In the Young Prisoners' Centre special provision shall be made for the education and for the moral, physical and industrial training of the prisoners.

Board.  
1996/51.

**122.** The Board shall pay special attention to the training, welfare and after-care of young prisoners, and shall make an annual report thereon to the Governor-General.

*Civil Prisoners***123.** Rules 124 to 127 apply toApplication  
of rules.

- (a) persons detained in prison for default in payment of a civil debt;
- (c) persons committed for contempt of court; and
- (d) aliens committed for deportation or otherwise,

and in those rules referred to as "civil prisoners".

**124.** (1) Civil prisoners may associate among themselves at such times and in such manner as the Officer-in-charge determines.

Association  
and  
separation.

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

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

**125.** (1) A civil prisoner may if he so desires wear his own clothing and have necessary changes of his own underclothing supplied from time to time

Clothing.

Provided that

- (a) the clothing is sufficient and suitable;
- (b) it is not required for the purpose of justice;
- (c) it shall be disinfected if the medical officer so requires.

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

(3) The privilege of wearing his own clothing may under rules 49 and 50 be forfeited by a civil prisoner for an offence under paragraph (a) of rule 50 (1).

Remission. **126.** The general rules relating to remission do not apply to civil prisoners.

Visits and letters. **127.** (1) A civil prisoner may be visited during such hours and under such restrictions as the Officer-in-charge determines and may write one letter and receive one letter each week

Provided that the Officer-in-charge may, in a special case for special reasons, allow additional letters to such reasonable extent as he deems advisable.

(2) These privileges shall be liable to forfeiture under rules 49 and 50 except that notwithstanding such a forfeiture the writing or receiving of one letter and the receiving of one visit every 4 weeks shall be allowed.

*Prisoners under Sentence of Death*

Search. **128.** A prisoner under sentence of death shall immediately on his reception be specially searched and every article shall be taken from him which the Officer-in-charge deems it dangerous or inexpedient to leave in his possession.

Separation and supervision. **129.** (1) A prisoner under sentence of death shall be confined in a separate cell and shall be kept apart from all other prisoners. Before the cell is occupied it shall be examined by the Officer-in-charge or a prison officer detailed by him.

(2) He shall be kept by day and by night in the constant charge of prison officers.

(3) He shall not be subject to the requirement of rule 64 on the subject of work.

(4) A cell occupied by a prisoner under sentence of death shall only be unlocked in the presence of 2 or more prison officers.

**130.** (1) A prisoner under sentence of death may be visited by <sup>Visits.</sup> such of his relatives, friends and legal advisers as he may desire to see and as are authorised to visit him by an order in writing from the Minister.

(2) The Chaplain shall have free access to every such prisoner, unless the prisoner be of a religious persuasion differing from that of the Anglican Church, in which case a Minister of such persuasion shall have free access to him.

(3) No other person except a member of the Board and prison <sup>1996/51.</sup> officer shall have access to such a prisoner except by the permission of the Minister.

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

(5) Such a prisoner shall be allowed special facilities to correspond with his legal advisers, his relatives and friends.

(6) A person who holds communication with a prisoner under sentence of death shall, at the discretion of the Officer-in-charge, be liable to be searched.

**131.** A prisoner under sentence of death may be allowed such diet and amount of exercise as the Officer-in-charge, with the approval of the medical officer, directs. Food.

**132.** (1) All executions shall be carried out by a public executioner. Executions.

(2) The Officer-in-charge shall satisfy himself that every precaution is taken to ensure efficiency and despatch and that all appliances to be used at such executions are maintained in good condition.

(3) Unless authorised by a written order by the Minister, no person shall attend any execution other than the Chief Marshal, the Officer-in-charge, the public executioner, the medical officer, the Chaplain or Minister of the denomination to which the prisoner belongs, and such other prison officers as the Officer-in-charge directs.

## PART IV

### *General Rules for Prison Officers*

**133.** Every prison officer shall be provided with a copy of these rules and shall be required to make himself familiar therewith. Officers to be provided with copies of rules.

**134.** (1) A curriculum for the training of prison officers in their duties shall be drawn up by the Superintendent as may be necessary from time to time, and subject to the approval of the Minister. Training and examinations.

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(2) Prison officers below the rank of Chief Officer shall undergo training in their duties and shall be required to pass efficiency examinations according to the prescribed curriculum referred to in paragraph (1).

General obligations.

**135.** (1) Every prison officer shall conform with these rules and with the regulations of the prison and shall assist the Officer-in-charge in the maintenance thereof.

