

# PRISONS REGULATIONS, 1919.<sup>(1)</sup>

1. These regulations may be cited as the *Prisons Regulations, 1919*,<sup>(1)</sup> and shall come into force on the first day of November, 1919.

2. All rules and regulations heretofore made under the provisions of *The Prisons Ordinance of 1889*, and now existing are hereby repealed.

## DEFINITIONS.

3. In these regulations unless the context otherwise requires—

“Government Secretary” includes in relation to any prison the person if any to whom the Government Secretary has delegated his powers with respect to such prison.

“Officer” means a prison officer.

## MODIFICATION OF REGULATIONS.

4. If either by reason of the limited extent of any prison or other cause the entire provisions of these regulations may not be applicable to that prison the gaoler in charge thereof shall represent such cause

(1) The *Prisons Regulations, 1919* (made under the *Prisons Ordinance, 1919-1930*), comprise the original *Prisons Regulations, 1919*, as amended by the other Regulations referred to in the following Table:—

### REGULATIONS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL.

Description and number and year.	Date on which made by Lieut.-Gov. in Council.	Date on which published in Papua Govt. Gaz.	Date on which came into force.
<i>Prisons Regulations, 1919</i> (S.R. 1919, No. 13)	29.7.1919	6.8.1919	1.11.1919 (Reg. 1, S.R. 1919, No. 13)
<i>Amending Regulation 1919, No. 16</i> (S.R.)	24.9.1919	1.10.1919	1.10.1919 (Papua Govt. Gaz. of 1.10.1919)
<i>Amending Regulation 1921, No. 4</i> (S.R.)	10.3.1921	6.4.1921	6.4.1921 (Papua Govt. Gaz. of 6.4.1921)
<i>Amending Regulation 1922, No. 10</i> (S.R.)	11.9.1922	4.10.1922	4.10.1922 (Papua Govt. Gaz. of 4.10.1922)
<i>Amending Regulation 1924, No. 4</i> <sup>(a)</sup> (S.R.)	4.2.1924	6.2.1924	6.2.1924 (Papua Govt. Gaz. of 6.2.1924)
<i>Amending Regulations 1925, No. 10</i> (S.R.)	20.7.1925	5.8.1925	5.8.1925 (Papua Govt. Gaz. of 5.8.1925)
<i>Amending Regulation 1929, No. 5</i> (S.R.)	29.1.1929	6.2.1929	6.2.1929 (Papua Govt. Gaz. of 6.2.1929)
<i>Amending Regulation 1933, No. 7</i> (S.R.)	22.5.1933	7.6.1933	7.6.1933 (Papua Govt. Gaz. of 7.6.1933)
<i>Amending Regulation 1933, No. 9</i> (S.R.)	27.6.1933	5.7.1933	5.7.1933 (Papua Govt. Gaz. of 5.7.1933)
<i>Amending Regulation 1934, No. 15</i> (S.R.)	26.11.1934	5.12.1934	5.12.1934 (Papua Govt. Gaz. of 5.12.1934)
<i>Amending Regulation 1936, No. 7</i> (S.R.)	26.5.1936	3.6.1936	3.6.1936 (Papua Govt. Gaz. of 3.6.1936)

(a) Repealed by S.R. 1933, No. 9.

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to the Government Secretary who may thereupon with the sanction of the Lieutenant-Governor<sup>(2)</sup> authorize the modifications that may appear necessary. The powers of the Government Secretary under this paragraph may not be delegated by him.

### DUTIES OF GAOLERS.

5. The gaoler is charged with the order discipline interior economy cleanliness and regularity of the prison under his charge and the safe custody of the prisoners therein and for all such duties shall be directly responsible to the Government Secretary.

6. He shall visit and inspect daily the wards cells yards latrines kitchens and every division of the prison and shall see every prisoner confined in the prison at least once every twelve hours.

7. He shall cause the prisoners to be mustered and lined up each morning when the cells are opened and shall call the prison roll and again at evening before the prisoners are locked up for the night he shall call the roll.

8. He shall see that the keys of the prison are safely disposed of for the night and shall make surprise visits to the prison at night not less than twice each week.

9. He shall visit from time to time the prisoners at their meals and see that proper order is maintained during meals and enquire into any complaints that may be made to him concerning the food.

10. He shall inspect the supplies of provisions furnished to the prison and shall immediately report to the Government Secretary any instance in which he finds the stores deficient in quantity or not of good quality.

11. He shall exercise a strict supervision over the officers and discipline of the prison and shall report to the Government Secretary any irregularities on the part of any officer that may occur. He shall also afford any information that the visiting justice may require.

12. He shall see that all returns are duly forwarded to the Government Secretary and shall satisfy himself as to their accuracy.

13. He shall except as otherwise prescribed read or cause to be read every letter addressed to or written by a prisoner marking all such letters with his initials and the date it passes through his hands. He shall use his discretion in communicating to or withholding from any prisoner at any time the contents of any letter addressed to such

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

prisoner but every case in which he may think it proper to withhold a letter shall be reported to the Government Secretary or to the visiting justice.

14. He shall enter in the journal any instance in which he may think fit to refuse admission to the friends of a prisoner and cause<sup>(3)</sup> thereof if the prisoner is entitled under these regulations to receive such a visit.

15. He shall always receive and enter in his journal any complaint or application made to him by any prisoner or officer together with a note of the action he has taken on the matter.

16. He shall without delay call the attention of the visiting medical officer to any prisoner whose state of mind or body appears to require attention and shall carry out any directions given by the medical officer.

17. Upon the death of a prisoner whose death shall not have been certified by a visiting medical officer as having been due to natural causes the gaoler shall give immediate notice to the Government Secretary and to the nearest coroner and if the prisoner is one on transfer from another prison he shall also notify the gaoler of such prison. In the event of the visiting medical officer certifying as to the cause of death he shall cause such certificate to be forwarded to the Government Secretary.

18. He shall be personally responsible for the safe custody of all money and articles taken from prisoners and of warrants books and documents relating to the prison or prisoners.

19. He shall receive all fines and penalties paid by or for prisoners and shall pay them without delay to the person appointed to receive them.

20. He shall keep or cause to be kept the following books and records—

- (a) A register of the names prison numbers age or apparent age sex village town division offence sentence of all prisoners admitted to the prison;
- (b) A prisoners' property book in which shall be recorded:—
  - (i) the articles taken from prisoners on their reception together with the number of the packet in which such articles have been stored;
  - (ii) an account of all moneys taken from prisoners for safe custody;
- (c) A punishment book for—

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(3) The words "and cause" appeared in the regulations as published in *Papua Govt. Gaz. Semble*, "and the cause" was intended.

