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Crown Law Department,
Perth, 25th July, 1961.

THE undermentioned Regulations made under the provisions of the Prisons Act, 1903-1954, and amended from time to time prior to the 5th May, 1961, are reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Acting Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

PRISONS ACT, 1903-1954.

PRISONS ACT REGULATIONS.

(Published in the *Government Gazette* on the 23rd August, 1940, and incorporating the amendments published in the *Government Gazette* on the 26th June, 1942; the 27th August, 1943; the 9th February, 1945; the 3rd February, 1956 and the 13th November, 1959, and reprinted pursuant to the provisions of the Reprinting of Regulations Act, 1954.)

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Acting Minister for Justice dated: 25th July, 1961.

PRISONS ACT, 1903-1954.

Regulations relating to the Management and Control of the Prisons of Western Australia.

Part I—Preliminary.

1. These regulations may be cited as the Prison Regulations, 1940.

2. These regulations are divided and sub-divided as follows:—

PART I—PRELIMINARY—Regs. 1-4.

PART II—GOVERNMENT OF PRISONS.—Application of this Part—Reg. 5.

Division I—Officers.

(A) Officers generally.—Regs. 6-45.

(B) Classification and duties of officers:

(i) Officer in Charge.—Regs. 46-49.

(ii) Chief Warder.—Reg. 50.

(iii) Principal Warders.—Reg. 51.

(iv) Warders.—Regs. 52-71.

(v) Armed warders and sentries.—Reg. 72.

(vi) The Matron and female officers.—Reg. 73.

(vii) Night officers.—Reg. 74.

(viii) Storekeeper.—Reg. 75.

(ix) Trade instructors.—Reg. 76.

(x) Gatekeeper.—Reg. 77.

(C) Uniforms.—Regs. 78-81.

(D) Outstations.—Reg. 82.

(E) Offences by Officers.—Regs. 83-90.

(F) Medical Officers.—Regs. 91-92.

(G) Chaplains.—Reg. 93.

(H) Prison Visitors.—Regs. 94-101.

Division II—Prisoners.

(A) Treatment of Prisoners:

(i) Admission, discharge and removal.—Regs. 102-110.

(ii) Prohibited articles.—Reg. 111.

(iii) Clothing and Bedding.—Regs. 112-117.

(iv) Food.—Regs. 118-119.

(v) Health and cleanliness.—Regs. 120-125.

(vi) Employment and daily routine.—Regs. 126-133.

(vii) Religious instruction.—Regs. 134.

(viii) Education.—Reg. 135.

(ix) Visits and communications.—Regs. 136-137.

(x) Prison discipline.—Regs. 138-148.

(xi) Complaints by prisoners.—Regs. 149-150.

(B) Classification, remission, and privileges.—Regs. 151-155.

- (C) Offences under sections 62 and 63 of the Act by persons other than officers.—Regs. 156-157.
- (D) Special rules as to particular classes of persons:
 - (i) Female prisoners.—Reg. 158.
 - (ii) Offenders of the First Division.—Reg. 159.
 - (iii) Prisoners under sentence of imprisonment only.—Reg. 160.
 - (iv) Prisoners under sentence of death.—Reg. 161.
 - (v) Chinese prisoners.—Reg. 162.
 - (vi) Prisoners unconvicted of crime detained for safe custody.—Reg. 163.
 - (vii) Prisoners awaiting trial or under remand.—Regs. 164-181.
 - (viii) Debtors.—Regs. 182-194.

PART III—REFORMATORY PRISONS.—Regs. 195-256.

PART IV—PARDELUP PENAL OUTSTATION.—Regs. 257-267.

3. All regulations made heretofore under the provisions of the Prisons Act, 1903-1954, are hereby repealed.

4. In these regulations, unless the contrary intention appears—

“Act” means Prisons Act, 1903-1954;

“Assistant Matron” means a female officer below the rank of matron;

“Board” in Part III means the Indeterminate Sentence Board constituted under Part IVA of the Act;

“Comptroller General” means the Comptroller General of Prisons or other persons duly appointed to act on his behalf;

“Matron” means the principal or only female officer in a prison;

“Minister” means the principal Minister of the Crown for the time being administering the Act;

“Medical Officer” means the Medical Officer of the prison or the District Medical Officer of the district in which the prison in respect of which the term is used is situated;

“Officer” includes any person employed in a prison other than a prisoner, except in Part IV of these regulations, where it means any disciplinary officer below the Officer in Charge;

“Officer in Charge”—

(a) in Part II of these regulations means the superintendent, gaoler, keeper or other officer in charge of the prison or of an outstation in respect of which the term is used.

(b) in Part III of these regulations means the Officer in Charge of a reformatory prison.

(c) in Part IV of these regulations means the Officer in Charge of the Pardelup Prison Farm;

“Outstation” means a penal outstation of a prison where a party or gang of prisoners is detached from some prison to perform some particular work in a locality where a permanent prison is not established;

“Prison” includes any gaol, police gaol, reformatory prison or penal outstation;

Reg. 4
amended by
G.G.
13/11/1959,
p. 2827.

"Prison farm" means the Pardelup Prison Outstation, and includes the afforestation area;

"Reformatory" means reformatory prison;

"Superintendent" means the superintendent of the Fremantle Prison;

"Visiting Justice" means a visitor who is also a Justice of the Peace;

"Visitor" means a person appointed by the Governor as a visitor under Part III of the Act;

"Warder" includes every disciplinary officer below the rank of Chief Warder and also includes warders acting as instructors.

PART II.—GOVERNMENT OF PRISONS.

5. Except as otherwise provided, the provisions of this Part of these regulations shall, so far as practicable, apply to all prisons.

Division I.—Officers.

6. There shall be kept in each prison an "Order Book", in which shall be recorded all rules and instructions from time to time made by the Comptroller General, providing in detail and in minor matters for the duties of the officers and management of the prison, and each such entry shall be initialled when read by the officers concerned, to whom the order book shall be accessible at all times.

7. These regulations are subject to the provisions of any Industrial Agreement or Award under the Industrial Arbitration Act, 1912-1952, in force for the time being, and applicable to any officers as herein defined.

(A)—Officers Generally.

8. So far as their respective duties extend, officers shall observe all rules and regulations, orders and instructions and see that all rules, regulations and orders are observed and strictly carried out, and shall not fail either from favour or mistaken notions of kindness, or for any other reason, to report without delay through the proper officer any instance of neglect of duty, disobedience of orders, or other misconduct on the part of any other officer or of any prisoner in the prison or on the works which may come under their notice.

9. An officer shall on no account punish a prisoner except as prescribed by these regulations.

10. An officer shall not unnecessarily converse with a prisoner, or allow any familiarity on the part of a prisoner towards himself or any other officer, or speak of his duties or of any matters of discipline or prison arrangements within the hearing of a prisoner.

11. An officer shall at all times treat his superiors with respect and his subordinates with courtesy. He shall be respectful to persons employed on public works, and shall afford them all proper assistance in authorised works, taking care in so doing not to lose sight of the regulations or special orders which he may, from time to time, have received.

12. An officer shall see that the prisoners in his charge are industrious at all times, and that no disrespect is shown by them to the officers or persons employed in other departments with whom they may be brought in contact, and he shall not allow such officers to unnecessarily converse with a prisoner.

13. An officer entrusted with keys shall not take them out of the prison, leave them lying about, lend them to any officer on any pretext whatever, or hold them in such a position that a prisoner may make or take a mental note of their size and make; and shall, when leaving the prison on any occasion, deliver his keys to the officer authorised to receive them, and without such delivery he shall not be permitted to leave the prison.

14. An officer shall not remain in the prison when not on duty.

15. All officers shall reside in the quarters provided for them unless otherwise permitted, when they may be required to reside within such a distance from the prison as the Comptroller General may consider convenient.

16. An officer shall not receive any visitors to him within the precincts of the prison or when on duty outside the prison walls.

17. An officer occupying Government quarters shall make application to the Comptroller General and receive permission before allowing any person not being a member of his family to reside in his quarters, and such permission shall be for a limited period to be stated.

18. An officer occupying Government quarters shall not permit any person not a member of his family, or a person residing with him pursuant to regulation 17, to remain for the night in such quarters without the permission of the Officer in Charge. Lodgings shall not be let in such quarters on any pretext. Without permission neither he nor any other person shall keep a school, or carry on any business therein, or in the house he is occupying for which he receives an allowance in lieu of quarters.

19. An officer occupying Government quarters shall see that every care is taken to keep the same in good order and condition and in a thorough state of cleanliness both inside and in the yards and offices attached. Such quarters are, from time to time, liable to be inspected, and any damage or neglect or want of cleanliness will be duly noted. Any damage over and above fair wear and tear will render the officer occupying such quarters liable to be charged with the cost of repairs or renovations.

20. An officer shall not give an order on or assignment of his salary in favour of any person who has advanced him money or given him credit.

21. Monetary transactions between officers are forbidden, and all officers are strictly forbidden to incur pecuniary obligations to their subordinates.

22. Officers are prohibited from seeking the influence or interest of any person in order to obtain promotion, removal, or other advantages.

23. No address or testimonial shall be accepted by any officer in connection with his public duties without the sanction of the Comptroller General.

24. No officer, without the authority of the Comptroller General, shall have or carry out any pecuniary or other business transaction with or on behalf of any prisoner.

25. No officer shall correspond with, or hold any intercourse with a prisoner or the friends or relations of any prisoner, unless expressly authorised by the Officer in Charge. No officer shall make any unauthorised communication concerning the prison to any person whatsoever.

Provided that an officer may communicate to the members of his Union such information as is necessary to enable action to be taken on the part of such Union to obtain by lawful means the redress of any grievance under which such officer is suffering in connection with his official position. For the purpose of this regulation "Union" means The Western Australian Gaol Officers' Union of Workers.

26. No officer shall without authority bring into or carry out from any prison, or knowingly allow to be brought into or carried out from any prison, any article whatsoever.

27. An officer shall not directly or indirectly have any interest in any contract or agreement for the supply of the requirements of any prison. He shall not receive, directly or indirectly, under any pretence whatever, any fee or gratuity or present from any contractor or person tendering for any contract for the supply of goods, or from any prisoner or prisoner's friend, or from any person visiting the prison.

28. (a) No officer, and no other person, shall without lawful authority (the proof of which shall be upon him) bring or attempt by any means whatever to introduce into any prison any spirituous or fermented liquor, tobacco or opium, or any provisions, clothing, letters or papers, or any other prohibited article.

(b) No officer shall without lawful authority (the proof of which shall be upon him) suffer any spirituous or fermented liquor, tobacco or opium to be sold to or used by any prisoner.

(c) For any breach of this regulation an offender on summary conviction shall be liable under the provisions of section 62 of the Act to imprisonment for not exceeding six months or to a penalty not exceeding fifty pounds, or to both, of such punishments; and if the offender is an officer he shall in addition to any other punishment be liable under the said section 62 of the Act to forfeiture of his office and all arrears of pay due to him.

29. With the exception of those officers who cannot leave their post of duty, no officer shall partake of his lunch or other meal in any part of the prison other than the Guard Room.

30. An officer shall not use tobacco or intoxicating liquor within the prison walls, except under such restrictions as to time and place as may be approved by the Comptroller General.

31. All wrangling and disputes about points of duty between officers are forbidden. Any question of this kind must be referred, at a convenient time, for the decision of the Officer in Charge. All complaints by one officer against another must be made in writing, through his immediate superior, to the Officer in Charge. Such reports must be delivered within twenty-four hours of the occurrence complained of, otherwise they will not be received; and if it should be found that such complaints are frivolous or vexatious or arise from a spirit of ill-feeling, malice, or revenge, a minute thereof is to be entered in the "Officers' Misconduct Book," and a report made to the Comptroller General.

32. Any officer having any grievance connected with his duty or office must state the same in writing, for the decision of the Officer in Charge, or, if necessary, for an appeal to a higher authority. Any other proceedings on the part of such officer for this purpose will render him liable to be dismissed, or to such other penalty as the case may deserve.

33. Any officer (excluding probationary warders) incapacitated for the regular performance of duty by illness, must give, or send, immediate notice to the Officer in Charge, who shall have power to give sick leave upon the report of the Medical Officer, for a period not exceeding one week. The sick leave may be renewed weekly upon a similar report; but if, at the end of one month, reckoned from the date of first leave, the officer has not resumed duty, and is unable to perform it effectually, further leave shall be without pay unless otherwise approved by the Minister. An officer going on sick leave after tendering his resignation shall receive no pay for such period, unless his sickness is caused by accident or incurred whilst in the execution of his duty. An officer who is suspended from duty, and afterwards restored to his office, shall be entitled to full pay for the time during which he has been suspended; but should his suspension result in dismissal he shall not be entitled to any pay for the period of suspension or for the period of any leave that may be due to him.

34. Any officer who, in the course of one year, shall have been in the aggregate more than one month absent from duty on account of sickness, or who is unable to perform his duties properly, may be examined by the Medical Officer and another medical practitioner to be appointed by the Governor, whose report shall be laid before the Comptroller General, who may, if he deems necessary, recommend the discharge of the officer reported on.

35. At the Fremantle Prison an officer, his wife, and his children up to the age of 16 years, are entitled to free medical treatment and medicine, and such treatment will be given by the Medical Officer. This regulation shall apply where an officer is stationed at any other prison, except in a district where no Medical

Officer is stationed, or where there is no Government hospital to supply medicine. If an officer, his wife, or a child is admitted into a Government hospital he shall be entitled to a remission of one-fourth of the ordinary rates per diem for maintenance.