(2) Every prison officer shall obey the lawful instructions of the Officer-in-charge.

(3) Every prison officer shall make immediate report to the Officer-in-charge or to the senior prison officer on duty of any abuses, impropriety or breach of these rules which may come to his knowledge.

Complaints by prisoners to be brought to notice of Officer-in-charge.

**136.** Every prison officer shall inform the Officer-in-charge through the Chief Officer, of any prisoner who desires to see him, or to make any complaint or prefer any request to him or to any other superior authority. Unless a prisoner indicates a desire to see the Officer-in-charge without delay, or the prison officer to whom the request for an interview is made judges the matter to be urgent, he shall be brought before the Officer-in-charge on the day following that on which the request is made. When the interview is of an urgent nature, steps must be taken to bring the prisoner before the Officer-in-charge without delay.

Visits to prison officers.

**137.** No prison officer shall receive visitors in the prison without the permission of the Officer-in-charge.

Sick prisoners not to be compelled to work.

**138.** No prison officer shall compel any prisoner to work who complains of illness.

Responsibility for stores, tools, etc.

**139.** Every prison officer in whose charge stores, tools or other Government property have been put shall be held responsible for the proper care of such stores, tools or other property, and shall be liable for any such stores, tools or other property, which may be negligently lost or damaged, or for any other damage to prison property which he may commit.

**140.** A list of tools and articles shall be placed on a suitable board in every room, work-room or shed, and the prison officers on duty in such room, work-room or shed shall be held responsible for the proper care of such tools and articles and shall obtain a receipt for any tool or article issued to another prison officer for use elsewhere. List of tools.

**141.** (1) Every prison officer shall when being relieved of his duty check each prisoner under his charge with the relieving prison officer and shall make known to the relieving prison officer all matters of special importance connected with that duty. Relief duty.

(2) A prison officer shall not leave prisoners entrusted to his care until he has received an audible and proper acknowledgement for them from the prison officer to whom he is handing over.

**142.** A prison officer shall not knowingly communicate or associate with an ex-prisoner, or with the friends and relatives of a prisoner or ex-prisoner except with the permission of the Officer-in-charge. Ex-prisoners, etc.

**143.** (1) A prison officer shall not, directly or indirectly, make any unauthorised communication to the representatives of the Press or other persons in reference to matters which have become known to him in the course of his duty. Communications to Press.

(2) A prison officer shall not without authority from the Minister publish any matters or make any public pronouncement relating to the administration or the inmates of any prison.

**144.** A prison officer shall not engage in any trade, business or industry without the permission of the Minister. Prison officers not to engage in business.

**145.** Every prison officer shall, unless he is off duty or excused by the Officer-in-charge, punctually attend divine service with the prisoners, and the senior prison officer on duty shall be held responsible for the attendance of the subordinate prison officers. Divine Service.

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Absence  
without  
leave.

**146.** A prison officer shall not be absent during his regular hours of attendance without the permission of the Officer-in-charge.

Keys.

**147.** (1) Every prison officer shall be personally responsible for keys issued to him by the prison officer responsible for issuing keys.

(2) Subject to paragraph (3), every prison officer to whom keys have been issued shall keep such keys always in his possession while he is on duty.

(3) A prison officer shall not take any prison keys outside the prison gate.

(4) A prison officer shall not leave keys lying about or in locks.

Delivery of  
keys.

**148.** (1) Every prison officer who is in possession of prison keys shall, before he leaves the prison, deliver the keys to such prison officer as may be appointed by the Officer-in-charge for that purpose.

(2) Every prison officer who is suspended from duty shall immediately give up his keys to the Officer-in-charge or to such other prison officer as may be appointed by the Officer-in-charge for that purpose.

Prison  
officer not to  
leave post.

**149.** A prison officer shall not leave his post at any time unless he is relieved by another prison officer authorised to relieve him or unless he is specially ordered to do so by the Officer-in-charge.

Maintenance  
of discipline.

**150.** Every prison officer shall at all times maintain order and discipline among the prisoners.

Cleanliness  
of person  
and dress.

**151.** (1) Every prison officer shall at all times pay strict attention to cleanliness of person and dress, and shall always appear, when on duty, properly shaved, and dress in such uniform as may be allowed him. All accoutrements shall be kept perfectly clean and bright at all times.

(2) A prison officer shall not wear civilian clothing together with his uniform.

**152.** (1) Every prison officer shall occupy such quarters as may be assigned to him and shall at any time vacate them if required to do so. Quarters.

(2) On the termination of a prison officer's service he shall give up the quarters he has occupied as soon as he is required to do so.