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- (i) the entry of the punishment inflicted on prisoners for prison offences including an account of all fines and penalties paid by prison officers and prisoners;
  - (ii) the entry of all acts of misconduct irregularities and punishment of prison officers;
- (d) A ration book to be entered up day by day showing the quantity of the various foods issued and the number of prisoners for whom the ration was issued;
- (e) A journal in which he shall record—
- (i) all such matters as he is directed to record therein by these regulations and all other occurrences of importance within the prison;
  - (ii) all orders which may be issued in relation to the prison prisoners or prison officers either by the Government Secretary or the visiting justice;
  - (iii) the names of any prisoner or officer complaining of illness and the nature of the illness as described by the one complaining for the information of the visiting medical officer. All orders issued by the medical officer shall be recorded in this book;
- (f) A daily discharge register;
- (g) An inventory of all furniture and public property belonging to the prison and of books and documents committed to his care;
- (h) A distribution book or record of the employment of prisoners and the manner in which they have been so employed daily.

21. The gaoler shall control and regulate the receipt and disposal of all articles used in the prison. He shall make out and transmit to the Government Secretary any return as directed by the latter so to do.

22. He shall superintend generally the distribution of the working parties and shall either by himself or by his assistant make frequent visits to the working parties and see that the prisoners are kept steadily to their labour and shall see that all prisoners are searched before being locked up for the night.

23.—(1.) When proceeding in the course of his duties as Gaoler to any part of the works outside the prison or when leaving the prison on any other occasion not covered by Paragraph (2) of this regulation the Gaoler shall leave the next senior prison officer on duty to attend to the Gaoler's duties with instructions where he is to be found in case his presence is required.

(2.) When a Gaoler has duties to perform under any additional Government appointment held by him he shall before leaving the prison in the exercise of those duties leave the prison officer next in seniority to him to attend to his duties as Gaoler during his absence and in addition shall carry out any standing or special instructions which may be given by the Government Secretary to Gaolers in such circumstances.

24. He shall immediately report to the Government Secretary every circumstance which may come to his knowledge likely to affect the safety health or comfort of prisoners the efficiency of the officers and every matter which may require the attention of the Government Secretary.

25. He shall make enquiry weekly as to the condition of prisoners who have been removed to hospital for treatment.

26. He shall see that all subordinate officers are instructed in their duties and responsibilities.

27. He shall be responsible for the strict carrying out of these regulations and all orders and instructions that may be issued for his guidance by the Lieutenant-Governor<sup>(2)</sup> Government Secretary visiting justice and visiting medical officer.

28. He shall give a receipt for all prisoners and shall carefully file all warrants of commitment.

29. He shall see that the prison and the prisoners and the subordinate officers are kept in a cleanly state and that the walls and cells are swept and cleaned daily.

30. He shall at all times maintain an absolute control over all prisoners and permit no disobedience and all prisoners shall have ready access to him and he shall hear with patience any complaints they may make to him.

31. He shall be the medium of communication between any superior authority or person outside the prison and the officers and the prisoners within it and shall forward without delay to the Government Secretary any report petition or complaint he may receive addressed to a superior authority with such remarks or explanations as he may think fit to offer.

32. He shall permit visits to the prisoners in accordance with these regulations and shall have authority if he suspects any intending visitor of trying to convey unauthorized articles into the prison

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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to direct him to be searched before admission to the prison and upon the refusal of such visitor to be searched may decline to admit him.

33. The gaoler will be careful that the moneys and properties of prisoners on remand or awaiting trial are not used for any purpose without the consent of the Lieutenant-Governor.<sup>(2)</sup>

34. He shall on the removal for trial to his prison from any other prison of any person committed for trial report the same forthwith to the Registrar of the Central Court.<sup>(2)</sup>

35. The gaoler in charge of a prison shall have the right at any time to seek the advice of the Government Secretary upon any question connected with his prison and to act in accordance with such advice. Provided that such advice shall not be contrary to anything contained in the *Prisons Ordinance, 1919*,<sup>(4)</sup> or these regulations. All advice received by a gaoler in the manner aforesaid shall be recorded in the journal.

### THE VISITING MEDICAL OFFICER.

36. The visiting medical officer shall visit and inspect every part of the prison at the times provided in the *Prisons Ordinance, 1919*,<sup>(4)</sup> and enter in the prison journal the result of such inspection recording therein any observations he may think fit on the want of any cleanliness drainage warmth ventilation on the quantity of provisions clothing bedding quantity or quality of water or any other matter which may concern the health of the prisoners.

37. He shall as often as is practicable examine the food of the prisoners and of the subordinate officers cooked and uncooked and shall enter in the prison journal his observations with regard to the quality of the food.

38. He shall separately examine any prisoner as soon after his admission as possible and shall enter in the journal an account of the state of any prisoner whom he deems unfit to carry out a sentence of hard labour and his recommendation with regard to such prisoners.

39. He shall examine separately each and every prisoner and subordinate prison officer once at least in every month and he shall record in the complaining sick book the name of every prisoner and subordinate officer who is sick the name of his disease a description of the medicines and diet and any other treatment which he may order for such prisoner or subordinate officer.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(4) Now the *Prisons Ordinance, 1919-1930*.

40. He shall be present at every execution which may take place within the prison.

41. All orders made by the visiting medical officer for the special dieting and treatment of any prisoner shall be given in writing to the gaoler and must be strictly complied with.

42. On the death of any prisoner he shall enter in the prison journal the particulars viz. at what time the deceased was taken ill when the illness was first communicated to the medical officer the nature of the disease the date when he last saw the deceased (if deceased was previously on sick list) time of death appearance after death (in cases where a post mortem examination has been made) and any special remarks which appear to him requisite or advisable. A report should also be forwarded to the Government Secretary on the form provided for the purpose.

43. He shall examine when required all candidates for employment as prison officers who may be sent to him for that purpose and shall report to the Government Secretary whether they possess the necessary qualifications as to health and strength to perform their work.

44. On the appearance of any infectious disease in the prison he shall immediately advise the Government Secretary and the Chief Medical Officer of the Territory and shall take steps to preserve prisoners against it and shall superintend the measures necessary for the purpose.

45. He shall give written directions for separating prisoners having infectious complaints or suspected of having them and for cleansing disinfecting or destroying any apparel or bedding.

46. He shall report in writing to the Government Secretary the case of any prisoner to which he thinks it necessary on medical grounds to draw attention and shall make such recommendation as he deems needful for the alteration of the discipline of the prisoners or for the supply of additional articles to the prisoners.

47. Whenever the visiting medical officer is of opinion that the life of any prisoner will be endangered by his continuance in prison or that any sick person will not survive his sentence or is totally and permanently unfit for prison discipline he shall state the opinion and the grounds thereof in writing to the Government Secretary for the consideration of the Lieutenant-Governor.<sup>(2)</sup>

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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

49. The visiting medical officer shall report to the Government Secretary any irregularities in the prison with regard to sick prisoners which may come to his notice or any difficulty or obstruction or disobedience of his orders which he may meet with from prison officers in the performance of his duty.

50. The introduction of intoxicating liquor into the prisons of the Territory is strictly prohibited and the visiting medical officers are requested not to prescribe intoxicating liquor of any description unless the nature of any particular case absolutely demands the use of the same and when such liquor is ordered by him he shall as soon after as possible report in writing to the Government Secretary his reason for such order.

