

THE PRISON DISCIPLINE LAW.

(CAP. 266.)

PRISON REGULATIONS.

50 Vol. II 205
53 Vol. II 41,
238.
Short title.

1. These regulations may be cited as the Prison Regulations.
2. In these regulations—

“Police prison” means any police station set apart as a prison for prisoners liable to serve a sentence not exceeding fourteen days. Definition.

PART I.

SUPERINTENDENT OF PRISONS.

3. All prisons in the Colony, other than Police prisons, shall be under the general control and supervision of the Superintendent of Prisons (hereinafter referred to as “the Superintendent”), which expression, for the purposes of these regulations, shall include his deputy, or, subject to any other direction, the senior officer in charge. Superintendent of Prisons.
4. The Superintendent may, by an instrument under his hand, delegate all or any of his powers and duties under these regulations to any other person by name or by the name of his office. Delegation of powers.
5. The prison in the town of Nicosia shall be the Central Prison and a prison (other than a Police prison) in any district other than Nicosia district shall be a district prison. Prisons.
6. As regards district prisons, the Superintendent may issue special orders and directions for observance in such prisons if, having regard to the particular conditions of district prisons, any special orders or directions appear to him to be necessary or desirable. Special provisions for district prisons.
7. Such prison officers as may be necessary for the maintenance of discipline and the efficient working of the prison shall, except where appointed by the Governor, be appointed by the Superintendent. Prison officers.
8. A female Warder shall be appointed when necessary by the Superintendent. Female Warder.
9. In the event of a prisoner being removed from one prison to another, the Superintendent may give such orders for the safe custody during transport of such prisoner as he may in his discretion think fit, and the persons in whose custody he shall be placed from the time of his leaving any prison till the time of his entering another prison shall for the time being be invested with the authority of Warders. Removal of prisoners.
10. In cases of sudden emergency, the Superintendent shall take such action and such measures as he may deem necessary, forthwith reporting the matter to the Colonial Secretary. Sudden emergency.
11. The Superintendent shall be responsible that the name of every prisoner under a life sentence, or sentence exceeding fifteen years, who has served fifteen years of his sentence or, having served ten years of his sentence, has attained, or is believed in the absence of positive evidence to have attained the age of 60, shall be submitted for the consideration of the Governor. He shall communicate this rule to every such prisoner. Prisoners must be given distinctly to understand that the submission of their names to the Governor in no way implies that any remission of sentence will necessarily be granted. Submission of names of certain prisoners to Governor.

MEDICAL OFFICER.

- To be in medical charge of prisoners.** 12. The Medical Officer of every prison shall have the medical charge of all the prisoners therein, and of their treatment when sick. He shall report from time to time as may be directed, upon the sanitary conditions of the prison, the health of the prisoners, and the health of the prison officers, and in reference to any other point in connection with the maintenance of health in the prison upon which he may be directed to report.
- Information to Prison Authorities.** 13. It shall be the duty of the Medical Officer to afford at all times information direct to the Superintendent, when required to do so, on all health matters connected with the prison and the prisoners.
- Prison rules.** 14. The Medical Officer shall make himself thoroughly acquainted with the regulations of the prison to which he is attached, so far as his own duties are concerned.
- Visits by Medical Officer.** 15. The Medical Officer shall visit the prison every day, unless prevented by some unavoidable cause, at such hour as the Director of Medical and Health Services, hereinafter referred to as "the Director of Medical Services" after consultation with the Superintendent, shall appoint. At such visit he shall see every prisoner reported to be sick, and shall direct whether he shall be sent to hospital or treated in his cell; in the latter case, he shall give directions for the treatment of such prisoner, but all prisoners suffering from serious illness shall be sent to the hospital. The Medical Officer shall also visit the prison hospital and every prisoner in punishment cell or solitary confinement, or deemed to be malingering. He shall pay such further visits during the day as the severity of the illness of any prisoner may require. And in cases of epidemic or general sickness he shall not fail to visit the prison twice every day at the least. He shall from time to time inspect the prisoners while at hard labour.
- Arrangements during absence.** 16. If prevented from attending to his duties by illness or other unavoidable cause, the Medical Officer shall communicate the circumstances without delay, and inform the Superintendent of the arrangements that have been made for the discharge of his duties.
- Journal.** 17. The Medical Officer shall keep a Journal, in which he shall enter daily the date of every visit to the prison; the name of every prisoner brought under his treatment or observation; the nature of the disease for which he is treated, and the medicines ordered for each such prisoner day by day; the names of all prisoners discharged from the hospital; the names of all prisoners in prison who are only fit for light labour; all cases of corporal punishment, whether intended or effected, with his remarks; and he shall add any observations which he may deem necessary to record in connection with each case. He shall also enter in the Journal every recommendation that he may deem it necessary to make in connection with the prison. This Journal is to be kept in the prison hospital, and shall be open to the inspection of the Superintendent and the members of the Prison Board. After each visit of the Medical Officer his Journal shall be sent to the officer in charge of the prison, for the immediate issue of such orders as that officer may find it necessary to pass. The officer in charge of the prison shall countersign the Journal and return it on the same day to the hospital.
- Visits during epidemic diseases.** 18. The Medical Officer shall visit every part of the prison once at least every week, and daily when epidemic disease exists in the neighbourhood, and shall enter in his Journal the results of such inspection, recording any want of cleanliness, drainage, warmth, or ventilation, any bad quality of the provisions and insufficiency of clothing or bedding, or any other cause which may affect the health of the prisoners.
- Water supply.** 19. The Medical Officer shall note, and, if necessary, report upon the quality, and sufficiency of the water supply. He shall specially note all defects of drains, latrines, and the conservancy management of the prison; and twice at least in each month he is to see every prisoner.