(3) Every prison officer occupying quarters shall be liable for any damage to such quarters committed by him wilfully or negligently during his occupancy and shall refund the cost of the repairs to such quarters before the amount due to him as salary is paid.

**153.** (1) Wrangling or disputing among prison officers on matters of duty or on private matters is strictly forbidden. Complaints and requests.

(2) A prison officer who has any complaint or request to make in connection with his duties shall make such complaint or request to the Officer-in-charge for his decision.

(3) Any complaint by a prison officer against another prison officer shall be made in writing to the Officer-in-charge and shall be delivered within 24 hours of the occurrence.

**154.** Every prison officer shall observe the character and habits of every prisoner under his charge and shall report to the Officer-in-charge any traits in the prisoner's character which in the prison officer's opinion are likely to cause any breach of prison discipline. Prisoner's character and habits.

**155.** Every prison officer who is in charge of a gang shall carefully ascertain the amount of work done by prisoners under his care, and report the result faithfully and accurately. Any unfairness or partiality in this respect shall be dealt with as a serious offence. To assess work faithfully and carefully.

**156.** Every prison officer shall count the prisoners under his charge at locking and unlocking time, and report the state of his division and number present to the Officer-in-charge. Prisoners to be counted.

**157.** (1) Every prison officer shall, before leaving the prison with prisoners for work, search them and count them in the Working parties.

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presence of the chief prison officer, or such other prison officer appointed by the chief prison officer for that purpose.

(2) A prison officer shall not permit prisoners under his charge to straggle or hold communications with unauthorised persons or to get possession of unauthorised articles.

(3) Every prison officer in charge of prisoners shall on his return to the prison count and search them in the presence of the chief prison officer or such other prison officer appointed by the chief prison officer for that purpose.

Contracts  
for supplies.

**158.** (1) Subject to paragraph (2), a prison officer shall not directly or indirectly have any interest in any contract or agreement for the supply of any goods to any prison, nor shall he receive, directly or indirectly, under any pretence whatsoever, any fee or present from any contractor or person tendering any contract.

(2) Notwithstanding paragraph (1), a prison officer may, if the terms of the contract permit it, purchase provisions for the use of himself and family at the contract rates.

Business  
transactions.

**159.** A prison officer shall not without the authority of the Superintendent carry out any pecuniary or business transaction with or on behalf of a prisoner.

Pecuniary  
dealings  
with visitors  
prohibited.

**160.** A prison officer shall not receive money, fees or gratuity of any kind, for the admission of any visitors to any prison or prisoners, or from or on behalf of any prisoner on any pretext whatever.

Tobacco,  
liquor,  
publications  
prohibited.

**161.** (1) A prison officer shall not introduce into, keep or use or allow to be introduced into, kept or used in any prison, tobacco or liquor of any kind, or any newspaper, book or other publication, except in accordance with such directions as may from time to time be issued by the Officer-in-charge.

(2) A prison officer in charge of a gang employed outside the prison walls shall not use tobacco or spirituous liquors whilst in charge of such gang.

Authority to  
search prison  
officer.

**162.** (1) Any prison officer may at any time be searched on

the orders of the Officer-in-charge by 2 prison officers senior to him in rank.

(2) The Officer-in-charge may at any time order the quarters occupied by a prison officer to be searched by 2 prison officers senior in rank to such prison officer.

**163.** A prison officer, except in accordance with these rules or in accordance with orders or directions issued by the Officer-in-charge, shall not convey or attempt to convey any communication or article to or from any prisoner.

Conveyance of any communication, etc., to or from prisoners prohibited.

**164.** (1) Every prison officer shall take special care that no ladders, planks, wheel-barrows, ropes, chains or any other article which can be used to facilitate a prisoner's escape are left lying about any prison.

Precautions against escape.

(2) Every prison officer shall immediately report to the Officer-in-charge or to the senior prison officer on duty any instance of such articles being left lying about in contravention of this rule.

**165.** A prison officer shall not on any account enter the cell of any prisoner at night unless accompanied by another prison officer, and only then in case of illness or other emergency.

Entering a cell at night.

**166.** Every prison officer, when superintending interviews between the prisoners and their friends or relatives or legal advisers, shall repress and prevent, as far as may be in his power, all improper communications.

Improper communications.

**167.** Every prison officer is entitled to free medical attendance at the prison by the medical officer.

Free medical attention.

**168.** (1) Every prison officer may be provided with suitable uniforms and equipment of such type and quantity as the Minister approves.

Uniforms.