51. When a prisoner is removed from the prison to a hospital the gaoler shall forward with him an application in writing for admission giving the prisoner's name number and all particulars. A copy of this application shall be filed by the gaoler in the prison office. On the discharge of the prisoner from the hospital or in case of his death in hospital the medical officer in charge of the hospital shall forward to the gaoler a certificate of discharge or a certificate of death (if such can be issued) and the gaoler shall cause the same or a copy thereof to be filed with the application for admission.

52. The visiting medical officer shall on the 30th June in each year forward to the Government Secretary a report dealing with the health sanitation food and water supply and shall give statistics of all prisoners and subordinate officers medically treated by him during the year the diseases treated and the number of prisoners contracting diseases before and after admission to the prison and the names of such diseases together with a list of deaths and the cause thereof of prisoners during the preceding year.

53. He shall conform to the regulations of the prison and shall support the gaoler in the maintenance of discipline and order and safe custody of the prisoners.

### VISITING JUSTICES.

54. The duties of visiting justices are laid down in the *Prisons Ordinance, 1919*,<sup>(4)</sup> and in these regulations.

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(4) Now the *Prisons Ordinance, 1919-1930*.

55. The gaoler shall not accompany the visiting justice in his visits of inspection round the prison nor shall he be present at the inspection and interrogation of prisoners by the visiting justice but the gaoler shall be within easy call should his presence be required by the visiting justice.

56. The visiting justice shall on every visit see and interrogate each and every prisoner confined within the prison at the time of his visit and shall be supplied by the gaoler with all particulars he may require with regard to prisoners who are away from the prison precincts on public works or in hospitals or elsewhere.

57. The visiting justice shall whenever possible be accompanied by his own interpreters and shall not unless it is absolutely impossible to obtain other interpreters use any prison officer as interpreter.

58. He shall on every visit hear any complaint which any prisoner may wish to make to him and shall specially enquire into the condition of those prisoners who are secured in leg-irons or handcuffs.

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

60. A visiting justice's minute book shall be provided at the prison in which the visiting justice shall record his visits the circumstances under which any prisoner may be sentenced to punishment by him and enter any remarks and suggestions which he may have to make. This book shall be transmitted by the gaoler of the Badili prison to the Government Secretary monthly and by other gaolers on request.

#### DUTIES OF FEMALE WARDERS.

61. In every prison where female prisoners are confined a female warder shall be appointed. The female warder shall reside in the prison and have the care and superintendence of all female prisoners.

62. Unless prevented by unavoidable necessity she shall see every female prisoner at least once in every twelve hours.

63. She shall not be absent from the prison at night without the permission of the gaoler.

64. She shall pay special attention to female prisoners who are ill and shall report to the gaoler any cause of illness that occurs.

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65. She shall at once report to the gaoler any breach of prison regulations committed by female prisoners or any complaints made by them to her and she shall prevent all communication between the female prisoners under her charge with any person (prisoner or otherwise) of the opposite sex.

66. No male subordinate officer shall enter the female prison unless on duty and accompanied by the female warder or under the actual supervision of the gaoler or other European prison officer or unless there is an absolute necessity for doing so.

### DUTIES OF SUBORDINATE PRISON OFFICERS.

67. Subordinate prison officers shall wear such uniform as shall be approved by the Lieutenant-Governor.<sup>(2)</sup>

68. The duties of subordinate prison officers shall be:—

- (a) To prevent the escape of prisoners;
- (b) To prevent prisoners contravening any of the prison regulations;
- (c) To conduct prisoners to and from their work when working inside or outside of the prison;
- (d) To keep prisoners at their appointed work inside or outside the prison;
- (e) To supervise the prisoners at all times in their cells and wards especially so as to ensure safety cleanliness and decency.

69. No subordinate prison officer shall leave the prison or absent himself from duty without the permission of the gaoler.

70. Every subordinate officer shall report to the gaoler every breach of prison discipline or regulations by any officer or prisoner which may come to his knowledge.

71. A subordinate officer shall not use violence to any prisoner except in self-defence or in defence of some other officer or prisoner or visitor or when unavoidably necessary to prevent escape or to preserve the peace.

72. He shall treat prisoners with kindness and humanity and shall not favour any prisoner more than another and shall listen patiently to and report their grievances but he shall be firm in maintaining order and discipline and in enforcing complete observance of the prison regulations.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

73. No subordinate officer shall punish or inflict any privation upon any prisoner.

74. No subordinate officer shall unnecessarily converse with a prisoner nor allow any familiarity towards himself or any other officer nor shall he on any account speak of his duties matters of discipline or of his own private affairs in the hearing of prisoners.

75. On proceeding with prisoners to their labour the subordinate officer in charge of each party shall count the number of prisoners therein as they are told off and repeat the number aloud to the gaoler or other appointed officer in charge of the distribution after which the subordinate officer in charge of the party shall be responsible for the safe custody and regular conduct of such prisoners in the work and especially that they do not straggle go out of his sight or hold communication with any person unconnected with the prison or in any way get possession of unauthorized articles.

76. It shall be the duty of the subordinate officer in charge of a party of prisoners when proceeding to or returning from their labour or when it is necessary to move them about to see that the prisoners walk in double file and that there is no breaking of ranks or lagging or shuffling and the subordinate officer shall always walk at the rear of the file. He shall march the prisoners on the road and shall not allow them to use the footpath.

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

78. No subordinate officer entrusted with keys shall take them out of the prison or leave them lying about but shall when leaving the prison on any occasion deliver keys to such officer as may be authorized to receive them.

79. No subordinate officer who has been assigned night duty shall leave the precincts of the prison or sleep during his hours of duty but shall at intervals make a tour of the prison premises in such a manner as not to disturb the rest of the prisoners.

80. No subordinate officer shall give or cause to be given to any prisoner any tobacco or betel nut unless with the permission of the gaoler.

81. A subordinate officer shall not receive visitors within the prison without the permission of the gaoler.

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82. A subordinate officer shall not receive presents from the friends or relatives of any prisoner unless expressly authorized by the gaoler.

83. Any subordinate officer on entering the prison service may be employed in any prison in the Territory wherever it may seem fit to the Government Secretary to employ him.

84. All subordinate officers shall live in such quarters as the Government Secretary may assign to them. They shall not sleep out of such quarters without the permission of the gaoler.

85. No subordinate officer shall on any account enter prisoners' cells or wards at night unless in the course of duty.

86. No subordinate officer shall by word gesture or demeanour do anything which may tend to irritate a prisoner.

87. No subordinate officer shall make any unauthorized communication concerning the prison or prisoners to any person whatever and any officer making any such communication shall be liable to dismissal.