36. No officer shall allow any prisoner under his charge to be employed directly or indirectly for the private benefit or advantage of any person, or in any way not in conformity with the regulations, except the Superintendent and Matron of the Fremantle Prison, the former being allowed the services of one male prisoner, and the latter of one female prisoner.

37. Officers are prohibited from writing anonymously or otherwise in newspapers or other public prints, or from publishing anonymously or otherwise, in any form, communications or matters bearing upon or having relation to the business of the prison.

38. All communications to the heads of Departments, or to any public officer, shall be made in writing and transmitted through the immediate superior officer of the writer. All correspondence for the Comptroller General must pass through the office of the Officer in Charge.

39. The utmost care shall be taken by every officer to guard against accidents by fire, from the lights, furnaces, etc. An officer shall report immediately any danger of such accidents that he may observe in any part of the prison, and use all possible means to prevent the same. No lights or fires shall be kept burning unnecessarily or unattended. No light shall at any time be carried about the prison unless it is enclosed in a lantern, and each officer coming on duty during the night shall examine all parts of the prison in the vicinity of his special charge, to satisfy himself that all is safe from fire.

40. A default sheet shall be kept for every officer, upon which shall be entered all instances where the officer has been punished or reprimanded for any fault.

Buttons on Tunics.

41. *[Paragraphs (a) and (b) deleted by G.G. 13/11/1959, p. 2827.]*

(c) The buttons on tunics of principal warders shall be gold coloured, and of warders silver coloured.

(d) This regulation shall not necessarily apply to warders temporarily employed at prisons other than the Fremantle Prison.

Heading substituted by G.G. 13/11/1959, p. 2827. Reg. 41 amended by G.G. 13/11/1959, p. 2827.

Travelling Expenses.

42. Officers when travelling or relieving may be allowed expenses on the approval of the Comptroller General at the rates prescribed by the Public Service Regulations.

Service and Leave Absence.

43. The appointment of every officer is to prison service generally, and not to any particular prison, and an officer is liable to be transferred to any other locality.

44. Officers holding positions for which they receive extra remuneration, will not receive such remuneration while on annual or long service leave or sick leave if it extends over seven days and their duties are performed by another officer during their absence.

45. Scale of annual leave and holidays to disciplinary officers:—

- (a) Unless otherwise directed by the Minister, the Comptroller General shall grant to every officer permanently employed and to temporary officers employed for two years and over, at time to be appointed by the Comptroller General and suitable to the convenience of the Department, leave of absence for recreation for three weeks in each calendar year;

[Paragraphs (b) and (c) deleted by G.G. 13/11/1959, p. 2827.]

Reg. 45 amended by G.G. 13/11/1959, p. 2827.

- (d) officers stationed north of 25 degrees south latitude, may be allowed, if they so desire, in lieu of annual, 56 days recreation leave biennially;

An officer taking such biennial leave may be granted a free first-class steamer fare to Fremantle or other port approved by the Comptroller General for himself, wife, and children, if any, under the age of 16 years.

Additional days may be added to biennial leave sufficient to cover the time ordinarily and necessarily occupied in travelling to and from Fremantle.

- (e) long service leave will be granted on the terms and conditions prevailing under the Public Service Act and Regulations for the time being.

(B)—Classification and Duties of Officers.

46. The classification of officers will be as prescribed from time to time by the Minister.

(i)—Officer in Charge.

Reg. 47
amended by
G.G.
13/11/1959.
p. 2827.

47. The Superintendent of the Fremantle Prison shall be the Officer in Charge and responsible for the conduct, management, and control of the prison, and such reformatory and other prisons as the Comptroller General may direct, including all matters relating to the discipline, training, general welfare and safe custody of inmates and the discipline, training, instructions, and general efficiency of officers.

Prison officers desiring to communicate with the Comptroller General shall first address the Superintendent/or Officer in Charge.

48. Every Officer in Charge of a prison—

- (a) shall enforce the whole of the regulations when not inapplicable to his particular prison; and be responsible to the Comptroller General for the discipline, management, and safe custody of the prisoners under him, the care of all Government buildings and other property pertaining to the prison, the economical expenditure of stores, and shall see that the labour of the prisoners is used to the best possible advantage of the Government, according to the description and quantity of work which may be at his disposal;
- (b) shall see that all regulations, orders, and instructions made, given, or issued for the management of the prison or the guidance of the officers are strictly carried out, that all necessary books are kept, and that such returns are furnished as the Comptroller General may require;
- (c) shall be the medium of communication between the superior authority and the officers and prisoners under his charge, and shall forward without delay, to the Comptroller General, any report or complaint he may receive, addressed to such superior authority, with his report or remarks thereon;
- (d) shall hear all reports that may be made to him and take care that any prisoner having a complaint to make or a request to prefer shall have ample facilities for so doing; and subject to the regulations, he shall redress any grievance, or take such other steps as he may consider necessary in each case;
- (e) shall personally keep a book or journal, in which he shall note any occurrence of importance which may happen in the prison;
- (f) shall personally visit every ward, division, premises, and works of the prison, and be present at one muster daily, if possible, and shall visit the prison from time to time at uncertain hours by night, each of such visits being recorded;

- (g) shall in cases of grave misconduct have power to suspend any subordinate officer, but shall report the particulars without delay to the Comptroller General;
- (h) shall on each visit of the Comptroller General report all irregularities which may have occurred in the prison since the last visit; and in the event of any serious irregularity, accident, or other extraordinary occurrence, at once communicate with the Comptroller General by telephone, telegraph, or other rapid means;
- (i) shall have power to place a prisoner guilty of breach of regulations, or other disorderly conduct, in confinement until the arrival of the Comptroller General or a visiting Justice, to whom the circumstances of the case shall be reported. In cases of urgent necessity a prisoner may be placed in irons by the Officer in Charge, who shall report the case to the Comptroller General or a visiting Justice;
- (j) when a prisoner is suffering from injury or severe illness likely to terminate fatally, the Officer in Charge shall order that proper steps be taken to secure the prisoner visits from the minister of the religious persuasion to which such prisoner may belong, and communicate his condition to his relatives, if their addresses are known or can be ascertained;
- (k) on the death of a prisoner the Officer in Charge shall see that notice is at once given to the Coroner of the District, who shall hold an inquest on the body, and to the Comptroller General, and if practicable, to the friends or relatives of the prisoner. He shall give orders that the body be decently covered when placed in the coffin, and that cause of death be registered, and the funeral properly conducted in accordance with the conditions of contract for the time being. He shall endeavour to secure at the grave the services of a minister of the religious persuasion of the deceased;
- (l) shall see that all prisoners are treated with strict impartiality, and that any persons visiting the prison for any purpose are treated with civility;
- (m) shall take every precaution for the safe custody of prisoners in his charge, and give orders for the daily examinations of all cells, doors, bars, bolts, locks, wards, buildings, and grounds; and shall use every possible precaution to prevent escape of prisoners, and adopt proper precautions against fire;
- (n) shall see that all supplies required for the prison are properly maintained, and be held responsible for the custody of all stores and other Government property supplied for use in the prison, and cause monthly returns to be rendered of the receipt and issue of all rations and other stores on prescribed forms, and propose any measures for saving or reduction in expenditure that may be practicable;
- (o) shall give all necessary directions for the receipt and discharge of prisoners, and take charge of the warrants of commitment, and be held responsible for the due discharge of prisoners at the expiration of their sentences.

49. The Comptroller General shall, with the approval of the Minister, appoint an officer or officers to discharge the duties of Officer in Charge whenever the Officer in Charge is necessarily away from the prison owing to ill-health or leave of absence; and during such necessary absence any officer so appointed shall have all the powers and shall discharge the duties of the Officer in Charge as are assigned to him. Before leaving, the Officer in Charge shall personally hand over the charge of the prison to the Officer or officers appointed to relieve him and shall make and sign a declaration that all valuables and properties are correct and in good order at the time of handing over the charge of the prison. The officer or officers relieving the Officer in Charge shall make and sign a

Reg. 49
amended by
G.G.
13/11/1959.
p. 2827.

declaration that all valuables and properties are correct and in good order at the time of handing over the charge of the prison to the Officer in Charge on his resumption of duty.

(ii)—Chief Warder.

50. The Chief Warder or other officer next in authority to the Officer in Charge shall have charge of the prison during the temporary absence of the Officer in Charge. He shall—

- (a) be responsible to the Officer in Charge for the due order and discipline of the prison and report to that officer any irregularity that may come under his notice;
- (b) under the Officer in Charge, have charge of subordinate warders, and see that they are properly instructed in their duties and in the use of their arms. Perform such other duties as may be assigned to him by the Officer in Charge, and be responsible to the Officer in Charge for the safe custody of the prisoners; that they are properly searched; and that all trafficking and illicit communication is prevented;
- (c) give his constant attention to the security of the prison, and be responsible for the proper maintenance of cleanliness and order in all departments thereof, and that there is no improper expenditure of water, fuel, gas or electric current. See that all cells, whether occupied or not, are strictly examined once every week, and kept clean, and that prisoners who are considered dangerous do not occupy adjoining cells;
- (d) be present at and conduct all musters. At uncertain times visit the prison at night at least once a week, and inspect the officers on night duty frequently;
- (e) when prisoners are allotted to parties for work outside the prison walls, exercise judgment and discretion in such distribution; and particularly take care that no prisoners are thus employed who are considered likely to abscond or misbehave. Visit such outside parties twice a day where practicable, and shall see that a sufficient guard is sent out with all labour parties;
- (f) employ the best means at his disposal to make Chinese and other foreign prisoners acquainted with the regulations, allotting them, as far as possible, with prisoners of their own nationality who speak English, and are able to interpret;
- (g) frequently visit the sentries and officers in charge of prisoners inside the prison at their places of work during labour hours. Instruct the officers in charge of divisions to thoroughly inspect the same at last muster and satisfy themselves as to the security of all prisoners located there and that all regulations are complied with, and report the same to the Officer in Charge;
- (h) every morning report to the Officer in Charge the result of his observations in the discharge of his duties;
- (i) duly and efficiently carry out all orders given to him by the Officer in Charge, and at all times assist that officer in maintaining proper order and discipline in all parts of the prison.

(iii)—Principal Warders.

51. (a) A principal warder shall range next in authority to the Chief Warder.

(b) Principal warders shall take precedence of all ordinary warders, and shall perform such duties as may be allotted to them by their superior officers; and in the absence of officers of a higher grade, shall temporarily take charge of the portion of the prison or the parties near them, and shall be held responsible therefor.

(c) They shall at all times assist the Chief Warder and other superior officers to the utmost of their ability in maintaining proper order and discipline, and assist the Chief Warder in the instruction of subordinate warders in the carrying out of their duties.

(iv)—Warders.

52. No person except with the approval of the Minister will be accepted as a candidate for the position of warder who is unable to produce satisfactory references, and who does not fulfil the following conditions, viz. :—Age 25 to 35, not less than 5 feet 9 inches in height and of proportionate build, and of sound health. Applicants should attend personally at the Superintendent's Office, Fremantle Prison, and fill in the necessary application form in their own handwriting. Each applicant must be seen by the Comptroller General before appointment to the probationary staff.

Reg. 52
amended by
G.G.
9/2/1945,
p. 172.

53. (a) Any person selected for employment as a warder shall serve for a period of twelve months as a probationary warder, during which term his services may be dispensed with at any time. Warders are paid for every day, including Sundays and Public holidays. It must be distinctly understood by probationary, in common with all other classes of warders, that appointments are not to any particular prison, but to the Service generally, and that transfers from one establishment to another may take place at any time. Implicit adherence must be given to the rules, regulations, and general orders. Warders on the probationary staff may upon production of satisfactory evidence of illness be granted sick leave without pay. Back pay may, however, be allowed when the officer completes the period of service which would qualify him for sick leave on pay.

(b) During the probationary term of service an examination must be passed to the satisfaction of the Comptroller General in the following subjects:—

	Full marks.
Handwriting (to be tested by writing from dictation not less than 100 words)	25
Spelling	25
Arithmetic	50
Duties of a warder, including writing of reports and the General Rules and Regulations	100
75 per cent. marks to be obtained in each subject.	

(c) While the passing of such examination will be obligatory within the period above referred to, no person will be placed on the permanent staff who is not reported V.G. (very good) by the Officer in Charge under whom he serves, for conduct and ability.

54. Before being accepted as a warder on the permanent staff, all persons appointed on probation shall be examined by the Medical Officer of the prison, and be duly passed by him, with regard to general health and physical capability.

55. Warders shall carry out with vigilance and zeal all orders they may receive from their superiors. They shall, in addition to their ordinary duty, be liable to be called on, by day or night, to perform duties the exigencies of the service may require.

56. Warders shall not be eligible for promotion to rank of principal warders unless they shall satisfactorily pass an examination in arithmetic, the spelling of a list of prison terms, the preparation of short reports and station returns, and general knowledge of the duties of an officer.

57. Warders shall have charge of, and be responsible for all tools and implements of any kind which are in use in any of the parties or works which they supervise and shall keep proper account of the same.

58. Warders shall keep account of all work performed, as well as of the conduct of the prisoners under their charge, and shall make such returns and reports as may be required by the Officer in Charge.

59. When in charge of labour parties, warders shall be held responsible that the prisoners are industrious and orderly, and that all work is properly executed.