(2) Whenever a prison officer leaves the service on resignation, dismissal or otherwise, he shall return to the Officer-in-charge all articles of uniform and equipment, and in default of so doing shall be liable for their value.

(3) All articles of uniform and equipment shall be deemed to be the property of the Crown and shall be inspected from time to time by the Officer-in-charge or the prison officer deputed by him for that purpose, and all uniforms unfit for wear and all unserviceable equipment shall be returned to the Officer-in-charge. Partly-used uniforms and equipment may be issued to probationary or acting prison officers.

(4) Prison officers shall keep at their own expense all articles of uniform and equipment in proper repair, except when the same are damaged in the execution of their duty, in which case such articles may be replaced at public expense.

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## PART V

*Advisory Board*Membership  
of Board.

**169.** The Advisory Board shall comprise such members as the Minister determines.

Appoint-  
ment of  
members,  
Chairman  
and Deputy-  
Chairman.

**170.** (1) The members of the Board

- (a) shall be appointed by the Minister by instrument in writing;
- (b) shall hold office for such period as the Minister determines;  
and
- (c) shall be eligible for re-appointment.

(2) The Minister shall appoint one member of the Board as Chairman and another member as Deputy-Chairman.

(3) If a vacancy occurs in the office of Chairman or Deputy-Chairman, the Minister shall fill the vacancy as soon as possible from among the members of the Board.

**171.** Members of the Board shall hold office until their successors hold their first meeting. Tenure.

**172.** The first meeting of the Board shall be held at Dodds Prison not later than one month after all the members of the Board have been appointed. First meeting. 2007/111.

**173.** Five members of the Board constitute a quorum. Quorum.

**174.** (1) The Board shall meet at least once a month at Dodds Prison and at such other times and at such other places as the Board considers necessary or expedient for the transaction of the business of the Board. Times of meetings. 2007/111.

(2) The Chairman may, at any time, call a meeting of a Board and must call a meeting within 14 days

(a) of a request for that purpose addressed to him in writing and signed by 3 members of the Board; or

(b) of a direction to that effect addressed to him in writing and signed by the Minister.

(3) The Chairman, or in his absence, the Deputy-Chairman, must preside at meetings of the Board.

(4) The Chairman or, in his absence, the Deputy-Chairman, or in the event that the Chairman or Deputy-Chairman is unable to act the members of the Board present and constituting a quorum, must elect one of their members to preside at that meeting.

**175.** (1) Members of the Board shall pay frequent visits to the prison. Visits to prison.

(2) Except at the request of the Board, during a visit of inspection neither the Officer-in-charge nor the next senior prison officer shall accompany the members of the Board.

(3) No person other than a prison officer or a prison employee may be permitted to accompany members of the Board.



- Vacancies. **176.** Subject to rule 173 relating to the quorum, the functions of the Board shall not be affected by any vacancy in the membership thereof.
- Minutes. **177.** The Board shall keep minutes of its proceedings and submit the minutes to the Minister.
- Procedure. **178.** The Board shall regulate its own procedure and submit the minutes to the Minister.
- Access. **179.** The Board and all members of the Board shall have free access to all parts of the prisons and to all prisoners either in their cells or in a room out of sight and hearing of prison officers if the Board or any member of the Board so desires.
- Enquires. **180.** The Board shall hear and investigate any complaint or application which a prisoner makes to it and if necessary shall report the same with its opinion to the Minister.
- Sick prisoners. **181.** (1) The Board shall attend to any report it receives to the effect that the mind or body of a prisoner is likely to be injured by the conditions of his imprisonment and shall communicate its opinion to the Minister.  
  
(2) In urgent cases respecting reports referred to in paragraph (1) the Board shall give such directions as it deems expedient and communicate the same to the Minister.
- Diet. **182.** The Board shall from time to time inspect the diet of prisoners and if it finds the quality of the food unsatisfactory the Board shall report the matter to the Minister and note the same in its minutes and the Officer-in-charge shall immediately take such steps thereupon as may be necessary.
- Books. **183.** The Board may inspect any of the books of a prison and a note of such inspection shall be made in the minutes.

**184.** The Board may, in any case of special importance or urgency, allow a prisoner an additional visit or letter or prolong the period of a visit. Additional visits.

**185.** (1) The Board shall investigate and decide on every application from a prisoner to change the record of his religious denomination. Denominational record.

(2) The Board shall, before granting such an application, satisfy itself that the application is made from conscientious motives and not from caprice or a desire to escape any prison rules.