88. If a subordinate prison officer be guilty of any of the following offences, namely:—

- (1) Coming late on duty;
- (2) Leaving a cell or door or gate unlocked;
- (3) Entering prisoner's cell<sup>(5)</sup> at night contrary to orders;
- (4) Allowing any unauthorized person to communicate with a prisoner;
- (5) Leaving keys in a door or lying about;
- (6) Cursing swearing or using indecent or immoral language;
- (7) Neglecting to guard supervise or attend prisoners under his charge;
- (8) Speaking of the prison arrangements in the hearing of a prisoner or of any person not connected with the prison;
- (9) Carelessly searching or neglecting when necessary or directed to search a prisoner or a visitor;
- (10) Neglecting to have the lamps properly trimmed and burning at the proper time and place;
- (11) Neglecting to examine the cells and fastenings of the cells under his charge and to examine and search the wards cells bedding and clothing;
- (12) Allowing tools materials or other articles to be lying about out of their appointed places;
- (13) Allowing dirt to accumulate in the wards cells passages or other places under his charge;

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(5) The words "entering prisoner's cell" appeared in the regulations as published in *Papua Govt. Gaz. Semble*, "entering a prisoner's cell" was intended.

- (14) Omitting to report any misconduct breach of regulations or omission of duty in himself another subordinate officer or a prisoner or any injury done to the prison furniture or to the walls or any part of the prison;
- (15) Inattention when in charge of prisoners;
- (16) Allowing unauthorized persons to remain in the vicinity of prisoners;
- (17) Appearing on duty out of uniform or improperly or slovenly dressed or dirty;
- (18) Quitting his post without authority and before being properly relieved;
- (19) Wrangling talking of his own private affairs to or in the hearing of prisoners or making unnecessary noise either within the prison or when on duty outside;
- (20) In any way obstructing the duties of the prison;
- (21) Omitting when sick and unable to attend the prison to send notice to the gaoler;
- (22) Neglecting to count the prisoners at the times prescribed by these regulations or when directed by the gaoler;
- (23) Allowing prisoners to stray from their work neglecting to keep them in view or enforce silence amongst them;
- (24) Smoking when on duty without the permission of the gaoler;
- (25) Disobedience of or negligence in carrying out the prison regulations or any orders or directions given by proper authority;
- (26) Neglecting to keep the gates of the prison locked at night;
- (27) Allowing a prisoner to leave the prison without the order or permission of the gaoler;
- (28) Allowing unauthorized persons or improper things to go in or out of the prison;
- (29) Disobedience of orders or negligence with respect to or breach of any prison regulation not herein expressly mentioned or to any lawful order given by his superior officer or by any person in authority connected with the prison;

he shall be guilty of an offence against these regulations and shall be liable to any of the following punishments:—

- (a) A fine of any sum not exceeding half of one month's salary;
- (b) Confinement to the precincts of the prison for any term not exceeding fourteen days;
- (c) Reduction in rank as a subordinate prison officer.

Para (a) sub.  
by S.R. 1924,  
No. 4; rep. by  
S.R. 1933, No.  
9; ad. by S.R.  
1936, No. 7, r.1.

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### GENERAL DUTIES OF PRISON OFFICERS.

89. Officers shall not be absent from the prison without permission of the gaoler.

90. Officers shall not receive visitors in the prison without the permission of the gaoler.

91. Officers shall hold no communication with prisoners unless such be necessary in the execution of their duties nor shall they call a prisoner by a nickname or allow any familiarity on the part of a prisoner.

92. No officer shall strike a prisoner unless in self-defence or in defence of some officer or prisoner or visitor.

93. All officers shall observe and obey such instructions as may be issued from time to time for the better management and discipline of the prison in which they may be serving and every officer shall perform such lawful duty as may be required of him.

94. No officer on any pretence whatever through favour or mistaken notions of kindness shall fail to make an immediate report to the Government Secretary and in his absence to the visiting justice of any misconduct or wilful disobedience of these regulations.

95. The gaoler and other European prison officers and all subordinate prison officers shall always when on duty wear such uniform as may be prescribed or directed by the Lieutenant-Governor.<sup>(2)</sup>

96. Strict attention shall be paid by all officers to personal cleanliness in themselves and in the quarters allotted to them.

97. Every officer shall be responsible for the safe custody of the prisoners in his charge for the preservation of decency order cleanliness and peace among them and for their performing diligently their allotted tasks. Officers should invariably exhibit a consistent example of regard to truth and integrity even in the smallest matters. Such conduct will effectually insure the respect and obedience of the prisoners.

98. All officers must be of good moral principles and unblemished character. Intoxication or disreputable conduct of any kind will render an officer liable to dismissal.

99. Officers shall not make any unauthorized communication concerning the prison or prisoners to any person whatever and shall not

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

without authority from the Government Secretary take photographs or pictures of any part of the prison or of any prisoner or of any execution or communicate to the public press information derived from official sources or connected with his or others duties in the prison. Any disregard of this regulation shall render the officer so offending liable to dismissal.

100. Every officer shall take the utmost care to guard against accidents by fire. No lights or fires shall be left burning unnecessarily or unattended in any part of the prison. No light shall be carried at any time about the prison unless it is enclosed in a lantern.

101. No male prison officer shall enter the division of the prison allotted to female prisoners except on duty and on such occasions must be accompanied by a female warder or another prison officer.

102. Serious pecuniary embarrassment will be regarded as impairing the efficiency of an officer and if occasioned by imprudence or other reprehensible cause will be held to be an offence affecting the trustworthiness of the officer and the respectability of the prison service and the officer will forfeit his claims to promotion or increase of pay.

103. No prison officer shall give any certificate or testimonial to or in respect of any prisoner as regards his conduct in prison or otherwise unless called on for such by the Lieutenant-Governor<sup>(2)</sup> Government Secretary or visiting justice.

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104. The prison shall be kept in a cleanly state and the walls of the wards cells room<sup>(6)</sup> passages etc. shall be painted or limewashed as occasion may require. The wards cells rooms passages verandahs etc. shall be scrubbed washed or cleansed once a week or oftener if requisite.

105. No dogs pigs poultry or other animals shall be allowed access to any part of the prison.

106. The Lieutenant-Governor<sup>(2)</sup> Government Secretary and visiting justice may at any time of the day or night enter any prison and inspect any part thereof. They are also authorized to hear and inquire into any complaints of prison officers or prisoners and to examine any of the prison books records or stores.

107. The Director of Public Works or his superintendent may at any time of the day enter any prison in the performance of his official duties. A subordinate of the Public Works Department may

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(6) The word "room" appeared in the original Regulations as published in *Papua Govt. Gaz. Semble*, "rooms" was intended.

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at any time during ordinary working hours enter any prison on the written order of the Director of Public Works addressed to the gaoler to perform some necessary work.

108. The visiting medical officer may also enter any prison at any time of the day or night in pursuance of the regular duties of his office.

109. Except as herein provided no person shall be permitted to enter any prison except by the written order of the Lieutenant-Governor<sup>(2)</sup> Government Secretary or visiting justice.

110. No persons other than prisoners and prison officers and those mentioned in the preceding regulations shall be allowed to be or remain in the prison between the hours of 9 p.m. and 6 a.m.

111. No prisoner shall be employed in the service of any prison officer without the written consent of the Government Secretary.

112. No gaming shall be permitted in the prison and no cards dice or other instruments of gaming shall be allowed to be introduced into the prison.