60. Warders shall not allow any unauthorised person to interfere in any way with the working parties under their control, or to hold communication with, or give, or pass anything to a prisoner. They shall promptly order away any person apparently loitering about the prison or working parties for such purpose. In case of necessity, they shall take proper steps for the arrest of such persons if they refuse to go when so ordered. Should they find any unauthorised articles they will at once take them to the Chief Warder.

61. Warders shall carefully observe the characters, habit, and industry of the prisoners under their charge; and, it being of the utmost importance that the Officer in Charge should be fully informed on these points, warders shall carefully and impartially keep such records as may be ordered, and shall consider it to be their duty to afford, at all times, unreserved information on such points.

62. All prisoners, when in association, shall be placed under the control and supervision of warders whose duty it shall be to enforce silence in all cases wherein the regulations require it; to prevent all improper communications between prisoners themselves or between prisoners and civilians. They shall carefully watch the prisoners in their various movements and employments, and use the utmost alacrity and vigilance to prevent escape and shall enforce strict discipline and complete observance of the regulations.

63. On proceeding with prisoners to their labour the warder in charge of each party shall count the number of prisoners therein, as they are told off, and report to the Chief Warder or other appointed officer; after which such warder shall be held responsible for the safe custody and regular conduct of such prisoners on the works, and especially that they do not struggle or in any way get possession of prohibited articles. He shall also properly search the prisoners, both on leaving and returning to the prison, to ascertain that they have no prohibited articles in their possession. When proceeding with prisoners from one point to another, the warder shall see they march two deep, the warder always keeping in the rear.

64. A warder, unless under circumstances of emergency, shall not enter a prisoner's cell at night unaccompanied by another warder.

65. A warder on being relieved from any particular duty, or transferred to another, shall point out to his successor all matters of special importance connected with his duties and explain any directions of the Officer in Charge, Medical Officer, or other superior officer, affecting any particular prisoner or portion of the prison which has been under his charge.

66. A warder shall be watchful to detect and prevent any persons secreting prohibited articles, etc., for the prisoners on the works or elsewhere about the prison, and shall immediately report any such occurrence. He shall especially guard against the clothes of workmen, or others, being left lying about in places accessible to the prisoners, and shall report at the earliest opportunity any suspicious circumstances of this kind, or the loitering of improper or suspicious persons about the person or the works that he may have observed.

67. A warder in charge of a ward, or other part of the prison, shall set cleaners to work in the halls, cells, passages, etc., and cleaners shall always be required, after work, to produce the brushes, brooms, etc., with which they may have been furnished. The officers shall expedite this necessary work so that it may be completed at the time fixed by the Officer in Charge.

68. Especial care should be taken that no ladders, planks, wheelbarrows, ropes, chains, implements, or materials of any kind likely to facilitate escape are left unsecured at any time in the yards or elsewhere. All such articles when not in use shall be kept secured in their proper places. A warder shall report immediately any instance of such articles being left unsecured in neglect of this rule, whether it occurs in his own department or otherwise.

69. Should more than one warder be detailed for any particular duty, or two or more be together on duty at any particular place, the command shall devolve upon the senior unless specially ordered otherwise, and he shall be responsible that all the provisions of these regulations are duly observed by all officers and prisoners under his charge.

70. A warder whose services shall be dispensed with for other reasons than that of misconduct, shall be entitled—if permanently engaged—to a month's notice or to a month's pay. Unless the Minister shall otherwise direct an officer permanently engaged who may leave of his own accord shall give one month's notice in writing or forfeit a sum not exceeding one month's pay. An officer temporarily engaged or on probation shall give two weeks' notice of his intention to leave or forfeit two weeks' pay.

71. A warder on leaving the service shall immediately vacate the quarters he has occupied.

(v)—Armed Warders or Sentries.

72. (a) When on duty under arms, warders shall be responsible that their arms are properly loaded, and shall be careful in handling them that no accident may occur. At such times they must invariably wear belts, and pouches containing six rounds of ammunition, and shall take care that the ammunition properly fits the arms they carry. They shall not deface their arms or accoutrements, or make any alteration in them without authority.

(b) Upon a prisoner leaving his allotted place, or making movements indicative of any attempt to escape, or to commit an assault on any officer, or upon another prisoner or any other person, with any instrument or weapon, the armed warder on guard shall at once sound an alarm with his whistle, and if necessary, fire his rifle to attract attention. Any guard, gaoler, warder, police officer, or other person lawfully charged with the custody of any prisoner under sentence of death or imprisonment for any term, or for life, or under an indeterminate sentence, or on remand or awaiting trial, may fire upon any such prisoner while attempting to escape from any prison or other place, or while attempting to assault any guard, gaoler, warder, police officer, or other person aforesaid, or any other prisoner: Provided such firing shall appear to be necessary to prevent the escape of such prisoners, or the assault committed or attempted by such prisoner was of a character apparently dangerous to the life or likely to cause bodily harm to the person assaulted or threatened. An armed warder or sentry shall not permit any prisoner to approach nearer to him than ten paces; nor shall he allow any prisoner to go beyond the prescribed limits of his work or party without permission having been granted.

(c) Upon any prisoner passing or attempting to pass the prescribed boundary of his work or party, it is the duty of the armed warder or sentry to challenge him by at once calling aloud, "Stand!" On this challenge being repeated twice and the prisoner neglecting or refusing to stand, the officer shall immediately give the alarm with his whistle, and it shall be lawful for him to use his firearms in case of inability to prevent the prisoner's escape by any other means.

(d) Should a prisoner escape, the armed warder or sentry and the officer in charge shall give the alarm loudly upon their whistles and the former shall fire his rifle, if necessary, to attract attention. The warder in charge of any party working outside the prison shall not, in the event of escape as above, leave his party without orders, but shall at once muster the remaining prisoners under him and march them back into the prison and report and await further orders.

(e) A warder on armed duty must at all times be alert and vigilant. He may sit down for five minutes at intervals of thirty minutes except when on night guard. Whilst abstaining from using his firearms without absolute necessity, he must remember that it is his duty to prevent escape either by individual attempts or a general riot leading to such attempts; to protect unarmed officers in case of

assault, and to render aid in quelling disturbances. In this and similar cases, where no hard and fast rules can be laid down, an officer must be guided by his judgment and intelligence.

(f) When on duty after receiving password at 6 p.m. sentries or guards shall challenge anyone approaching their post or coming out of Division and receive from them the password before allowing such persons to pass.

(g) They shall see that all authorised lights are kept burning, and shall work the telltale clocks at the appointed periods, and report any irregularity that may occur.

(h) Sentries on the walls shall keep a sharp look-out over the prison generally, and shall give notice of any irregularity that may be observed, although the same may not occur within their particular beat, they shall give every assistance to each other without leaving their post except when ordered by a superior officer. They shall be responsible for all prisoners within their vision.

(i) Sentries on night duty are not to remain in their sentry boxes unless it rains heavily, and even then they are to visit and examine their charge frequently.

(j) Defacing or writing on the sentry boxes or boards is strictly prohibited, and sentries on taking post are to examine and report at once any injury or disfigurement, otherwise they will be held responsible.

(vi)—The Matron and Female Officers.

73. (a) The Matron is charged, under the general authority of the Comptroller General and the supervision of the Officer in Charge, with the entire control of the female prisoners, and the compartments of the prison occupied by them. She shall not permit a male officer to enter the female division except in company with herself or an assistant matron. She shall report to the Officer in Charge each morning, Sundays and holidays excepted. Her duties in other respects shall be analogous in their degree to those of the Chief Warder.

(b) Female officers will be amenable to the general regulations and to those relating to male officers of corresponding ranks and grades. The senior assistant matron will take charge during the temporary absence of the Matron.

(vii)—Night Officers.

74. (a) The night officer shall be responsible that all authorised lights are burning.

(b) He shall inspect all prisoners in their cells by means of the electric light, once before and once after midnight.

(c) He shall be constantly on the alert for any suspicious sounds and report such occurrence or any irregularity to the Officer in Charge of the prison at once, either by telephone or on the first visit of the Officer in Charge.

(viii)—Storekeeper.

75. (a) The storekeeper, Fremantle Prison, and the Officer in Charge at other prisons shall have charge of all public property brought into the prison after purchase or manufacture and shall be held responsible that it is kept in good order, and preserved from damage by weather, or other cause. He shall make no issues therefrom, except on requisition approved by the Comptroller General, or under his authority, by the Officer in Charge. He shall keep all necessary books, and furnish such returns as may be required.

(b) No article, whether food, bedding, clothing, or any other description, shall be received into the prison until it has been examined to ascertain that it contains nothing contrary to the regulations; and the admission of any article which may appear likely to be used for any improper purpose shall be refused.

(c) All articles sent to the prison by contractors are to be at once inspected, and if of an inferior quality or unsuitable for the purpose for which they may be required they shall not be received but returned, with written statement of cause thereof. Rations

Reg. 74
amended by
G.G.
13/11/1959,
p. 2827.

and perishable goods shall be dealt with in accordance with conditions of contract. The storekeeper shall enforce a strict adherence to contract in all supplies received for the service of the Department.

(d) The storekeeper or other officer in charge of stores shall keep a separate account of the quantity and value of all materials issued for the manufacture of articles in the various workshops and also of the various articles returned to store as the produce of such manufacture. The trade instructor to whom the material is issued is responsible to the storekeeper that it is economically and profitably used according to a scale to be approved by the Comptroller General.

(e) The storekeeper, or other officer in charge of stores, shall prepare and submit for approval of the Comptroller General a schedule of prices to be charged for articles manufactured or produced in the prison, such prices being based upon the cost of raw material, supervision, value of prisoners' labour, upkeep, wear and tear of machinery and tools, and any incidental costs affecting the same.

(f) Every article made of Government materials within the prison or grown upon a prison reserve, or in any way produced or procured at the cost of the State, is hereby declared to be public property, and is to be taken into charge and dealt with accordingly. All articles that can be so treated shall be branded with the Government brand as directed, before being issued from the store for general use.

(g) No article whatever of public property is on any pretence to be taken into private use. No Government materials shall be allowed to be used in making any article for private purposes, unless authorised by the Comptroller General.

(h) The storekeeper or officer in charge of the stores shall be responsible for the correct issue of rations, day by day, according to prescribed scale of diet. Also for all stores and materials, whether for general use or for manufacture or repairs of articles, as may be demanded by requisitions approved as laid down by regulation.

(i) The Storekeeper shall keep a clear and exact account of all goods received and placed in his charge, and of the disposition of each and every article; and shall in all cases obtain receipts for all stores issued, such receipts to be duly kept available for reference.

(j) He shall attend to the proper preservation of stores in hand, and maintain by constant supervision the stock of all articles necessary for efficient supply of the institutions dependent on it. He shall satisfy himself that due order and regularity are strictly observed and maintained by his subordinates.

(k) In order to exercise an effective control and economy in the use of public property entrusted to officers, the storekeeper or other officer in charge of stores at each prison shall keep a ledger of all articles of furniture, utensils, tools, machinery, and requisites of all kind in use in the various parts of the prison, and shall prepare lists in duplicate of the articles in the immediate charge of each responsible officer, who shall sign such lists, one to be retained by himself, and the other by the storekeeper. The officer in whose immediate charge the articles are is not to be relieved of that charge until his successor has taken the goods over and signed for them, or until they have been returned to the store.

(ix)—Trade Instructors.

76. (a) Trade instructors shall faithfully teach and impart all information concerning their trades to those prisoners placed in their charge, so as to render them efficient workmen.

(b) Trade instructors shall keep a correct record of the quantity of material expended, and the amount of labour required, in the manufacture of the various articles made under their supervision. They shall be responsible to the storekeeper or Officer in Charge of stores for all unexpended material, tools, machinery, and equipment and that all are kept in the best order and condition.

(c) Trade instructors shall always do everything possible to meet the requirements of the storekeeper relative to the manufacture of stores.

(d) Trade instructors shall exercise full responsibility for the prisoners in their respective workshops involving the searching of their workshops and of such prisoners on leaving the shop.

(e) Trade instructors will be amenable to the regulations generally, and especially to those relating to warders, and will be entitled to the annual leave and holidays mentioned in regulation 45.

(f) Trade instructors appointed after 31st December, 1922, shall carry out such duties on Saturdays, Sundays and Holidays as may be allotted to them.

(x)—Gatekeeper.

Reg. 77
amended by
G.G.
13/11/1959,
p. 2828.

77. (a) The officer on duty as gatekeeper shall not open the lodge entrance gate until he has ascertained who seeks admission and shall admit no person except prisoners and their escorts without authority from the Comptroller General or Officer in Charge. He shall keep a journal in which shall be recorded the ingress and egress of all persons on business, parties of, and individual prisoners and authorised visitors. He shall not allow officers on duty to leave the prison until their period of duty is finished, unless on some special duty.

(b) He shall pay particular attention to officers coming on or going off duty, and shall not fail to report to the Chief Warder or other senior officer anything suspicious he may notice, and shall not allow any officer to go on duty whom he may suspect to be suffering from the influence of drink.

(c) He shall not allow any prisoner or prisoners to pass out through main gate unless accompanied by an officer or on production of a pass signed by the Chief Warder or other higher authority.

(d) He shall not allow any vehicle to pass the double grill gate unless under the supervision of and accompanied by an officer and every vehicle shall be opened and inspected.

(e) He shall draw the attention of visitors to section 63 of Prisons Act, 1903-1954, posted outside the door of the entrance to prison.

(f) He shall see that each order in the Superintendent's Order Book is initialled by all officers concerned.

(g) He shall examine the contents of all handbags or other receptacles brought into or taken out of the prison by any person whatsoever and may detain any article therein pending reference to the officer for the time being in charge of the prison.