**186.** The Board shall Buildings.

(a) be responsible for the supervision and maintenance of all prison buildings and premises; and

(b) ensure that all prison buildings, furniture, equipment and vehicles are adequately insured with a reputable local insurance company against fire, theft, hurricane and all other insurable hazards and liabilities.

**187.** (1) The Board shall, before granting any permission which it has power to grant under these rules, satisfy itself by consultation with the Officer-in-charge that it can be granted without interfering with the security, good order and proper government of a prison and the prisoners therein. Permissions and consultations.

(2) After the Board has granted permission pursuant to subparagraph (1) and it appears that the continuance of such permission is likely to interfere with the security, good order and proper government of a prison, or a prisoner has abused permission granted to him or has been guilty of misconduct, it may suspend or withdraw the permission.

**188.** No member of the Board shall have any interest in any contract made in respect of any prison. Contracts.

1996/51.

## PART VA

*Visiting Justice*Investigation  
of charges.

**189.** The Visiting Justice shall attend at a prison whenever summoned by the Officer-in-charge and shall investigate all charges brought against prisoners which are referred to him by the Officer-in-charge and deal with them in a manner provided in these rules relating to punishment.

Examination  
of punish-  
ment book.

**190.** The Visiting Justice shall examine the punishment book monthly and shall enquire into any irregularity or excessive punishment therein and shall, if necessary, communicate with the Minister on the subject.

## PART VI

*Prison Officers' Rewards and Fines Fund*Prison  
Officers'  
Rewards and  
Fines Fund.

**191.** (1) There is established a fund to be known as the Prison Officers' Rewards and Fines Fund to be administered by the Superintendent.

(2) The Fund shall consist of

- (a) all amounts deducted by the Accountant General from the salaries of prison officers;
- (b) any other moneys received by the Superintendent for the purposes of the Fund.

(3) The Superintendent shall employ the Fund for the following purposes:

- (a) rewards for outstanding acts of initiative or resource on the part of the prison officers or for special skill in the performance of any departmental duty requiring tact or ability;
- (b) rewards for any meritorious acts of bravery whereby life has been saved or property secured from loss or destruction;

- (c) entertainments at Christmas;
- (d) prizes for outstanding recruits during their course of training;
- (e) providing and furnishing recreation rooms for the use of subordinate prison officers;
- (f) purchase of sports equipment and recreation requisites for prison officers; and
- (g) illness in a prison officer's family or of those dependent on him or any similar case of expense caused by illness.

(4) A fines and rewards fund book shall be kept by the Superintendent showing all amounts received, the source from which received, all payments made therefrom and the purpose for which used.

## PART VII

### *Miscellaneous*

**192.** (1) Without prejudice to any other offences which may be created by these rules, a person who contravenes the provisions of rule 60, 61, or 132(3), is guilty of an offence under these rules. Offences.

(2) Any prison officer who contravenes the provisions of these rules is guilty of a breach of discipline.

SCHEDULE  
RESTRICTED DIETS

The restricted diets which may be awarded under these rules shall be as follows—

DIET No. 1

**Male or Female Prisoners**

BREAKFAST	DINNER
Bread 8 ozs. and water or Cornmeal porridge boiled and flavoured with salt—one pint	Same as breakfast

Each pint of porridge shall contain 2 ozs. of cornmeal and shall be flavoured with salt. This diet shall not be imposed for more than 3 days continuously. If ordered under rule 50 (2) it shall be given in accordance with conditions prescribed hereunder.

After each continuous three day period on this diet the prisoner shall be placed for one day on the diet of the class to which he was entitled. No prisoner who has been under cellular confinement on restricted diet No. 1 for a period exceeding 7 days shall again be placed on this diet until at least 7 days have elapsed since such prisoner has been under cellular confinement on restricted diet No. 1.

DIET No. 2

**Male or Female Prisoners**

BREAKFAST	DINNER
One (1) lb. ordinary diet without meat, fish gravy or sauce or Bread 8 ozs. and water	Same as breakfast

If a prisoner while on restricted diet No. 2 is found guilty of an offence against discipline, this diet may be temporarily interrupted and the prisoner may be placed on restricted diet No. 1 for a period not exceeding 3 days. On the expiration of the period so awarded on restricted diet No. 1 the prisoner shall resume restricted diet No. 2 for the remainder of the period

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originally ordered, and the period passed upon restricted diet No. 1 shall count as part of the period originally awarded on restricted diet No. 2:

Provided that no prisoner who has been upon restricted diet No. 2 for a period of 15 days or more shall again be placed on either restricted diet No. 1 or No. 2 until at least 7 days have elapsed since such prisoner has been under cellular confinement on either restricted diet No. 1 or No. 2.