113. Female prisoners shall be kept entirely separate from male prisoners and shall as far as practicable be confined in different buildings. If any male prisoner shall hold communication with any female prisoner or any female prisoner with any male prisoner he or she shall be guilty of a prison offence.

### ADMISSION AND DISCHARGE OF PRISONERS.

114. Immediately upon any prisoner entering the prison the gaoler or other appointed officer shall register in a book to be kept for the purpose the prisoner's full name or names and aliases (if any) sex age place of residence the offence for which he was committed to prison sentence date of expiry of sentence and prison number. All clothing money and other effects shall be taken from him and such property shall be recorded in a book kept for that purpose and called a Prisoner's Property Book.

115. All prisoners shall be searched on admission and the gaoler shall take charge of any article which it may be considered dangerous or inexpedient for the prisoner to retain.

116. Every prisoner shall at the medical officer's next visit after his admission be brought before him for examination and the medical officer shall enter in the prison journal a record of the state of health

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

of the prisoner and any observations which he may deem it expedient to make.

117. The child of a female prisoner may be received into prison with its mother provided it is being nursed at the breasts. In all such cases the authority for admission of the child shall be obtained from the committing magistrate.

118. On the discharge of every prisoner the gaoler shall deliver to him any money or other articles which were taken from him on his admission and he shall take a receipt for such money or articles in the Prisoner's Property Book. If the prisoner is unable to write another prison officer must witness the delivery and sign the book as witness.

119. Native prisoners sentenced to imprisonment for any period exceeding six months shall have their hair cut at such length as directed by the visiting medical officer or the visiting justice or in their absence by the gaoler.

Am. by S.R. 1933, No. 7, r. 1.

120. The hair of female prisoners shall not be cut on admission or afterwards unless the visiting medical officer shall consider it to be necessary for health and cleanliness and orders it to be cut. Any prison officer who acts in contravention of this regulation shall be guilty of an assault. In the case of a prison for which there is no visiting medical officer the consent of the visiting justice must be obtained and such consent entered in the prison journal.

121. No prisoner shall have his hair cut until he is sentenced to imprisonment by a court of competent jurisdiction.

122. Prisoners shall keep themselves clean and decent and shall conform to such directions as to bathing and otherwise as may be given them for that purpose. They shall also keep their cells wards and rooms in a state of cleanliness.

123. Members of the Armed Constabulary convicted of breaches of discipline only shall so far as may be practicable having regard to the prison accommodation and the circumstances of the case be kept separate and distinct from prisoners convicted of offences of an immoral dishonest shameful or criminal character.

124. Prisoners shall not be sent to hard labour if the gaoler is of opinion they are unable to perform it until the visiting medical officer or in his absence the visiting justice has certified that they are fit to undergo it.

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

126. No prisoner shall be discharged except at his own desire or upon order of the visiting medical officer whilst labouring under any acute or dangerous sickness.

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

128. Prisoners discharged from a prison other than that at which they were sentenced shall be returned to their homes at the first available opportunity. Employers of natives sentenced to imprisonment under the provisions of the Native Labour Ordinances must take delivery of such natives at the prison office on the date of their discharge.

129. Native prisoners discharged and awaiting an opportunity to be returned to their homes shall not if practicable be kept within the prison but shall be transferred to some suitable quarters and shall be provided by the prison authorities with sufficient food and bedding.

130. A prisoner shall be discharged immediately at 10 a.m. or as soon after such hour as may be practicable on the day when his sentence expires or otherwise terminates provided that a prisoner whose term of imprisonment according to sentence expires on a Sunday Christmas Day or Good Friday shall be entitled if he wishes it to be discharged on the preceding day.

### CLASSIFICATION OF PRISONERS.

131. Prisoners shall be classified as follows:—

First Class—Debtors and persons imprisoned for contempt of court or for failing to give security for the peace or for good behaviour;

Second Class—Prisoners awaiting trial or under remand;

Third Class—Prisoners under sentence of imprisonment only;

Fourth Class—Prisoners sentenced to imprisonment with hard labour.

### PRISONERS OF THE FIRST CLASS.

132. Prisoners of the first class shall be kept in a separate ward.

133. They may if the same be sufficient and decent wear their own clothes.

134. They shall not be compelled to be shaved unless needful for the purpose of cleanliness.

135. They shall be permitted to procure for themselves and to receive at proper hours food bedding and clothing but this permission shall be liable to such restrictions as the gaoler may deem necessary to prevent extravagance and undue indulgence and shall not extend to the consumption of alcoholic liquor.

136. They shall be allowed such exercise in the open air as the visiting medical officer deems necessary or expedient. If they do not entirely maintain themselves they shall not be permitted to do so in part and shall in such respect be treated as prisoners of the fourth class.

137. If they consent they may be employed in any work or labour that can be properly and conveniently performed in the prison.

138. They shall be permitted to receive letters and correspond with their friends.

#### PRISONERS OF THE SECOND CLASS.

139. Prisoners of the second class shall as far as practicable be kept apart from other prisoners.

140. Their clothes and other effects may be taken from them if necessary for the purpose of evidence connected with the prosecution or otherwise for the purpose of justice. If not required for such purpose they may wear their own clothes if they be sufficient and decent. If prison clothes are supplied such clothes shall be marked in the usual manner with the broad arrow and shall bear in addition the number of the class the prisoner is in.

141. They may be shaved if necessary for the purpose of preserving the appearance they had at the time of their examination.

142. They shall be permitted at all reasonable times to be determined by the gaoler to see their legal adviser as also any relations or friends requiring to see them in reference to their trial. They may also see other relations and friends twice in each week on such days and at such hours as the gaoler may permit or more frequently if there be special reason and the gaoler permits.

143. They may be employed in any work or labour that can be conveniently performed within or without the prison.

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144. They shall be permitted to receive letters and to correspond with relatives and friends.

### PRISONERS OF THE THIRD CLASS.

145. Third class prisoners shall be treated in prison as prisoners of the fourth class with the following modifications.

146. They shall not be compelled to be shaved unless needful for the purpose of cleanliness.

147. They shall be permitted to receive letters and to write letters at reasonable times of which the gaoler shall be the judge.

148. They shall take the amount of exercise in the open air as prescribed for them by the visiting medical officer or by the visiting justice or in their absence by the gaoler. At other times they shall remain in the prison compound or in their cells.

149. They may be given work or labour of a light description that can properly and conveniently be given within or without the prison.

150. They shall wear the clothes provided by the prison with the broad arrow and the number of their class distinctly marked thereon.

### PRISONERS OF THE FOURTH CLASS.

151. Fourth class prisoners shall be employed at such labour and at such places as any authorized person may direct.

152. They shall not be eligible to be engaged for any service in connection with the discipline or management of the prison except by special permission of the Government Secretary.

153. When not at work or labour they shall be confined to the prison compound or to their cells.

154. They shall wear the clothes provided by the prison with the broad arrow and the number of their class distinctly marked thereon.