20. In the event of a prisoner's death, the Medical Officer shall furnish, with the least possible delay, the Superintendent with a certificate stating the cause of death. He shall record in a Register, which he shall keep in the hospital for that purpose, the disease, with a brief abstract of its leading characteristics, a brief abstract of the treatment, and any remarks which he may deem it necessary to offer on the general or particular characters, causes or other circumstances connected with the particular class or classes of cases, if the death be due to endemic or epidemic causes.

Death of
prisoner.

21. The Medical Officer shall recommend by entry in writing in his Journal any increase, diminution, or change of food for any particular sick prisoner, which he may deem to be necessary.

Diet for
sick
prisoners.

22. The Medical Officer shall periodically examine the food provided for the prisoners, in order to see that it is of proper quality, and shall enter in his Journal any defect in quantity or quality which he may note.

Examination
of food.

23.—(1) In the event of a prisoner refusing to take food, the Medical Officer shall consider the advisability of forcible feeding at an early stage.

Forcible
feeding.

(2) When, in the opinion of the Medical Officer, forcible feeding will shortly become necessary, he shall so inform the Superintendent and shall, if the prisoner is physically fit for this treatment, furnish a certificate in writing to that effect. If the Medical Officer is of opinion that the prisoner is unfit for such treatment he shall submit a full medical report to the Superintendent.

(3) Whenever it becomes necessary that a prisoner should be forcibly fed, he will be treated as a hospital patient, either in the hospital itself or in a cell in the general prison. A bed-head diet card and hospital case paper will be kept as is usual in hospital cases, and appropriate food will be placed in the cell or room at the usual hours.

24.—(1) The Superintendent shall keep a record of the following particulars of every prisoner who is forcibly fed :—

Particulars
of prisoners
forcibly fed.

- (a) name and age ;
- (b) particulars of commitment ;
- (c) date of refusal to take food ;
- (d) reason, if any, given by the prisoner for refusing food ;
- (e) date upon which forcible feeding is begun, and number of times fed ;
- (f) mode of forcible feeding ;
- (g) date upon which prisoner resumed taking food naturally.

(2) Where abstention from food has continued for 48 hours, the person immediately in charge of the prisoner shall forward to the Superintendent the particulars set out in items (a), (b), (c) and (d) together with a report by the Medical Officer upon the physical and mental condition of the prisoner and his fitness or otherwise for undergoing forcible feeding. The particulars set out in items (e) and (f) shall be furnished to the Superintendent by such person as soon as forcible feeding has begun and further daily reports shall be submitted to him so long as forcible feeding continues, unless instructions to the contrary are received. As soon as the prisoner resumes taking food naturally, the circumstances will be reported to the Superintendent, and a report shall be submitted from the Medical Officer as to the result of the forcible feeding upon the physical and mental health of the prisoner.

25. If, at any time, special circumstances arise with regard to the prisoner's health, which, in the opinion of the Medical Officer may interfere with the course of the forcible feeding or call for special action, a report shall at once be forwarded to the Superintendent.

Special
circum-
stances
arising out
of forcible
feeding.

Separation of prisoners having infectious complaints.

26. The Medical Officer shall give written directions for separating prisoners having infectious complaints, or suspected thereof, and for cleansing, disinfecting, or destroying any infected apparel or bedding. He shall examine every prisoner about to be removed to any other place of confinement, and report as to his being free from malignant, contagious, infectious, or other disease and as to his being in a fit state to be removed.

Reception Register.

27.—(1) The Medical Officer shall examine every prisoner on the day of his reception and shall enter in a book to be called "the Medical Officer's Reception Register" the result of the examination and the class of labour which the prisoner, having regard to his physical condition, is fit to perform.

(2) Prison labour shall be classified as follows :—

Class I.—Any kind of work including heavy manual labour.

Class II.—Work specially chosen for its light character, and subject to such qualifications as the Medical Officer may think it advisable to impose.

(3) A copy of the entry made in the Medical Officer's Reception Register shall be entered in the Prisoner's Criminal Record under the heading "Health".

