

JM301

PRISONS ACT 1981
PRISONS AMENDMENT REGULATIONS 1997

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Prisons Amendment Regulations 1997*.

Commencement

2. These regulations come into operation on the day on which the *Prisons Amendment Act 1995* comes into operation.

Part XIA inserted

3. After Part XI of the *Prisons Regulations 1982** the following Part is inserted —

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PART XIA — CANINE SECTION

Interpretation of Part

81A. In this Part —

“**allocated**” means allocated in accordance with regulation 81B (2) (a);

“**approved**” means approved in writing by the chief executive officer;

“**canine section**” means the canine section referred to in regulation 81B;

“dog handler” means a prison officer who is a member of the canine section;

“prison dog” means a dog approved in accordance with regulation 81C.

The canine section

81B. (1) There shall be a canine section which comprises —

- (a) prison officers trained as dog handlers, in accordance with a training programme approved by the chief executive officer; and
- (b) prison dogs.

(2) The officer in charge of the canine section shall be responsible for —

- (a) the allocation of the responsibility for each prison dog to a particular dog handler; and
- (b) the deployment of prison dogs and dog handlers.

Prison dogs

81C. (1) A dog is approved for use by a prison officer in carrying out drugs searches for the purposes of the definition of “prison dog” in section 49A of the Act if that dog —

- (a) has completed an approved training programme; and
- (b) is approved for use as a prison dog, following completion of an approved assessment course.

(2) The chief executive officer shall not approve a dog for use as a prison dog unless the last former owner of the dog, if known, has relinquished in writing all rights to the dog.

Authorized manner for prison officer to use prison dog

81D. For the purposes of section 49A (2) of the Act, a prison dog shall be taken to have been used by a prison officer in an authorized manner if —

- (a) the prison officer is the dog handler who has been allocated responsibility for the prison dog;
- (b) the dog is under the control of the dog handler; and
- (c) the use of the prison dog is in accordance with any relevant rules.

Particular duties of dog handlers

81E. (1) A dog handler who has been allocated responsibility for a particular prison dog is to ensure that no other person has access to, or control of, that dog, other than in accordance with the directions of the officer in charge of the canine section.

(2) The dog handler who has been allocated responsibility for a particular prison dog shall —

- (a) be responsible for the daily care, handling and training of that dog;
- (b) so far as is practicable, ensure that the dog maintains a high level of obedience at all times; and

- (c) report any problems with the dog to the officer in charge of the canine section.

(3) A dog handler who has been allocated responsibility for a particular prison dog shall keep that dog on a lead at all times except —

- (a) in emergency circumstances; or
- (b) when, in the opinion of the handler, leaving the dog off a lead does not pose a risk of the dog attacking any person.

Periodic inspections of operations of canine section

81F. The chief executive officer shall ensure that periodic inspections of the operations of the canine section are carried out by an appropriate officer.

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[Reprinted as at 31 January 1997.]*

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.