155. They shall be permitted to receive and write letters at times to be prescribed by the gaoler.

### PRISONERS CONDEMNED TO DEATH.

156. Every prisoner condemned to death shall at least once each day at 5.30 p.m. be searched and any articles shall be removed from

him which it is considered dangerous or inexpedient to leave in his possession. He shall be confined apart from all other prisoners and be under the constant supervision of a prison officer both by day and night. The cell or room in which such prisoner is confined shall on every day at 5.30 p.m. be examined and searched thoroughly by the gaoler or a European prison officer deputed in writing by the gaoler for such duty and such officer shall satisfy himself of its fitness and safety and make an entry in the prison journal of his having done so. He shall be allowed dietary and exercise as the visiting medical officer may direct and the visiting medical officer shall visit him as often as necessary. A chaplain of the religious persuasion to which the prisoner belongs shall have free access to him as also any minister of religion for whom the condemned man shall ask admission. With the above exception no person not being a visiting justice or an officer of the prison shall have access to the prisoner except in pursuance of an order from the Lieutenant-Governor<sup>(2)</sup> or Government Secretary. The visiting justice may be empowered by the Government Secretary to give such an order. The officer who is placed in charge of the condemned prisoner shall be present during the whole of such interview.

**157.** Prisoners under sentence of death are never to be left alone day or night and a prison officer must be with them at all times.

#### FOOD CLOTHING AND BEDDING.

**158.** Prisoners shall be supplied with three meals a day according to the prescribed scale of rations. They shall be allowed for the morning and evening meals an interval of half an hour for each meal and an interval of one hour for the mid-day meal. Meals shall be supplied at 6.30 a.m. 1 p.m. and 5 p.m.

**159.** Every convicted prisoner shall receive the quantity of food prescribed by these regulations and set out in Schedule I, hereto subject to such variations as are therein specified in relation to reduced (punishment) diet or as the medical officer shall direct in writing for special cases.

Provided that prisoners (other than Europeans) accustomed to living on food different from that represented by the rations prescribed for their particular class under the said Schedule may be supplied with the rations prescribed for any other class under the said Schedule but only upon the order of the Government Secretary.

Proviso ad.  
by S.R. 1934,  
No. 15, r. 1.

**160.** If any prisoner shall complain that he has not received his proper allowance of food the gaoler or officer in charge at meal times shall immediately enquire into the complaint and the deficit if any shall be made up. Groundless complaints frequently made will be considered a breach of prison discipline and will render the prisoner liable to punishment.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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**161.** Prisoners shall except as otherwise specified be provided with and shall wear a prison dress. European prisoners and others accustomed to wearing European clothing shall be provided with a garb consisting of trousers shirt belt hat and boots of a description ordered by the Government Secretary. Native prisoners shall be provided with a white unbleached calico (or similar material) rami or waist cloth. Female prisoners shall be provided with a white unbleached calico rami and short skirt of similar material.

**162.** Prisoners shall be provided with a blanket. They shall also be provided with mosquito nets at such times and places as the Government Secretary may direct. The gaoler shall see that the clothing bedding and sleeping places of prisoners are washed and disinfected at such times as may be necessary.

**163.** Any prisoner whose health shall require it shall be allowed such other articles of clothing as may be necessary or as may be ordered by the medical officer.

**164.** The clothing of every prisoner shall be changed at least twice a week.

**165.** A prisoner in the third or fourth class shall not wear any article of clothing not provided for by these regulations and any prisoner doing so or any prison officer allowing any prisoner so to do shall be guilty of a breach of discipline.

## HEALTH AND CLEANLINESS.

**166.** Male prisoners not excepted by these regulations whose sentence exceeds one month shall unless the medical officer otherwise orders have their hair cut upon admission and afterwards monthly and in the case of Europeans shall shave at least once a week.

**167.** The blankets of prisoners shall be aired daily.

**168.** A proper room or infirmary shall be set apart for sick prisoners the separation between the males and females being strictly maintained.

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

**170.** The names of prisoners who desire to see the visiting medical officer shall be reported without delay by the gaoler to the medical officer:

171. Prisoners suspected of having infectious disease shall be separated from other prisoners and as soon as it can be done with safety shall be removed to an infectious hospital or other place set apart for such purpose.

172. The heads of all native prisoners shall be cleansed with lime in accordance with native custom on the order of the visiting medical officer or the visiting justice or in their absence by the gaoler.

173. All prisoners not employed in the open air shall have the means of taking exercise every week day in the open air within or without the precincts of the prison as the gaoler may think fit.

174. The night pans shall be kept clean and their contents disposed of according to orders. When earth closets are provided the gaoler will specially see that they are used according to instructions.

175. No filth or offensive matter shall be suffered to remain in the prison compound yard or premises and rubbish not required for use in the prison must be taken outside the prison compound daily and burned or otherwise disposed of.

#### CHAPLAINS AND RELIGIOUS INSTRUCTION.

176. The chaplains appointed by the Lieutenant-Governor<sup>(2)</sup> will have the spiritual care of the prisoners in their respective denominations. Only such chaplains as are appointed by the Lieutenant-Governor<sup>(2)</sup> shall be allowed to visit the prisons.

177. Chaplains may attend and shall be admitted to hold service on every Sunday Christmas Day and Good Friday. If they desire to hold service on any other Church Feast Days the Government Secretary is empowered to make the necessary arrangements if such does not interfere with the prison discipline or arrangements.

178. On a special application by any chaplain to the gaoler such chaplain may be admitted to the prison at any time. But if such visits shall interfere with the prison discipline or arrangements they shall be regulated by the Government Secretary.

179. On a special application by a prisoner any chaplain may be admitted to the prison by the gaoler and no chaplain shall be debarred at any hour of the day or night admission to any prison for the purpose of ministering to any dying prisoner.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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180. Chaplains will be expected to enter as far as may be practicable into communication with the prisoners of their own denomination especially those of the worst character and to exercise that softening and reforming influence appertaining to their sacred offices.

181. All prisoners shall on admission into prison be entered in the prison register for the services of the religious denomination to which they belong and will be required to attend the services of such denomination. Prisoners who are heathens or do not belong to any religious denomination represented by a chaplain shall not be required to attend service. But any such prisoner shall on his own request be permitted to attend any service that he may select.

182. Chaplains shall be bound by these regulations relating to intercourse with prisoners and shall not convey messages letters or information to or from prisoners and their friends nor shall they give information to persons not connected with the official staff of the prison or make public any matter that comes to their knowledge in the prison. Any complaints or charges they wish to make shall be made direct to the Government Secretary.

### VISITS TO AND COMMUNICATION WITH PRISONERS.

183. Prisoners awaiting trial or under examination shall be allowed to receive visits from their friends in the hearing of an officer between the hours of 11 a.m. and 4 p.m. on any day of the week Sunday included that the gaoler may permit and shall be allowed to see in private but in view of an officer their legal adviser on any day of the week except Sunday at any hour of the day between 8 a.m. and 4 p.m.