(h) The night gatekeepers are, when the prison is closed for the night, in charge, and will pay frequent visits to the posts and patrols, paying particular attention to all bolts, bars, doors, windows, etc., to detect and prevent any attempt at escape. When visiting posts and patrols between the hours of 5.30 p.m. and 6 a.m. they will at all times go armed.

(i) The gatekeeper shall in case of necessity or urgency, call up the Chief Warder or Superintendent.

(C)—Uniforms.

78. An officer shall pay strict attention to cleanliness of person and dress, and shall at all times when on duty wear the officer's uniform according to the rank.

Reg. 79
amended by
G.G.
13/11/1959,
p. 2828.

79. (1) Uniform will be supplied to officers as follows:—

Male Staff: as governed by the Industrial Award approved by the Arbitration Court.

Female Staff: Matron:—Name of article.—18 yards linen or suitable substitute at Department's option, 4 yards lawn for caps, 1 pair boots, material for serge jacket.

Assistant Matron:—Name of article.—18 yards of calico

for aprons, 18 yards print for two dresses, 6 yards serge for one dress, 1 pair boots, cuffs (4 pair), collars (4), 1 hat, material for serge jacket.

To be issued by the Officer in Charge, and replaced when deemed necessary.

(2) The uniform of the female staff must be made by or at the expense of the female officer from the material supplied.

(3) Part worn uniforms will be issued to probationary warders until supplied with their own uniform when found suitable for the service.

(4) All uniforms are the property of the Government, and when any employee leaves, he or she shall return such uniform, providing two-thirds of the period it has to last has not expired from date of issue.

80. Should a warder's uniform become shabby before the expiration of such time when it would be deemed necessary to replace any article thereof, the Officer in Charge may, with the authority of the Comptroller General, compel such warder to pay for new garments to replace those condemned.

81. Should an officer neglect or refuse to deliver up his uniform upon resignation, dismissal, or retirement from the service, the value thereof, calculated upon the then unexpired term of service therefor, may be deducted by the Officer in Charge from any pay due to such warder: Provided that for sufficient reasons the Comptroller General may remit any portion of the service for which any article was issued.

(D)—Out-Stations.

82. Every out-station shall be placed under the charge of an experienced officer, with such assistants as shall be deemed necessary.

The Officer in Charge shall be responsible in all respects for the good order and conduct of the out-station and the following provisions shall apply:—

- (a) He shall be expected to keep the prisoners fully employed during working hours and to see that his assistants are diligent and attentive to their duties.
- (b) He shall see that his station is kept supplied with a sufficient stock of rations, as per dietary scale, of standard quality, with proper tools, equipment, clothing and bedding. He shall be responsible for the safe custody and correct issue of all stores placed in his charge.
- (c) He shall each evening not later than 8 p.m., after muster, securely lock up the building provided for the accommodation of his party and shall visit the building again through the night, his final visit not being earlier than 10 p.m. He shall count the prisoners in their beds at each visit.
- (d) He is directed to call the roll every hour during Sundays and holidays until lockup time, and he shall report as an absconder any man found to be absent.
- (e) He shall insert in his weekly occurrence sheet all visits made to the station under his charge by any clergyman or other person visiting it for the purpose of affording religious instruction to the men. He shall also insert all visits made to the station by the Visiting Justice.
- (f) The most prompt and immediate information shall be given to the police in the event of any prisoner escaping from an out-station, or any robbery being committed; information being given to every police patrol passing the station. Officers must exert themselves to the best of their ability in recapturing absconders, but under all circumstances immediate information is to be sent to the nearest police station.

- (g) The officers attached to an out-station shall be allowed to have wood and water delivered to them free. Prisoners detailed for this duty shall not be employed as officers' servants upon any pretext whatever.
- (h) The Officer in Charge shall, at intervals as instructed, furnish returns as follows:—
 - (1) Return of men transferred to or from his party.
 - (2) Occurrence sheet.
 - (3) Distribution.
 - (4) Ration return.
 - (5) Tool list.
 - (6) Return of receipt and issue of clothing and stores.
 - (7) Stock return.

(e) Offences by Officers.

83. Officers who commit any of the following offences are liable to reprimand, fine, reduction in rank or rank and pay, or dismissal, according to the gravity of the offence, but no officer shall be punished without proper inquiry being held as hereinafter provided:—

- Coming late on duty, unless a medical certificate or some other good and sufficient reason is adduced.
- Coming on duty in a slovenly condition.
- Neglecting to search a working party properly, whether going out or coming in.
- Allowing a prisoner to be out of sight while upon the works without special permission.
- Leaving tools or prison property not properly secured.
- Leaving, or permitting to be left, unsecured, articles likely to facilitate escape.
- Holding private conversation with a prisoner.
- Permitting strangers to converse with a prisoner, without special authority.
- Permitting persons employed on the works to converse with prisoners unnecessarily.
- Using slang or improper language to a prisoner.
- Swearing.
- Conversing on public or private topics in the hearing of prisoners.
- Wrangling.
- Allowing a prisoner to have a key belonging to the prison, or access to one.
- Leaving the doors of workshops, cookhouse, bakehouse, etc. open or unlocked for the night.
- Leaving prisoners in any of their places at any time without authorised supervision.
- Allowing any prisoner to enter the cookhouse, bakehouse, laundries, workshops, etc., without proper authority.
- Leaving keys about the premises or not at the proper place.
- Leaving cells unlocked when prisoners are inside.
- Leaving wards unlocked after prescribed hours of locking.
- Neglecting to hand keys to proper officer on leaving the prison.
- Neglecting to notify immediately the confinement of a prisoner in cells for refractory conduct.
- Neglecting to properly search a prisoner sentenced or taken into the refractory cells, in order to prevent the practicability of suicide or escape.
- Sleeping on duty.
- Sitting down while on night guard.
- Leaving working parties without authorised supervision.
- Smoking on duty, or within the prohibited parts of the prison.

Not keeping the night lights properly trimmed.
Permitting conversation during silence hours.
Absence from appointed posts without permission.
Entering a prisoner's cell at night without the presence of a second officer, except in case of urgency.
Confining a prisoner in the refractory cells without sufficient cause.
Neglecting to communicate, on relief, all matter of importance connected with the division, prisoners, etc.
Employing a prisoner in acts of private service.
Allowing disorderly or uncleanly condition of wards, cells, divisions, etc.
Allowing disorderly or unclean condition of prisoners.
Not issuing rations correctly and at the prescribed time.
Not issuing clothing, necessaries, etc., correctly and at regular times.
Returning clothing, etc., to store, incorrectly or torn, or damaged, without proper reports.
Neglecting to report the sickness of a prisoner.
Neglecting to report a complaint of a prisoner.
Neglecting to report an offence against the regulations by a prisoner.
Making up prisoners' conduct books improperly, carelessly, or with partiality.
Want of vigilance on duty.
Any act of neglect, carelessness, or inefficiency.
Disobedience.
Gossiping on duty.
Leaving cell doors on single lock after 5.30 p.m.
Leaving bars or bolts off doors, or not in their proper position.
Neglecting to try all bars, bolts, locks, doors, gates, or windows to see that they are properly secure, or failing to report same if found insecure.
Apparently wholly or partially intoxicated while on duty.
Any other act or omission which is a breach of or an offence under the Act or the regulations.
Any other disgraceful or improper conduct as an officer.
Any other disgraceful or improper conduct otherwise than as an officer by reason whereof an officer ceases to be a fit and proper person to continue in his employment as an officer.

Provided that if the Superintendent of the Fremantle Prison, or the Officer in Charge of any prison other than Fremantle is of the opinion that any offence brought under his notice is of such a nature, or has been committed under such circumstances as to call only for a caution or reprimand, such Superintendent or the Officer in Charge may caution or reprimand the offending officer, but shall report having done so, with full particulars relating to the offence to the Comptroller General.

Fines may be deducted from the next pay due to the officer fined, and a monthly statement of such fines shall be transmitted to the Chief Secretary's Office.

84. For the purpose of inquiries against officers pursuant to the provisions of regulation 83, the following rules shall apply, namely:—

- (1) Charges against an officer may be made by any officer having authority and control over such officer;
- (2) charges shall be made on the officers' charge sheet, and, at the Fremantle prison and penal outstations thereof, shall be forwarded to the Superintendent, and at other prisons shall be forwarded to the Comptroller General;

- (3) charges shall be made and forwarded as provided as soon as possible after the alleged offence has been committed;
- (4) an officer charged with an offence shall be furnished forthwith with a statement in writing of the charge made against him, signed by the officer making the charge, and bearing the date when such charge is made. Upon receipt of such statement the officer charged shall forthwith state in writing to the Comptroller General, Superintendent, or other officer having authority or control over the officer charged, as the case may be, whether he admits or denies the truth of such charge, and he may with such statement or at any time thereafter before an inquiry is held, give any written explanation relating to the alleged offence;
- (5) if the charge is admitted no inquiry shall be necessary, and the Comptroller General or the Superintendent, as the case may be, shall deal with the matter and impose such penalty as a person holding an inquiry as hereafter provided may do at the conclusion of an inquiry held by him. In such case it shall be necessary only to record sufficient evidence to show the nature and gravity of the offence and the statement (if any) by the officer charged;
- (6) if the offence with which the officer is charged is so serious or of such a nature as in the opinion of the Superintendent or officer in charge of the prison where the officer charged is employed to render it inadvisable that the officer charged shall continue to carry out his duties pending the dealing with the charge where the same is admitted or the inquiry into the charge where the same is denied, such Superintendent or Officer in Charge of prison may suspend the officer charged from duty, but he shall report such suspension forthwith to the Comptroller General who may upon receipt of such report either confirm such suspension or direct the removal thereof as he may think fit;
- (7) if the charge is not admitted, and the officer charged is employed at Fremantle prison or any penal outstation thereof, an inquiry shall be held by the Superintendent of the Fremantle prison or by the person for the time being occupying that office, but otherwise an inquiry shall be held by the officer in charge of the prison in which the officer charged is employed. Provided always that if the officer charged is an officer in charge of a prison the inquiry shall be held by the Comptroller General;
- (8) inquiries shall be held as soon as conveniently may be; not less than three days' notice in writing of the date, time and place appointed for the holding of an inquiry shall be given to the officer charged; and he shall attend personally at such inquiry. If the officer charged shall fail to attend the inquiry, then upon proof being given that the officer charged has received such notice, the inquiry may be held in his absence or may be adjourned as the person holding the inquiry shall think fit;
- (9) witnesses may attend the inquiry and may be examined, cross-examined, and re-examined by the officer conducting the case in support of the charge, and by the officer charged in answer thereto, in accordance with the practice of courts of law on the trial of an action, and the officer conducting the case in support of the charge, and the officer charged may address the person holding the inquiry in the same manner and in the

same order as counsel may address the Court on the trial of an action: Provided that any informality in the conduct of the inquiry shall not invalidate the finding;

- (10) the person holding the inquiry may admit any evidence both oral and documentary as may in his opinion be material and relevant to the charge and may reject any evidence which in his opinion is not so material and relevant. He shall take and record in writing in a narrative form any oral evidence admitted by him; he shall read the same over to the witness giving such evidence, correct any errors therein, and then obtain the signature of the witness upon the record of his evidence;
- (11) when the cases against and for the officer charged have been concluded the person holding the inquiry shall as soon as conveniently may be consider the evidence and (subject to paragraph 15 hereof) shall make his decision thereon and fix the penalty (if any) imposed by him. When such decision has been made and penalty (if any) imposed, he shall forthwith record the same and communicate the same to the officer charged;
- (12) if the person holding an inquiry is the Superintendent of the Fremantle prison or the person for the time being occupying that office, and he finds the charge to have been proved but is of the opinion that the offence committed is of such a nature or was committed in such circumstances as to be sufficiently dealt with by a caution, reprimand or small fine, he may caution or reprimand or impose a fine not exceeding one pound for each offence upon the officer charged, but shall report forthwith in writing to the Comptroller General what he has done in the matter;
- (13) if the person holding an inquiry is the Superintendent of the Fremantle prison or the person for the time being occupying that office, and he finds the charge to have been proved and is of opinion that the offence committed is so serious or of such an aggravated nature as to justify a substantial fine or dismissal he shall suspend or continue the suspension from duty of the officer charged and forthwith forward to the Comptroller General the full and original notes of the inquiry, and the Comptroller General may deal with the matter in the manner hereinafter provided as he shall think fit;
- (14) If the person holding an inquiry is an officer in charge of a prison other than the Fremantle prison and penal outstations thereof, he shall forward to the Comptroller General the full and original notes of the inquiry together with a report of his finding and a recommendation as to the punishment (if any) which in his opinion should be imposed, and the Comptroller General may deal with the matter in the manner hereinafter provided as he shall think fit;
- (15) in all cases referred to the Comptroller General by the persons holding inquiries under this regulation and upon inquiries held by the Comptroller General as provided herein, the Comptroller General shall consider the notes of the inquiry sent to or taken by him, and decide, whether or not in his opinion the charge has been proved. If he decides that the charge has not been proved he shall dismiss the charge, and thereupon any suspension from duty shall be removed, and the officer shall receive his salary in full for the

period of his suspension; but if he decides that the charge has been proved then the Comptroller General may do any one or more of the following things:—

- (a) reprimand the offender;
- (b) impose a fine upon the offender;
- (c) deprive the offender of any leave within a specified period;
- (d) reduce the offender to a lower rank or salary;
- (e) if the offender is an officer other than an officer in charge of a prison, dismiss the offender from his employment;
- (f) if the offender is an officer in charge of a prison, make a recommendation to the Governor that the offender be dismissed from his employment.