(4) The Superintendent in consultation with the Medical Officer shall decide under which category of labour the several occupations available in the prison shall be classified.

Discharge of diseased prisoners.

28. If a prisoner about to be discharged is found to be suffering with any acute or dangerous disease, he shall on his discharge be removed to the nearest civil hospital, as soon as this can be done with safety to the patient, unless other arrangements have been made for the reception of the prisoner by his relations or friends.

Corporal punishment only after examination.

29. No corporal punishment shall be inflicted upon any prisoner until he has been examined by the Medical Officer and certified by him to be in a fit state to receive such punishment, and no prisoner shall undergo corporal punishment except in the presence of the Medical Officer, whose duty it shall be to interpose if it shall appear to him that the full amount of the sentence cannot be inflicted without danger of serious injury.

Prisoners unable to undergo corporal punishment.

30. When the Medical Officer considers that a prisoner is unable to undergo all or any portion of the corporal punishment to which he is sentenced he shall report the particulars of the case for the information of the Director of Medical Services, furnishing a copy of such report to the Superintendent.

Return of sickness and mortality.

31. An Annual Return of the sickness and mortality in the prison under his charge shall be forwarded by the Medical Officer before the end of every January to the Director of Medical Services, a copy of the same being at the same time forwarded to the Superintendent. The return shall embrace a numerical detail of the admissions, discharges, and deaths in the hospital during the past year, as well as a general report on all matters worthy of record in connection with the health of the prisoners.

Orders of Medical Officer.

32. It shall be the duty of the prison officers employed in the hospital to see that the orders of the Medical Officer are carried out.

Medical stores.

33. The Medical Officer shall take care that all medical stores are properly secured and are not accessible to any prison orderly or attendant.

Records by Medical Officer.

34. The records which the Medical Officer is required to keep by these rules are records of the prison, and shall not be removed or destroyed without reference to the Governor.

Director of Medical and Health Services.

35. The Director of Medical and Health Services shall be allowed free access to any prison within the Island, and is authorized to make such inquiries as he may deem proper with regard to all matters coming within the range of the duties of the Medical Officer attached to the prison.

36. The Medical Officer shall report to the Superintendent the case of any prisoner to which he may think it necessary on medical grounds to draw attention, and if he is of opinion that the further detention of a prisoner is dangerous to his life, or that a prisoner is suffering from an incurable disease, the aforesaid officer shall without delay transmit a full medical statement of the case to the Superintendent who shall immediately forward it with his remarks to the Colonial Secretary for such action as the Governor may consider necessary.

Special reports by Medical Officer.

37. All new cells and buildings within the prison shall, before or on occupation by prisoners, be certified by the Medical Officer and Superintendent as fit for the purposes to which they are to be applied, such certificate to be forwarded to the Colonial Secretary.

Condition of cells and buildings.

PRISON STAFF.

GENERAL SUPERVISION.

38. The prison staff shall be under the immediate charge and supervision of the Superintendent who shall have power and authority—

Superintendent to be in charge of prison staff.

- (a) to issue such directions and give such orders as to him may seem fit for ensuring the maintenance of order and discipline in the prisons and the due observance of the regulations ;
- (b) to assign to the several members of the prison staff such duties in connection with the prison and the prisoners, as to him may seem fit,

and such directions and orders shall be complied with and observed by every member of the prison staff and every such member shall carry out the duty or duties assigned to him as hereinbefore provided.

39. Every member of the prison staff shall acquaint himself with the Prison Regulations and arrangements so as to be conversant with every detail and, subject to any special direction or order issued or given by the Superintendent and, having regard to the duty or duties assigned to him, shall—

General duties of prison staff.

- (a) obey the commands of his superior prison officers in the performance of his duties ;
- (b) take care that every prisoner, on admission, is put into a reception cell and strictly searched, and that all knives, weapons, instruments, money, tobacco or anything forbidden by the rules, or in the opinion of the Superintendent objectionable, or anything likely to facilitate escape, be taken from such prisoner ;
- (c) on the admission of a prisoner, record on the prisoner's record sheet the name, age, height, features, particular marks, nationality, and general appearance of such prisoner, with anything worthy of notice ;
- (d) take care that all articles taken from prisoners, with their clothes and other effects shall be entered in the Prisoners' Property Book with the date of their receipt and restoration, and that all such property shall be kept in a suitable place to be provided for the purpose, and shall be restored to the prisoner on his discharge ;
- (e) take care that prisoners have an opportunity of making complaints or requests to him, and he shall either deal with the grievance, or shall report the same to the Superintendent ;
- (f) frequently visit the workshops, yards, and corridors, and see that the prisoners are kept at their work. He shall also occasionally visit the wards without previous notice during the night, to ascertain that the officers on duty are on the alert. He shall diligently observe the behaviour of all subordinate officers and see that they strictly adhere to the rules, and shall report immediately to the Superintendent any neglect or misconduct that may come to his knowledge ;