184. Prisoners who have been convicted by the Central Court<sup>(2)</sup> or any inferior court of competent jurisdiction shall only be allowed to see their legal adviser under special circumstances and upon permission having been first obtained from the Government Secretary or visiting justice for that purpose. Upon such permission being applied for the nature and object of such visit shall be stated with sufficient precision to enable the Government Secretary or visiting justice to judge whether or not the visit is one which should be allowed.

185. Prisoners awaiting trial or under examination may also receive and write letters whenever they desire to do so. All correspondence to or from untried prisoners except such as may pass between their legal advisers and themselves shall be read and initialled and dated by the gaoler.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

186. Prisoners of the first class shall be allowed a visit of half an hour on Tuesdays Thursdays and Sundays under the usual conditions. They shall also be allowed to write and receive letters without the same being read by the gaoler unless he has reason to suspect that any breach of the Prisons Ordinance or regulations is being committed when he shall open the letters in the presence of the prisoner concerned.

187. Convicted criminal prisoners whether sentenced to hard labour or not shall not receive visits or write or receive letters from their friends until three months after the date of their conviction. Provided that their conduct be good they shall be allowed three months after conviction to receive visits on the first Sunday in each month. Such visits shall not exceed half an hour's duration.

188. No convicted prisoner shall receive a visit from more than one person at a time except when the visitors are in relationship of parent sister brother wife husband or child of the prisoner.

189. The gaoler or a prison officer deputed by him shall be present during the whole of every such visit to a convicted criminal prisoner.

190. Under special circumstances the Government Secretary or a visiting justice may grant to a prisoner the privilege of receiving a visit or of writing or receiving a letter at other times than those specified in the foregoing regulations and such permission shall be entered by the gaoler in the prison journal detailing the special circumstances under which the privilege is granted.

191. The gaoler shall peruse all letters to and from prisoners except in the case of prisoners as otherwise provided by these regulations and shall initial and date such letters and if he shall deem it necessary to withhold any letter he shall forthwith lay it before the Government Secretary or visiting justice.

192. Any visitor who shall occasion disturbance or commit a breach of discipline or who shall be insolent to any prison officer or who shall refuse to retire when required to do so by any prison officer may be refused admittance to visit any prisoner and may be required to leave the prison and if he refuses to do so may be forcibly ejected therefrom.

193. All visits to prisoners except as otherwise provided by these regulations shall take place in the presence and hearing of a prison officer.

194. The gaoler may demand the name and address of any visitor to a prisoner and when he has any ground of suspicion he may search

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or direct to be searched visitors and in the case of a visitor refusing to be searched or to give his name and address may decline to admit him. Any such case he shall enter in the prison journal. Female visitors must not be searched by male prison officers.

### INDIVIDUAL SEPARATION OF PRISONERS.

195. In order to prevent any contamination by the association of prisoners any prisoner either for his own good or for the good of other prisoners may by order of the Government Secretary or of a visiting justice with the approval of the Government Secretary be separately confined. Such separate confinement shall not be nor be deemed to be of the nature usually known as solitary confinement.

### PRISON OFFENCES.

196. No punishment or privation of any kind shall be awarded against a prisoner for a prison offence except as provided for in the *Prisons Ordinance, 1919*,<sup>(4)</sup> or in these regulations. If the punishment or privation awarded consists of reduced diet the prisoner shall be relieved from performing hard labour during the period over which such punishment or privation extends.

197. The acts and omissions following if committed or done by any prisoner are hereby declared to be prison offences within the meaning of the *Prisons Ordinance, 1919*,<sup>(4)</sup> and may be dealt with under and in accordance with the provisions of the said Ordinance:—

- (1) Disobedience of prison regulations;
- (2) Common assault on another prisoner or on a prison officer;
- (3) Profane indecent insulting or threatening language or behaviour;
- (4) Insubordination;
- (5) Irreverent behaviour at Divine Service;
- (6) Idleness or negligence at work or leaving place of work without authority;
- (7) Wilful mismanagement of work;
- (8) Absence from Divine Service without leave;
- (9) Obstructing any prison officer in the execution of his duty;
- (10) Talking loudly or singing or laughing at any time after having been ordered by a prison officer to desist;
- (11) Quarrelling with any other prisoner;
- (12) Secreting any article whatever;

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(4) Now the *Prisons Ordinance, 1919-1930*.

*Prisons Regulations, 1919.*

- (13) Showing any disrespect to any prison officer or prison visitor;
- (14) Making groundless complaints;
- (15) Answering untruthfully any question put by the Government Secretary visiting justice visiting medical officer or gaoler;
- (16) Holding any communication in writing or by word of mouth or otherwise with any person not connected with the prison management and control;
- (17) Aiding or abetting the commission of any prison offence;
- (18) Refusing to give assistance to a prison officer when called upon to do so;
- (19) Doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow prisoner;
- (20) Omitting or refusing to walk in file when moving about;
- (21) Refusing to eat the food prescribed by the prison diet scale;
- (22) Eating or appropriating any food not assigned to him or taking from or adding to the portions assigned to other prisoners;
- (23) Wilfully destroying food or throwing it away;
- (24) Introducing into food or drink anything likely to render it unpalatable or unwholesome;
- (25) Omitting or refusing to keep the clothes given to him or exchanging any portion of it for the clothing of any other prisoner or losing discarding damaging or altering any part of it;
- (26) Removing defacing or altering any distinctive number or mark branded on or attached to the clothing;
- (27) Omitting or refusing to keep clothing blankets fetters cups platters or spoons or other articles of cutlery clean or disobeying any order as to the arrangement or disposition of such articles;
- (28) Tampering in any way with prison locks lamps lights or other property with which he has no concern;
- (29) Stealing the prison clothing or any part of the prison kit of any other prisoner;
- (30) Committing a nuisance in any part of the prison;
- (31) Wilfully or negligently befouling the wells tanks latrines or other places in or connected with the prison;
- (32) Damaging the trees or shrubs within the prison enclosure;
- (33) Omitting or refusing to take due care of all prison property entrusted to him;

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- (34) Omitting to report at once any loss breakage or injury which he may have accidentally caused to prison property or instruments;
- (35) Wilfully causing to himself any injury illness or disability;
- (36) Refusing or omitting to assist in suppressing violence or insubordination of any kind;
- (37) Taking part in any attack upon a prisoner or prison officer;
- (38) Omitting or refusing to help any prison officer in case of attempted escape or of an attack upon any prison officer;
- (39) Disobeying any lawful order of a prison officer;
- (40) Pretending illness;
- (41) Frivolous complaints insolence rudeness or any conduct subversive of peace order or good government of the prison;
- (42) Having unauthorized articles in his possession.

198. In the case of prisoners undergoing sentence of hard labour if in the opinion of the visiting medical officer such prisoner is unfit to undergo hard labour such medical officer may intervene by delivering to the Government Secretary a requisition stating the ground of his intervention and the hard labour shall cease wholly or partly on the order of the medical officer pending the pleasure of the Lieutenant-Governor.<sup>(2)</sup>

199. All articles found in the possession of a prisoner at any time after he has been searched on his admission into prison which have not been served out to the prisoner by an officer acting in the course of his duty shall be deemed unauthorized articles.