85. For the purposes of regulation 84, paragraph 15, subparagraph (e), the Governor shall be deemed by this regulation to have delegated to the Comptroller General the dismissal of prison officers under the provisions of section 15, subsection 3, of the Prisons Act, 1903-1954.

86. If an officer is dismissed by the Comptroller General in accordance with these regulations, then subject to such dismissal being set aside on appeal as hereinafter provided in these regulations, such officer shall not be entitled to any salary in respect of any period during which he may have been suspended.

87. (1) If the Comptroller General shall make a recommendation to the Governor that an officer in charge of a prison be dismissed from his employment, such officer shall have a right of appeal against such recommendation under regulation 88 and 89 hereof, and such recommendation shall not be submitted to the Governor until the appeal has been heard and dismissed, or the time for such appeal has expired.

(2) If upon the due submission of such recommendation to the Governor such officer is dismissed from his employment by the Governor, there shall not be any appeal against such dismissal, and the officer in charge shall not receive any salary in respect of any period during which he may have been suspended unless the Governor otherwise directs.

(3) Upon the due submission of such recommendation to the Governor, the Governor may, instead of dismissing the officer in accordance with such recommendation, refer the matter back to the Comptroller General with a direction that he impose upon the offender any of the punishments other than dismissal provided in regulation 84, paragraph 15, and upon receipt of such direction the Comptroller General shall impose punishment upon the offender accordingly, and there shall not be any appeal against the same.

Right of Appeal.

88. All subordinate officers have the right of appeal as follows:—

- (a) against the decision of the Officer in Charge under regulation 84 to the Comptroller General, whose decision shall be final;
- (b) against the decision of the Comptroller General under regulation 84 to the Appeal Board as hereinafter constituted, whose decision shall be final.

89. (a) Any person who, being permanently employed at a prison, is:—

- (1) fined a sum of £1 or over;
- (2) reduced to a lower class or grade; or
- (3) dismissed by the Comptroller General of Prisons for alleged misconduct; may appeal to an Appeal Board as hereinafter provided.

(b) No person shall be deemed to be permanently employed within the meaning of this regulation unless continuously employed for at least one year.

(c) The Appeal Board shall consist of the following persons, that is to say—

One person to be appointed by the Governor and he shall be Chairman of the Board.

One person to be appointed by the Comptroller General.

One person to be elected by ballot from among their own number by the members of the staff to whom these regulations apply.

Provision shall be made for the appointment or election of a deputy in each case.

(d) The ballot for the elective member of the Board shall be conducted by the Chief Electoral Officer or some other person acting under his authority.

(e) The person elected shall hold office for three years.

(f) If any member of the Board shall die, or by notice in writing to the Comptroller General resigns his office, or being the elective member of the Board ceases to be a member of the staff, his seat shall become vacant, and a successor shall be appointed, or elected, as the case may require, who shall hold office for the residue of the period during which his predecessor would have held the seat had he remained a member of the Board. Provided that when the seat of the elective member of the board becomes vacant within three months before the date of an ordinary election, the member elected to fill the vacancy shall continue in office until the end of the next succeeding term of three years.

(g) Every appeal to the Board shall be commenced by a notice in writing signed by the appellant. The appellant shall indorse on the notice of appeal an undertaking to pay any costs that may be awarded against him by the Board, and that in default of payment such costs may be deducted from any salary that may be or become payable to him; and, if the appeal is against dismissal, he shall deposit with his notice of appeal the sum of two pounds as security for the payment of such costs.

(h) Every notice of appeal shall be lodged with the Comptroller General within fourteen days of the date of the decision appealed against. The Comptroller General shall forthwith transmit the notice of appeal, if apparently in order, to the Board, and the Board shall hear and determine the appeal within thirty days from the date upon which the notice of appeal was lodged.

(i) No solicitor, counsel, or agent, other than an employee of the Department or the recognised secretary of the Union to which the appellant belongs, shall appear or be heard on any appeal, but the appellant shall appear in person or by another employee of the Department or the secretary of Union as aforesaid, and the Department by the Comptroller General, or some officer appointed by him in that behalf.

(j) The Board may confirm, modify, or reverse any decision appealed against, or make such other order thereon as it thinks fit.

(k) The Board may fix the costs of any appeal, and direct by whom, and in what proportion they shall be payable, and in every case costs shall be awarded against the appellant whose appeal is considered frivolous.

(l) The decision of the majority of the members of the Board shall be the decision of the Board.

(m) The Comptroller General on appeal and the Appeal Board may take any evidence which they may deem advisable on the hearing of any appeal.

Indictable Offences.

90. If any officer is on indictment convicted of an indictable offence he shall be deemed to have forfeited his office, and shall thereupon cease to perform his duties, or receive his salary.

(F)—Medical Officers.

91. (1) The Medical Officer at the Fremantle Prison shall attend at the prison every morning, and the Medical Officer appointed to any other prison shall attend the prison at such times and from time to time, as the Comptroller General may prescribe. Every Medical Officer shall also attend at the hospital whenever called upon by the Officer in Charge.

(2) The Medical Officer shall—

- (a) examine all prisoners who may wish to see him, and may order the name of any prisoner to be placed on the "Sick List," and shall prescribe such regimen and medicine as he may think necessary in each case;
- (b) recommend prisoners in any fit case to be exempted from labour, or to be employed at light labour, or in such manner as their cases may demand;
- (c) provide free of cost proper and sufficient medical and surgical treatment (except major operations) to all officers in his district and such members of their families as shall be entitled to such treatment, upon application;
- (d) examine every prisoner upon reception and record his state of health and other circumstances connected therewith as may be necessary;
- (e) inform the Officer in Charge of any particulars he may become acquainted with in regard to a prisoner's body which may assist in identifying him;
- (f) from time to time examine all the prisoners under his care and report to the Officer in Charge if, in his opinion, the health of any of them is likely to suffer from the mode of discipline or labour to which they are subjected;
- (g) examine the prisoner before corporal punishment is inflicted, and certify whether or not he is fit to receive such punishment. He shall be present at every infliction of corporal punishment which may take place within the prison;
- (h) give every prisoner undergoing punishment by solitary confinement close medical observation;
- (i) without charge, examine and report to the Officer in Charge as to the state of health of persons selected for appointment to the disciplinary staff of the prison. He shall examine all warders before appointment to the permanent staff;
- (j) make periodical inspection of the prison at least once in every three months, in company with the Officer in Charge and, if possible, with the Visiting Justice, and duly report to the Officer in Charge any matters connected with the sanitary condition of the prison and its offices that he thinks worthy of notice, alteration, or improvement;
- (k) keep a journal in which he shall enter day by day an account of the state of each patient under his care, the name of the disease under which he is suffering, and the description of the diet and medicine he orders for such patient;
- (l) upon the death of any prisoner, the Medical Officer shall enter in his journal the following particulars, viz.:—
 - (1) at what time the deceased was taken ill;
 - (2) when the illness was first brought under his notice;
 - (3) the nature of the disease;
 - (4) when the prisoner died;

(5) an account of the appearance after death (in cases where a post-mortem examination is held), together with any special remarks that appear to him to be required;

(m) keep such other books, and make such returns and reports as may be required by the Comptroller General.

92. No serious operation shall be performed by a Medical Officer without previous consultation with another medical practitioner.

(G)—Chaplains.

93. (a) The Chaplains appointed to any prison shall have the spiritual charge of all prisoners whose names are returned to them by the Officer in Charge as having described themselves as members of their respective denominations. All Protestants, in the absence of other approved arrangements, shall be in the charge of the Anglican Chaplain.

(b) The Chaplains shall attend at the prison and hold divine service for men on Sundays in the morning and afternoon; and for women once every Sunday, and on such other occasions as may be arranged: Provided that, with the approval of the Comptroller General, on any Sunday a service may be dispensed with.

(c) The Chaplains shall be expected to enter into communication with the prisoners of their own denominations as far as may be practicable, especially with the worst characters, and to endeavour to exercise a softening and reforming influence upon them. They shall studiously avoid interfering with prisoners not returned to them or not in their charge.

(d) The Chaplains shall visit all prisoners sick in hospital. They shall also visit prisoners confined in solitary cells or under other punishment.

(e) Protestants of various denominations shall be included with the Anglicans in attending divine service, in the absence of other approved arrangements.

(f) On the death of a prisoner, the Chaplain to whose persuasion the deceased belonged shall attend the funeral and read the burial services, due notice of the time of the service being given by the Officer in Charge. The Anglican Chaplain shall, in the absence of other approved arrangements, officiate at the burial of all Protestants.

(g) The church organist and choirs shall be under the direction and control of the respective Chaplains, who shall, as vacancies occur in the choirs, nominate prisoners to fill them, subject to the approval of the Officer in Charge.

(h) Non-conformists, Hebrew, and other recognised ministers of religion may hold services for prisoners of their religions at times approved and authorised by the Comptroller General, and under such conditions as he may consider necessary.

(H)—Prisoner Visitors.

94. It is the duty of visitors appointed by the Governor under Part III of the Act to visit the prison to which they are appointed from time to time, and a visitor shall visit the prison to which he is appointed not less frequently than once in every three months.

95. It is the duty of visitors to make such reports to the Minister as they may think fit, or the Minister may require.

96. Visitors may, if thought fit, hear and inquire into any complaint by a prisoner, and if they deem it advisable may report thereon to the Comptroller General.

97. (a) A visitor shall from time to time inspect the prison in all its parts; examine the clothing, bedding, and rations; and generally satisfy himself that the regulations are duly observed and enforced. Any defect in respect to these matters should be brought to the notice of the Comptroller General.

(b) A visitor shall not directly interfere in, or give instructions with regard to, the management or discipline of the prison, or deal with any case affecting the conduct of the officers; but may report, from time to time, on these matters to the Comptroller General as he may think necessary.

98. A Visiting Justice may hear complaints of prison offences committed by prisoners, and may examine witnesses upon oath, or otherwise, in his discretion.

When a person is charged with a minor prison offence as defined by section 37 of the Act the Visiting Justice hearing the charge may, if the prisoner is found guilty of the charge, impose the penalty prescribed by section 34.

99. When a prisoner is charged with and found to have committed an aggravated prison offence as defined by section 36 of the Act, the Visiting Justice may nevertheless deal with the case under section 35, subsection (2) of the Act as a minor prison offence; but if the case is not so dealt with the Visiting Justice may, under subsection (1) of section 35, direct the complaint of such aggravated prison offence to be made before a Magistrate or two Justices of the Peace, and in such case section 36 of the Act shall apply.

100. All complaints of prison offences shall be heard and determined in the presence of the prisoner charged and in the prison or some other suitable place; but the Magistrate or Justices may, if he or they think fit, adjourn the hearing of an aggravated prison offence into open court.

101. Any Visiting Justice imposing punishment for a prison offence is required to make an entry thereof in the Punishment Book as prescribed by section 40 of the Act, a copy of every such entry being sent by the Officer in Charge to the Comptroller General.

Division 2—Prisoners.

(A).—Treatment of Prisoners.

(i) Admission, Discharge, and Removal.

102. (a) Every prisoner shall be searched on admission, and at such times subsequently as may be directed, and all unauthorised articles shall be taken from him.

(b) The searching of a prisoner shall be conducted with due regard to decency and self-respect, and no prisoner shall be stripped and searched in sight of another prisoner.

(c) A female prisoner shall be searched by female prison officers only.

103. Every convicted prisoner shall upon admission give up his clothing, money and other property in his possession, which shall be dealt with as hereinafter provided. He shall then be given a bath, and, unless otherwise provided by the regulations, shall be supplied with prison clothing, which he shall not in any way alter or destroy, and he shall be responsible for its proper care.

104. Every prisoner shall, where practicable, be separately examined by the Medical Officer as soon as possible after his admission, who shall record the state of health of the prisoner and such other particulars as may be directed.

105. (a) The Officer in Charge of the prison shall keep an inventory of all money, clothing, and other effects belonging to a prisoner in a book kept for that purpose, which shall be signed by the prisoner.

(b) Money in the possession of a prisoner on his reception or otherwise received into the care and custody of the Officer in Charge on behalf of such prisoner during the term of his sentence shall be dealt with as hereunder:—

- (1) Where the sentence does not exceed two months, such money may, except at the Fremantle prison and North-West prisons, be retained in the safe and refunded to the prisoner upon his discharge.

(2) Where the sentence exceeds two months—

- (a) such money shall be banked to the credit of the Treasurer and duplicate bank receipt (Treasury Form 27) cash sheet and abstract forwarded direct to the Treasury;
 - (b) when such money is required for repayment to a prisoner upon his release, a voucher (Treasury Form 10a) made out in the name of the Officer in Charge, containing particulars relating to the sentence and the full name of the prisoner, shall be forwarded to the Comptroller General three weeks prior to the expiration of the sentence. Upon receipt of such voucher a cheque made payable to the Officer in Charge shall be forwarded by the Treasury, which shall be cashed by the Officer in Charge on the day the prisoner is due to be discharged, and a receipt (Treasury Form 44) shall be obtained for such money from the prisoner, which shall be forwarded to the Comptroller General.
- (3) At Fremantle prison such money shall, irrespective of the period of sentence, be banked daily to the credit of the Treasurer and a duplicate bank receipt (Treasury Form 27) accompanied by an abstract shall be forwarded to the Clerk of Courts, Fremantle. Refunds shall be made at the time of a prisoner's discharge from the cash advance held by the Superintendent.
 - (4) At North-West prisons such money shall, irrespective of the period of sentence be paid to the nearest Clerk of Courts or Treasury Cashier, who shall refund such money on the discharge of the prisoner, upon presentation of a voucher (Treasury Form 10A) made out in the name of the Officer in Charge, containing full particulars, including the name of the prisoner.
 - (5) All refunds shall be made in cash and a receipt shall be obtained in Form 44 and also in the Property Book.

106. Clothing belonging to a convicted prisoner shall be dealt with as hereunder:—

- (a) Worthless clothing or clothing infested with vermin may be destroyed but shall be replaced with clean clothing on his release.
- (b) If the term of the sentence does not exceed 16 months such clothing shall be kept for him and returned to him on his release.
- (c) If the term of his sentence exceeds 16 months, such clothing shall be confiscated, and he shall be supplied with a complete kit of new clothes on his release.

107. Unless otherwise provided the property of a prisoner shall be returned to him on his release and shall during the term of his sentence be in the care and custody of the Officer in Charge of the prison.

108. (a) Every prisoner shall submit himself or herself to be photographed, and have the prints of his or her fingers, measurements, and other particulars taken and recorded on reception and discharge, and also at any other time when ordered by the Comptroller General. Any photograph or finger print taken of any person under remand or committed for trial who shall not be ultimately convicted, shall, with the plates, be destroyed and not recorded.

(b) No copy of any photograph of a prisoner taken under these regulations shall be shown, given, or sold to any person or persons other than those whose public duty require it.

109. Prisoners being forwarded or returned to any prison from an out-station shall be escorted by a warder, police officer, or other officer specially appointed to such duty.

110. Discharge of prisoners on completion of sentences shall be governed by the following rules, viz.:—

- (a) Subject to the provisions of paragraph (f) when the term of imprisonment expires on a working day, the discharge shall be made between the hours of 10 a.m. and 12 noon on that day.
- (b) When the times expires, on a Sunday, Christmas Day, or Good Friday, the discharge shall be made on the day previous immediately after dinner.
- (c) When the day arrives on which the prisoner is entitled to his discharge, he shall inform the Chief Warder or Officer in Charge to the fact at the first muster.
- (d) If the prison authorities are not notified before 11 a.m. in case of remission of sentences, fines paid or sureties entered into, the discharge may not take place until the following morning. Should that day be a Sunday, Good Friday, or Christmas Day, the discharge will take place on the following day.
- (e) the day of discharge counts as one day, and the day of commitment or arrest on warrant of commitment in summary cases, and, in indictable cases, the day on which the sessions commence, each counts as a whole day.
- (f) The hours for admission and discharge shall be between 10 a.m. and 12 noon, Sundays excepted:

Provided that, in the case of prisoners arrested on a Friday on a sentence of three days, they shall not be discharged until 6 o'clock p.m. on Saturday.

(ii) Prohibited Articles.

111. No prisoner shall have in his possession, whether on his person or in any place, any money, writing materials, books or any other articles whatsoever which have not been lawfully issued to him. A breach of this regulation shall be an offence against prison discipline and shall be punishable accordingly.

(iii) Clothing and Bedding.

112. Every prisoner shall be provided with clothing and bedding adequate for warmth and health in accordance with a scale approved by the Comptroller General; provided that special clothing or additional bedding may be authorised by the Officer in Charge in special circumstances on the recommendation of the Medical Officer.

113. A prisoner shall, unless otherwise authorised, wear all his usual prison clothing at all times during the day.

114. A prisoner shall not receive or have in his possession any clothing, bedding, or other articles whatsoever, except such as may from time to time be prescribed or authorised.

115. A prisoner shall not dispose of, alter, or destroy any clothing, bedding, or other article whatsoever, without the consent in writing of the Comptroller General.

116. No prisoner shall wear a hat inside any of the buildings of the prison.

117. No prisoner shall interfere with his bedding during the daytime until after evening muster.

(iv) Food.

118. Dietary.—Prisoners shall be classified, for the purpose of diet, as set forth hereunder:—

- (a) For prisons south of 28 degrees S. latitude—

No. 1 Diet—For all convicted prisoners during the first three months of their imprisonment, prisoners awaiting trial, on remand, debtors,

prisoners detained under civil process, witnesses detained for want of bail and pending appeal:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Bread	18	14
Oatmeal or Wheatmeal	3	2
Meat, uncooked, with bone and fat	8	6
Vegetables	12	10
Rice	0 $\frac{1}{4}$	0 $\frac{1}{4}$
Tea	0 $\frac{1}{3}$	0 $\frac{1}{3}$
Sugar	1 $\frac{1}{2}$	1 $\frac{1}{2}$
Salt	0 $\frac{1}{2}$	0 $\frac{1}{2}$
Soap	0 $\frac{1}{2}$	0 $\frac{1}{2}$

No. 2 Diet—For all convicted prisoners who have completed three months' imprisonment, until completion of twelve months' imprisonment, and all prisoners detained or working in hospital, latrine men, and prisoners working in cookhouse, unless otherwise provided:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Bread	18	16
Oatmeal or wheatmeal	3	2
Meat, with bone or fat	12	10
Vegetables	12	12
Rice	0 $\frac{1}{4}$	0 $\frac{1}{4}$
Sugar	1 $\frac{1}{2}$	1 $\frac{1}{2}$
Tea	0 $\frac{1}{3}$	0 $\frac{1}{3}$
Salt	0 $\frac{1}{2}$	0 $\frac{1}{2}$
Soap	0 $\frac{1}{2}$	0 $\frac{1}{2}$

No. 3 Diet—For all convicted prisoners after completion of twelve months' imprisonment, and all prisoners undergoing reformatory treatment; also, with the approval of the Comptroller General, prisoners employed as chief cook, chief baker, dairyman, librarian, clothes, guard room, and reception room orderlies, boilermen, builders, builders' labourers, and prisoners employed on any heavy labouring work:—

	Ozs. per Diem.
Bread	24
Oatmeal or wheatmeal	3
Meat, with bone and fat	16
Vegetables	16
Rice	0 $\frac{1}{4}$
Sugar	1 $\frac{1}{2}$
Tea	0 $\frac{1}{3}$
Salt	0 $\frac{1}{2}$
Soap	0 $\frac{1}{2}$

No. 4 Diet—For prisoners confined in a punishment cell:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Bread	16	12
Oatmeal or wheatmeal	2	2
Meat, with bone and fat	8	6
Vegetables	8	8
Rice	0 $\frac{1}{4}$	0 $\frac{1}{4}$
Tea	0 $\frac{1}{3}$	0 $\frac{1}{3}$
Sugar	1 $\frac{1}{2}$	1 $\frac{1}{2}$
Salt	0 $\frac{1}{2}$	0 $\frac{1}{2}$
Soap	0 $\frac{1}{2}$	0 $\frac{1}{2}$

No. 5 Diet—For prisoners on bread and water:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Bread	16	16

(b) For prisons North of 28 degrees S. latitude:

No. 6 Diet—For convicted aboriginal prisoners:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Meat	16	14
Wheatmeal for breakfast	8	6
Bread for tea	8	8
Potatoes or other vegetables	16	16
Wheatmeal for soup	1	1
Tea	0½	0½
Sugar	1½	1½
Salt	0½	0½
Soap	0½	0½

If vegetables are not procurable, substitute 6 ozs. of dry peas or beans.

No. 7 Diet—For aboriginal prisoners awaiting trial on remand, or under sentence of death, and witnesses detained for want of bail or detained pending appeal:—

	Males. Ozs. per Diem.	Females. Ozs. per Diem.
Meat	8	8
Wheatmeal for breakfast	6	6
Bread for tea	8	7
Potatoes	12	12
Wheatmeal for soup	1	1
Sugar	1½	1½
Tea	0½	0½
Salt	0½	0½
Soap	0½	0½

If vegetables are not procurable, substitute 6 ozs. of dry peas or beans.

No. 8 Diet—For all Asiatic prisoners:—

	Ozs. per Diem.
Meat, with bone and fat	8
Wheat (wholeground meal for breakfast)	8
Rice (dressed)	8
Split peas, dry beans, or wheaten meal for soup (1 pint)	1
Bread for tea	8
Tea	0½
Sugar	1½
Salt	0½
Onions (twice weekly)	½
Chillies	0½
Soap	0½
Beans and peas	2
Curry	0½

That the pepper allowance for all natives and Asiatic prisoners be 1 oz. per diem per 100 persons.

No. 9 Diet—Bread and water diet for Asiatics or Aboriginal prisoners:—

	Ozs. per Diem.
Bread	16

No. 10 Diet—For white prisoners North of 28 degrees S. latitude: The diet shall be the same as diets Nos. 1 to 4, according to the respective classes of prisoners. Fish, if readily procurable, may be substituted for meat in the proportion of 12 ounces of fish to 8 ounces of meat.

(c) General:

There shall be allowed to all prisoners pepper at the rate of 1 ounce per diem per 100 persons.

The weights prescribed of meat, oatmeal, vegetables, rice and beans are prior to cooking.

After cooking the meat shall be weighed in bulk and divided proportionately, according to scale.

All diets may be reduced or increased and additional items added as the Medical Officer may from time to time order.

Any order made by the Medical Officer for special dieting of any prisoners shall be given in writing, and strictly adhered to.

119. Any prisoner desiring to make complaint as to the quality or quantity of his rations may do so immediately after the issue of such rations and before any portion has been consumed.

(v)—Health and Cleanliness.

120. Every prisoner sentenced to imprisonment with hard labour shall, upon admission and from time to time as prescribed, have his hair cut and his face clipped.

Provided that hair cutting and face clipping shall be optional, if the sentence does not exceed two months or, where it exceeds two months, then within two months of the termination of his sentence.

121. (1) Subject as hereinafter provided, every prisoner shall be permitted to shave instead of having his face clipped, provided that equipment is supplied for the purpose either by the prisoner or his friends.

(2) Equipment for such purpose may be supplied by the prisoner, either from his personal belongings in the custody of the Officer in Charge or purchased on his behalf by the Officer in Charge from any money in his custody, which is the property of the prisoner.

(3) No prisoner shall be supplied with equipment consisting of any articles other than those specified hereunder—

- 1 safety razor of approved pattern.
- 1 blade.
- 1 mirror (no larger than 4½ in. square).
- 1 shaving brush.
- 1 stick of shaving soap.

(4) Immediately after use, such equipment shall be cleaned by the prisoner, and after inspection shall be placed in a container supplied to each prisoner and securely locked away under the supervision of an officer of the prison.

(5) Any prisoner whose sentence exceeds six months may, with permission of the Officer in Charge, purchase equipment out of any gratuity credited to him.

(6) Equipment shall not be loaned by one prisoner to another.

122. Every prisoner shall keep his person, cell, and clothing at all times in the highest state of cleanliness; and shall keep his cell furniture and utensils thoroughly clean and neatly arranged, as directed by the warder on duty. Two or more male prisoners shall not at any time be allowed in the same cell, room, or water closet together, unless a prison officer is with them.

123. (a) Every prisoner shall bathe himself on days appointed for that purpose in accordance with the instructions of the prison officers unless excused by the Officer in Charge.

(b) Every prisoner shall wash himself each morning in the water bucket placed in the cell allotted to him.

Reg. 123
amended by
G.G.
13/11/1959,
p. 2828.

124 A prisoner shall be allowed as much air and exercise as may be deemed necessary for the preservation of health, consistent with security.

125. A prisoner may, whilst in the exercise yard, engage in any games approved by the Officer in Charge.

(vi)—Employment and Daily Routine.

126. Except as otherwise provided every prisoner shall, from the beginning of his sentence, be kept fully employed on useful work unless excused by the Medical Officer on medical grounds.

A prisoner shall on no account be idle during prescribed hours of labour, unless excused by the Medical Officer. He shall devote himself actively to his work and shall be awarded marks, according to the degree of industry and good conduct shown by him.

127. Every prisoner shall rise immediately on the first bell being rung in the morning, and shall make up his bedding neatly, according to the instructions and system shown to him by the warder on duty. Cell doors shall be unlocked, and each prisoner shall stand at his door until the order is given to file out; he shall take with him his sanitary bucket, and shall empty it at the appointed place, and shall cleanse it thoroughly, and obtain a supply of clean water.

Reg. 128
substituted
by G.G.
13/11/1959.
p. 2828-9.

128. Officers and prisoners shall observe the following routine:—

(a) Week Days, except Saturday Afternoons:

- 6.45 a.m.—Warning bell rings, prisoners rise and fold beds.
- 7.00 a.m.—Muster; unlock; prisoners to yards.
- 7.15 a.m.—Breakfast bell rings; breakfast served.
- 7.30 a.m.—Prisoners unlocked; file into yards.
- 8.00 a.m.—Parade for work.
- 11.30 a.m.—Out parties fall in; return to gaol.
- 11.45 a.m.—Parade for dinner; to cells; dinner served.
- 12.15 p.m.—Prisoners unlocked to yards.
- 1.00 p.m.—Parade for work.
- 4.15 p.m.—Outside parties fall in; return to gaol.
- 4.30 p.m.—Prisoners parade; to cells; tea served.
- 5.00 p.m.—Final lockup by Officer in Charge Division; muster taken by night officer; day officers off duty; night officer on duty.
- 7.55 p.m.—Warning bell rings; prisoners to bed.
- 8.00 p.m.—Night officer commands silence; all cell lights out except those provided for in Reformatory.