### MEANS OF RESTRAINT FOR PRISONERS.

200. The following means of restraint may be used in the case of any prisoner whose conduct shall be so violent as to render such action necessary:—

- (a) Handcuffs;
- (b) Leg-irons;
- (c) Waistbelt of double leather sewn together and fastened by a lock round the waist with steel wristlets at equal distances at the sides to lock the wrists therein. Weight not to exceed 4lbs. avoirdupois.

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(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

**201.** Irons shall be used only as a means of restraint or prevention of escape and not as a punishment. No prisoner shall be kept in irons in opposition to the advice of the medical officer.

**202.** The gaoler shall enter in his prison journal the name and number of any prisoner placed under restraint with the day and the hour of such restraint being put on and taken off or of change in the manner of its application.

**203.** Medical cases under treatment in hospitals shall only be restrained in such manner as the medical officer may direct. A report in each case shall be made by the medical officer in his register.

#### PRISONERS LABOUR.

**204.** Every prisoner whose sentence requires him to labour shall work at whatever kind of labour he may be appointed by the gaoler in conformity with these regulations.

**205.—(1.)** The hours of labour shall be 7 a.m. to 1 p.m. and from 2 p.m. to 5 p.m., and on Saturdays from 7 a.m. until noon. Prisoners shall only do necessary cleaning on Sundays, Christmas Day and Good Friday; on other holidays they shall work as on non-holidays unless the Government Secretary otherwise directs.

R. 205 sub.  
by S.R. 1919,  
No. 16, r. 1.

(2.) The Government Secretary may by order in writing alter the hours of labour in any prison with respect to any kind of work to be performed outside the prison, and specified in the order, to hours different from those provided for above; but so that the hours of daily labour shall not thereby be increased.

Sub-reg. (2)  
ad. by S.R.  
1922, No. 10.

(3.) Notwithstanding anything contained in this regulation prisoners may be called upon by the gaoler to work and shall work in cases of emergency in or out of the prison on any day of the year (including Sundays, Christmas Day, Good Friday and other exempted days) and at any time of the day. The gaoler shall in any such case report the circumstances fully to the Government Secretary.

Sub-reg. (3)  
ad. by S.R.  
1925, No. 10.

**206.** Prisoners liable to work but not subject to hard labour shall be employed at such hours as may be directed not exceeding eight hours per diem.

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

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

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209. Female prisoners shall be employed as far as possible within the prison premises at sewing and washing and in the case of native female prisoners scrubbing weeding and light garden work generally.

### REMISSION OF SENTENCES.

210. The following remissions of sentences for good conduct shall be granted to prisoners undergoing sentences of imprisonment:—

- (a) No remission of sentence shall be granted to prisoners sentenced to six months or less imprisonment;
- (b) Prisoners sentenced to terms of imprisonment exceeding six months shall be allowed a remission of two days in each month or part thereof;
- (c) Prisoners who have been sentenced to a second term of imprisonment shall not be allowed remission for the first twelve months but shall be allowed the remission for the remainder of their sentence on the same terms as other prisoners.

Ad. by S.R.  
1929, No. 5.

210A. A prisoner charged with misconduct shall at the visit next after the commission of such misconduct be brought before the visiting justice who upon inquiry may if he thinks fit order the forfeiture of the whole or any portion of the said prisoner's accrued remission.

### ABSENCE OF MEDICAL OFFICER.

211. If any prison within the Territory is without the services of a visiting medical officer or in the event of a visiting medical officer being absent from any cause whatever from the place where he is stationed and unable to carry out his duties as a visiting medical officer such duties shall devolve as far as is practicable upon the visiting justice of such prison and any lawful order given by a visiting justice acting in lieu of the visiting medical officer shall be obeyed by all prison officers in the same manner as if such order were given by the visiting medical officer.

## SCHEDULE I.

### SCALE OF RATIONS TO BE SUPPLIED AT ALL PRISONS.(7)

#### PRISONERS (EUROPEAN).

Rice	9lbs. per week	Tea	½lb. per week
Biscuits	3lbs. per week	Soap	½lb. per week
(or Bread)	6lbs. per week	Milk	1lb. per week
Butter	1lb. per week	Jam	1lb. per week
Meat, Fish or Soup	7lbs. per week	Salt	½lb. per week
Sugar	2lbs. per week		

3 sticks of trade tobacco to be supplied only to prisoners whose sentence is six months or over and subject to good conduct.

(7) For the scale of rations for warders, see notice dated 23.12.1940, published in *Papua Govt. Gaz.* of 2.1.1941, and printed on p. 3417.

*Prisons Regulations, 1919.*

(1) European prisoners are to be allowed potatoes, yams, taro or other vegetables in lieu of rice whenever possible and a small allowance of limejuice may be given daily.

(2) The reduced (punishment) diet for European prisoners shall consist of the above scale of rations except that the items butter, meat, fish, soup, sugar, tea, milk and jam shall be omitted therefrom.

NATIVE PRISONERS.

Rice, Peas and Wheatmeal, in equal parts (or two parts of Rice and one of Peas or Wheatmeal)	11½lb. per week	Sugar	½lb. per week
Meat or Fish }	1lb. per week	Soap	½lb. per week
		Salt	2ozs. per week
		Soda	1oz. per week

Am. by S.R. 1921, No. 4.

1 stick of trade tobacco to be supplied only to prisoners whose sentence is six months or over and subject to good conduct.

(1) Whenever possible, native vegetable foods, yams, taro, sweet potatoes or other vegetable equivalent shall be substituted for rice at the rate of 49lbs. uncooked per week.

(2) A small allowance of limejuice mixed with sugar may be given daily.

(3) Prisoners engaged on road making or other laborious labour may, by special permission of the Government Secretary, be allowed 2lbs. of meat per week.

(4) The reduced (punishment) diet for native prisoners shall consist of the foregoing scale for native prisoners except that the items meat and sugar shall be omitted therefrom.

COLOURED PRISONERS (OTHER THAN PAPUANS).

Rice, Peas and Wheatmeal in equal parts (or two parts of Rice and one of Peas or Wheatmeal)	9lbs. per week	Tea	4ozs. per week
Bread or Biscuits	3lbs. per week	Sugar	1lb. per week
Meat or Fish	2lbs. per week	Soap	½lb. per week
Dripping	1lb. per week	Salt	2ozs. per week
Curry	2ozs. per week	Soda	1oz. per week

Am. by S.R. 1921, No. 4.

1 stick of trade tobacco to be supplied only to prisoners whose sentence is six months or over and subject to good conduct.

(1) Native vegetable food, yams, taro and sweet potato and other vegetable equivalent may, whenever possible, be substituted for rice at the rate of 49lbs. uncooked per week.

(2) A small quantity of limejuice mixed with sugar to be allowed daily.

(3) The reduced (punishment) diet for coloured prisoners shall consist of the foregoing scale for coloured prisoners except that the items meat, dripping, curry, tea and sugar shall be omitted therefrom.