(b) Saturday afternoons:

- 1.00 p.m.—Muster; unlock cells; prisoners to yards.
- 4.30 p.m.—Prisoners to cells; tea bell rings; tea served.
- 5.00 p.m.—Final lockup by Officer in Charge Division; muster taken by night officer; day officers off duty; night officer on duty.
- 7.55 p.m.—Warning bell rings; prisoners to bed.
- 8.00 p.m.—Night officer commands silence; all cell lights out except those provided for in Reformatory.

(c) Sundays:

6.45 a.m.—Warning bell rings; prisoners rise and fold beds.
 7.00 a.m.—Muster; unlock cells; prisoners to yards.
 7.30 a.m.—Breakfast bell rings; prisoners to cells; breakfast served.
 8.00 a.m.—All prisoners, except cleaners, double locked in cells.
 9.00 a.m.—Muster; unlock cells; prisoners to yards.
 9.15 a.m.—Prisoners file into Church.
 10.00 a.m.—Church out; prisoners to yards.
 11.40 a.m.—Dinner bell rings; prisoners to cells; dinner served.
 12.30 p.m.—All prisoners, except cleaners, double locked in cells.
 2.00 p.m.—Muster; unlock cells; prisoners to yards.
 3.00 p.m.—Prisoners file into Church.
 4.00 p.m.—Church out; prisoners to cells.
 4.40 p.m.—Tea bell rings; tea served.
 5.00 p.m.—Final lockup by Officer in Charge Division; muster taken by night officer; day officers off duty; night officer on duty.
 7.55 p.m.—Warning bell rings; prisoners to bed.
 8.00 p.m.—Night officer commands silence; all cell lights out except those provided for in Reformatory.

(d) Prisoners not attending Church shall be locked up until Church services are over.

(e) The hours specified in this regulation may be varied by the Comptroller General where necessary.

129. After the evening muster every prisoner shall make down his bed, retire to rest, and preserve perfect order and quiet in his cell. At 8 p.m. the order "silence" shall be given, the command rigidly enforced and lights turned out.

130. Immediately after the ringing of the parade muster bell, prisoners shall range themselves in file two or three deep, according to instructions, and each prisoner shall take his proper place in the ranks of the party to which he belongs and shall stand at attention, with clothes neatly buttoned. Every prisoner shall submit himself to a thorough search at every parade muster.

131. No prisoner shall leave the ranks at muster, or his place of work during labour hours, without the permission of the Warden in charge at the time. Conversation of prisoners while at work shall be restricted to such extent that it shall not interfere with the progress of the work or with other prisoners. It shall be of a quiet and orderly nature and shall cease when instructed by the warden.

132. Well-conducted prisoners may be appointed by the Officer in Charge to attend to various special duties in the prison, such as those of scavengers, cleaners, cooks, bakers, hospital attendants, barbers, lampmen, orderlies, or writers. They shall be kept under the supervision of the officer in whose immediate charge they shall be placed.

133. The Officer in Charge may, if he thinks fit, work separately at such labour as he may deem suitable any prisoner repeatedly guilty of breaches of discipline or disregard of regulations, and, to prevent contamination of other prisoners, such prisoner may, by order of the Comptroller General, be separately confined during the whole or any part of his imprisonment.

(vii)—Religious Instruction.

134. (a) A prisoner, upon admission, may be required to declare the religion (if any) which he professes.

(b) Members of Protestant denominations shall be classed together as Protestants.

(c) No prisoner shall be permitted to change his professed religion without the approval of the Comptroller General.

Reg. 134
amended by
G.G.
13/11/1959,
p. 2829.

(d) All Protestant and Roman Catholic prisoners may attend Divine service at such times as may be appointed by the Superintendent or Officer in Charge.

(e) Prisoners shall conform to the usages and practices carried out during Divine services.

(f) Hebrews, Mahommedans, and followers of other forms of religion may, at all proper times and seasons, receive spiritual consolation from their ministers and practise the religious exercises of their denominations, subject to such restrictions as may be imposed by the Comptroller General.

(g) No prisoner shall leave Divine service before being regularly dismissed.

(viii)—Education.

Reg. 135
amended by
G.G.
13/11/1959,
p. 2829.

135. (a) The library shall be under the general superintendence of the Chaplains, who may exercise a censorship of all books placed in the library, and may withhold any book from any prisoner if they think fit.

(b) A well conducted prisoner shall be allowed one book from the library, which may be changed from time to time as prescribed by the Superintendent.

(c) Every book issued to a prisoner shall be recorded by the librarian in a book kept for such purpose.

(d) No prisoner shall change his book with a fellow prisoner.

(e) No prisoner shall write in, deface, tear, or in any way injure the book issued to him for which he shall be responsible until returned to the librarian.

(f) Prisoners may apply to the librarian for permission to have any special book which may be in the library.

(ix)—Visits and Communications.

Reg. 136
amended by
G.G.
13/11/1959,
p. 2829.

136. (a) A convicted prisoner shall be permitted to receive one visit from a relative or friend upon admission, and if well-behaved, one visit per month during the term of his sentence.

(b) The time for a visit shall be twenty minutes, but may be extended with the permission of the Officer in Charge.

(c) No visitor shall be permitted to interview a prisoner on Saturday afternoon or Sunday or on any week day before ten o'clock in the morning or after 4 o'clock in the afternoon.

Provided that a solicitor or the authorised clerk of a solicitor may, with the approval of the Superintendent or Officer in Charge be permitted to interview a prisoner at any reasonable time on legal business in which the prisoner has an interest; but when such interview takes place on Saturday or Sunday, or on any public Holiday, a fee equivalent to overtime incurred under the Gaol Officers' Industrial Award shall be paid.

(d) Every interview with a prisoner shall be conducted in the sight and, except in the case of a legal adviser, the hearing of an officer of the prison.

(e) Visitors bringing any article for use of a prisoner shall leave it with the gatekeeper who shall submit it to the Officer in Charge for his decision as to its destination.

(f) Persons who have served sentences in prison, or of bad character, shall not be eligible as visitors, unless from the nature of their business with the prisoner the Officer in Charge considers it desirable to admit them.

(g) It shall be optional on the part of the prisoner to see a visitor.

(h) No prisoner shall hold or attempt to hold any unauthorised communication with any person inside or outside the prison, either by letters, words, signs, or sounds, or in any other manner.

137. (a) A prisoner, if well conducted, shall be permitted to write and receive one letter upon admission and once a month, during the continuance of his sentence, on subjects strictly connected with himself or his family.

(b) Letters shall not contain "slang" or improper expressions, and shall be forwarded through the prison officials.

(c) Every letter, either to or from a prisoner, shall be opened and read by the Officer in Charge, who may withhold the same at his discretion; but shall submit any letter so withheld for the decision of the Comptroller General.

(d) No letter shall be received or forwarded on account of any prisoner contrary to the provisions of this regulation.

(e) The Comptroller General may sanction any departure from this regulation as to the number of letters which may be sent or received by a prisoner.

(x)—Prison Discipline.

138. A prisoner when approaching, passing, or being passed by the Comptroller General, Superintendent, or Officer in Charge, Medical Officer, or the Chaplains, shall salute the officer in a proper manner by bringing the hand smartly to the forehead and looking towards him.

139. (a) Except when addressing an officer every prisoner shall preserve strict silence during musters, while in his cell, and while marching to and from his place of labour.

(b) No prisoner shall at any time make any unnecessary noise.

140. Prisoners shall not engage in any form of gaming and it shall be the duty of prison officers to seize any dice, cards or other instruments of gaming and report forthwith the names of the offenders to the Officer in Charge.

141. (a) No prisoner shall scratch, write upon, or deface in any way any of the walls, buildings, fittings, or furniture of the prison or interfere in any manner with the windows of any cell.

(b) The Superintendent or Officer in Charge may refuse any prisoner, who has failed to conduct himself properly, permission to attend concerts, lectures, or other entertainments.

142. A prisoner making any movement indicative of an attempt to escape or to commit an assault on any officer, or upon a fellow prisoner, or any other person, with any instrument or weapon, shall render himself liable to be fired on by the armed warder or other officer in whose charge he may be.

143. A prisoner shall not approach nearer than ten paces to an armed warder on duty, nor shall he go beyond the prescribed limits of his work or party. Upon any prisoner passing, or attempting to pass, the prescribed bounds above mentioned, he shall be called upon by the officer or guard to stand and on this challenge being repeated twice, and the prisoner neglecting or refusing to stand as ordered, such prisoner will render himself liable to be fired on.

144. A prisoner reported for misconduct, disobedience, or any breach of regulations, or of orders, shall be brought before the Officer in Charge, who, if he deem the offence sufficiently serious, shall direct the offender to be taken before a Visiting Justice, and may order the offender to be kept in close confinement until his arrival. In cases of urgent necessity a prisoner may be placed in irons by the Officer in Charge, who shall at once report the case to the Comptroller General or Visiting Justice.

145. (1) A prisoner found by a Visiting Justice to have committed a breach of any of these regulations, or of disobedience of any lawful order of a prison officer, or to have committed any other minor prison offence, as defined by section 37 of the Act, may be dealt with by the Visiting Justice as prescribed by section 34 of the Act.

(2) In the case of an aggravated prison offence as defined by section 38 of the Act, if the Visiting Justices direct under section 35 a complaint to be made before a Magistrate or Justices, sections 36 and 39 of the Act apply.

[Subregulation (3) deleted by G.G. 3/2/1956, p. 449.]

146. (a) Punishment cells shall be those cells which have been classed as such by order of the Comptroller General.

Reg. 145
amended by
G.G.
3/2/1956,
p. 449.

Reg. 146
amended by
G.G.
13/11/59,
p. 2829.

(b) A prisoner guilty of gross misconduct or violence, who has been ordered by a Visiting Justice to be so confined, shall be placed in a punishment cell.

(c) A prisoner confined in a punishment cell shall rise each morning upon the sound of the first warning bell, make up his bedding, and clean his cell, according to prescribed rules.

[Paragraph (d) deleted by G.G. 13/11/1959, p. 2829.]

(e) A prisoner confined in a punishment cell not sentenced to bread and water diet, or such sentence having expired, shall be given a mattress, two blankets, and one rug and the dietary as prescribed in regulation 118 (Diet No. 4) shall apply.

(f) A prisoner confined to a punishment cell shall keep his cell perfectly clean and every article in its correct place in the cell.

(g) Notice shall be given to the Chaplains by the Officer in Charge of the name and punishment of every prisoner confined in a punishment cell.

(h) A prisoner confined in a punishment cell for any period shall, unless sentenced to a diet of bread and water, be permitted one hour's outdoor exercise during each day of his confinement.

(i) A sentence of confinement in a punishment cell shall commence at 1 p.m. on the day such confinement begins and shall continue until 1 p.m. on the day such sentence expires.

(j) A prisoner confined in a punishment cell shall have a bucket and pannikin of water in his cell and also, if he so desires, a Bible, prayer and hymn book.

(k) The dietary of a prisoner sentenced to bread and water shall, during the continuance of such sentence, consist of 8 ozs. of bread morning and evening, making a total of 16 ozs., as prescribed by regulation No. 118 (Diet No. 5).

(l) The bedding of a prisoner sentenced to a diet of bread and water shall, during the continuance of such sentence, consist of the articles hereinafter specified according to season, viz.:—Summer (16th September to 15th April)—one blanket and one rug; winter (16th April to 15th September)—a mattress, two blankets, and one rug.

(m) A prisoner sentenced to a diet of bread and water shall not be entitled to any exercise during the continuance of such sentence.

(n) A sentence to a diet of bread and water shall commence at 4 p.m. on the first day of such sentence and shall continue until 4 p.m. on the day such sentence expires.

147. When a male offender is sentenced under section 36 of the Act to receive corporal punishment, the Magistrate or the Justices of the Peace imposing such sentence shall specify in such sentence the number of strokes and the instrument with which they are to be given.

The number of strokes must not exceed twenty-five, and, in the case of an offender under eighteen years of age, must not exceed twelve, and the instrument must be either a birch rod cane, or the instrument commonly called a cat, which shall be made of leather or cord without any metallic substance woven therewith; provided that the cat shall not be used in the case of an offender under eighteen years of age.

148. (a) A prisoner requiring any assistance whilst in his cell, during the day or night, may knock at his cell door or sound his cell bell when such is provided, for the warder on duty, to whom he shall state the reasons for his summons, and the warder shall deal with the case as may be necessary. A prisoner shall not make an unnecessary complaint or knock at his cell door or sound his cell bell without sufficient and proper reason, and if he does so he shall be reported.

(b) In case of misconduct on the part of a prisoner at an outstation or reformatory prison, the Officer in Charge shall confine him in a cell or room kept for the purpose, and if the offence is such as to operate to the prejudice of good order and discipline, the offender shall be brought before the nearest Visiting Justice and tried for his offence.

(xi)—Complaints by Prisoners.

149. (a) A prisoner shall immediately obey all orders he may receive from the officers, and, though he may consider himself aggrieved, he shall nevertheless obey; but he may afterwards make complaint to the Officer in Charge, if he requests to have his name entered in the book kept for that purpose.

(b) A prisoner who may desire to interview the Comptroller General, a prison visitor, the Officer in Charge, the Medical Officer, or the Chaplains shall apply to the officer in whose immediate charge he is, to have his name inserted in the book kept for the purpose, stating the reason for desiring such interview, and he shall be permitted to see such officer in due course. Prisoners making frivolous or groundless complaints are liable to punishment.

150. (a) A prisoner shall not be permitted to petition the Governor in Council or the Minister unless he can adduce some material and well supported fact in his favour which he was unable to bring forward at his trial, and no prisoner shall so petition without permission obtained from the Comptroller General.

(b) A prisoner whose case has been once considered on a petition shall not be permitted to again petition unless some new matter, having an important bearing on the case, has become known to the prisoner subsequent to the decision on his former application.

(B)—Classification, Remission and Privileges.

151. Prisoners shall, so far as practicable, be classified as hereinafter provided, and so far as the construction of the prison and the necessities of the works and trades will admit, each class shall be kept apart and treated in accordance with the special rules applicable to each class:—

1st—Prisoners awaiting trial or on remand.

2nd—Persons imprisoned under any civil process or for non-compliance with an order of any Court other than a fine or penalty for an offence.

3rd—Reformatory class.

4th—Youths and first offenders, according to the discretion of the Superintendent.

5th—All other prisoners.

152. (a) Every prisoner shall be entitled to earn marks according to industry and good conduct towards remission of sentence, unless otherwise provided by these regulations.

(b) No prisoner can earn more than eight or less than six marks per diem. Six marks represents unit of one day's imprisonment.

(c) Prisoners who are absent from work by reason of being under punishment shall be entitled to receive only six marks.

(d) Prisoners in hospital may be credited with eight marks per diem, provided that they are not suffering from any illness caused by circumstances within their control, and a list of prisoners suffering from any illness caused by circumstances within their control may be sent weekly to the Superintendent or Officer in Charge, who shall, in consultation with the Medical Officer, award marks as he shall think fit.

(e) Prisoners detained pending appeal and who are not working, may earn seven marks per diem if conduct is good.

(f) Prisoners sentenced at the Supreme Court are eligible to earn seven marks per diem from date of opening of the sessions until the date of sentence, and thereafter six, seven, or eight, according to conduct and industry.

(g) Every prisoner whose sentence exceeds three days' imprisonment shall be eligible to come under the "Mark System."

(h) To determine a sentence, the following method shall be employed:—Reduce sentence to days, multiply by six (6) for number of marks to be earned, divide number of marks to be earned by eight (8) for minimum number of days to be served. For example, one year reduced to 365 days multiplied by 6 equal 2,190 marks, divided by eight (8) equals 273 days, with six marks over, which a prisoner must remain in prison to earn, making 274 days, the minimum

Reg. 152
amended by
G.G's.
26/6/1942,
pp. 697-8;
27/8/1943,
p. 762;
13/11/1959,
p. 2829.

time to serve, equivalent to 91 days' remission or one quarter of the sentence. Provided that this paragraph shall not apply to prisoners undergoing a sentence of imprisonment for life in whose case the marks system established by this regulation shall apply only to enable the Governor in Council to determine whether or not the Royal Prerogative of mercy shall be exercised in favour of such prisoners.

(i) Officers in Charge of parties shall, on completion of each day's work, report to the Principal Warder, or other Senior Officer, in writing, any prisoner who has misbehaved himself or has been diligent, for consideration in deciding the allotment of marks for that day.

(j) If a prisoner for any reason fails to obtain full marks for for three successive days, he shall be reported for either misbehaviour or idleness, and dealt with on inquiry, as may be found necessary.

(k) [*Paragraph (k) deleted by G.G. 13/11/1959, p. 2829.*]

(l) The mark card shall be entered up daily by the Officer in Charge, and, in the case of Fremantle Prison, by the Principal Warder or other officer detailed by him to do so; and it shall be balanced monthly and sent to the Superintendent or Officer in Charge so that details can be entered in the Mark and Employment Credits Ledger.

(m) No prisoner shall alter, obliterate, or in any way deface a card, whether belonging to himself or to another prisoner.

Reg. 153
substituted
by G.G.
26/6/1942,
p. 698,
and again
by G.G.
3/2/1956,
p. 449.

153. (1) For the purposes of this regulation, all prisoners shall be classified as follows:—

- (a) Reform Inmates on High or Highest Class.
- (b) Prisoners at Pardelup Prison Farm.
- (c) First Class Workers.
- (d) Second Class Workers.
- (e) Third Class Workers.

(2) The classification of prisoners as aforesaid shall be made from time to time by the superintendent or gaoler, after such inquiries or reports as he may make or obtain, and generally, but not entirely, may be based on the proficiency of the prisoner in the class of work in which from time to time he is employed.

(3) Subject as in this regulation hereafter provided the gratuities to be credited to prisoners for approved work under trade instructors or at penal outstations shall be on a weekly basis in accordance with the following scale:—

- (a) Reform Inmates on High or Highest Class—twelve shillings.
- (b) Prisoners at Pardelup Prison Farm—eleven shillings.
- (c) First Class Workers—eleven shillings.
- (d) Second Class Workers—ten shillings.
- (e) Third Class Workers—three shillings.

(4) The superintendent or gaoler is hereby authorised to and may reduce the rate of any weekly amount aforesaid to be credited to any prisoner by such amount as he shall think fit, when in his opinion the prisoner is performing the work he is employed to do in a dilatory or improper or otherwise unsatisfactory manner.

Reg. 154
substituted
by G.G.
26/6/1942,
p. 698, and
again by
G.G.
3/2/1956,
p. 450.

154. (1) Prisoners who are entitled to gratuities under the provisions of subregulation (3) of regulation 153 of these regulations may, subject as in this regulation hereafter provided and to the deduction of fines imposed under the Act or these regulations, purchase approved luxuries out of their gratuities up to an amount weekly in accordance with the following scale:—

- (a) Reform Inmates in High or Highest Class—five shillings.
- (b) Prisoners at Pardelup Prison Farm—four shillings and six pence.
- (c) First Class Workers—four shillings and six pence.
- (d) Second Class Workers—four shillings.
- (e) Third Class Workers—one shilling and six pence.

(2) Where a prisoner fails to earn full marks under regulation 152 of these regulations in any week the right to purchase luxuries under this regulation during that week may be suspended or cancelled, or the quantity of luxuries which may be purchased in any subsequent week may be reduced by the superintendent or gaoler accordingly as such suspension, cancellation or reduction is, in the opinion of the superintendent or gaoler, warranted.

155. Tobacco shall be issued to prisoners on the following conditions:—

Reg. 155
amended by
G.G.
13/11/1959,
p. 2830.

- (a) During first six months' imprisonment—no issue;
- (b) after first six months and up to one year—at the rate of one quarter ounce per week;
- (c) after first year and up to two years—at the rate of half-ounce per week;
- (d) after two years—one ounce per week;
- (e) there shall be no issue of tobacco in any week in which full marks are not earned;
- (f) the issue is subject to forfeiture or suspension under regulation 145;
- (g) prisoners carrying out duties of cooks, baker, latrine attendant, boiler attendant, cleaner, orderly, librarian, storeman, or other occupation shall be allowed one quarter ounce daily while so employed.

(C)—Offences Under Sections 62 and 63 of the Act by Persons other than Prisoners.

156. Paragraphs (a) and (e) of regulation 28 (relating to offences under section 62 of the Act) apply, as therein stated, to persons other than prison officers.

157. Any person who, without lawful authority, the proof of which shall be upon him—

- (a) enters or attempts to enter any prison; or
 - (b) communicates or attempts to communicate with a prisoner; or
 - (c) conveys or delivers, or in any manner attempts to convey or deliver or to cause to be conveyed or delivered to any prisoner, or introduces or attempts to introduce into any prison, any money, letter, or other document, clothing or any other article or thing whatsoever except as prescribed by these regulations; or
 - (d) conveys or receives or attempts to convey or receive any letter or other document or any other article whatsoever out of any prison except as prescribed by these regulations; or
 - (e) loiterers about or near any prison or other place where prisoners are employed; or
 - (f) secretes or leaves at any place any letter, article or thing for the purpose of being found or received by a prisoner,
- shall be liable to be apprehended by any police or prison officer or other person in whose charge or custody a prisoner may then be, as prescribed by section 63 of the Act, and on summary conviction for any such offence shall be liable to fine or imprisonment with hard labour as enacted by section 63 of the Act.

(D)—Special Rules as to particular Classes of Prisoners.

(i)—Female Prisoners.

158. Female prisoners shall be confined in a separate part of the prison provided for that purpose and shall in all cases, unless the circumstances render it otherwise impossible, be attended by female prison officers.

(2) (a) The daily diet for female prisoners shall be that set forth in regulation 118.

(b) Female prisoners shall at all times appear properly and neatly dressed in prison clothing, and they may be permitted to retain such portions of their private underclothing as the Matron shall consider necessary or desirable.

(c) Female prisoners with infants at the breast shall be permitted to retain them until they arrive at such an age as the Medical Officer considers them fit to be removed.

(d) The children of prisoners when at an age to be weaned, shall, with the consent of the Medical Officer, be removed to an orphanage or such other available place as the Comptroller General shall decide. In the case of a child under medical treatment such child may be allowed to remain with the mother should the Medical Officer deem it necessary.

(ii)—Offenders of the First Division.

159. A misdemeanant of the first division—

- (a) May supply his own food, clothing, and other necessary articles, also tobacco and newspapers, subject in all cases to detention and examination to prevent the introduction of prohibited articles;
- (b) [Paragraph (b) deleted by G.G. 13/11/1959, p. 2830.]
- (c) may wear his own clothing;
- (d) shall be provided with at least one separate cell or room;
- (e) shall be permitted to receive once a fortnight not more than three friends or relatives at one time for not more than half an hour;
- (f) may write one letter and receive one letter in each fortnight;
- (g) The Comptroller General may prolong visits or allow additional visits and letters to such reasonable extent as he may deem desirable;
- (h) in all other respects the general prison regulations and especially those regulations relating to debtors shall apply, except in so far as they conflict with the foregoing to all misdemeanants of the first division.

(iii)—Prisoners under sentence of Imprisonment only.

160. (a) A prisoner under sentence of imprisonment only shall be entitled to the following privileges:—

- (1) He may maintain himself entirely with food, clothing, and other necessities;
- (2) he may, provided it is fit for use, retain and wear his own clothing;
- (3) he shall not be required to perform any work beyond keeping his cell, clothing, bedding, and cell utensils in proper order and in a state of cleanliness according to instructions;
- (4) he shall not be compelled to shave or have his hair cut closely, unless by order of the Officer in Charge for the purpose of cleanliness or by order of the Medical Officer.

(b) Except as hereinafter provided, a prisoner of this class shall not be permitted to associate with prisoners of another class.

(c) Any prisoner of this class who is unwilling or unable to maintain himself shall conform to the regulation as to employment, and may earn the industry marks and consequent remission of sentence.

(iv)—Prisoners under sentence of death.

161. (a) A prisoner under sentence of death shall be kept in a separate cell until the sentence be executed or commuted and, if in the opinion of the Comptroller General it is necessary, shall be kept in irons.

(b) He shall be dressed in prison clothing and, except aboriginal natives, if otherwise approved, shall be constantly attended by a warder or other attendant.

(c) The hair of male prisoners shall be cut closely.

(d) Friends or relatives of such prisoners shall be allowed access at all reasonable hours subject to the discretion of the Officer in Charge, unless countermanded by the Comptroller General, but no

Reg. 159
amended
by G.G.
13/11/1959,
p. 2830.

other visitors shall be admitted except the clergyman of the church to which the prisoner belongs, and any person whom such clergyman may desire to assist him in his ministrations, unless by special order of the Comptroller General.

(e) No visitors or others shall be permitted to see any prisoner under sentence of death without his or her consent to see them being first obtained.

(f) The diet shall be the ordinary prison allowance, and the prisoner shall be allowed to walk for a short time every day under sufficient guard in one of the prison yards.

(g) A visitor shall not say anything to or in the hearing of a prisoner which may lead him or her to think there is any possibility of the sentence being commuted or in any way altered.

(h) Every person claiming to visit a condemned prisoner as his legal adviser must be a legal practitioner or the authorised clerk of the legal practitioner, and may have access, subject to permission of the Officer in Charge.

(i) These regulations shall be made known to every person visiting the prisoner, and strict compliance with them shall be the condition on which the visit is permitted.

(j) Except when in conflict with this regulation the regulations relating to prisoners generally, as far as applicable, may be applied to prisoners under sentence of death.

(v)—Chinese Prisoners.

162. The tails of hair usually worn by Chinese shall not be cut off, except when convicted of a crime after having previously undergone a sentence for some criminal offence in the State, or when especially recommended by the Medical Officer.

(vi)—Prisoners Unconvicted of Crime Detained for Safe Custody.

163 Prisoners detained for safe custody only pursuant to an order made either by the court or the Governor, under the provisions of section 653 of the Criminal Code, shall be treated as if they are prisoners under remand, and regulation 164 shall, *mutatis mutandis*, apply and have effect in respect of such prisoners.

Provided that—

- (i) if the Officer in Charge is of the opinion that it is in the best interests of any such prisoner that he should not be placed with or be associated or consort with any other prisoner or prisoners, the Officer in Charge may arrange accordingly, but in such case shall endeavour to arrange that such prisoner be placed with or allowed to consort with any other prisoners whose companionship will not be detrimental to such prisoner; and
- (ii) if any such prisoner desires not to be placed with or to associate or consort with any other prisoners, and gives notice thereof to the Superintendent, and the Medical Officer certifies that if the prisoner's wishes are not acceded to his physical or mental health or condition will be impaired or prejudicially affected thereby, such prisoner's wishes shall be acceded to so far as these regulations may permit;
- (iii) if in the opinion of the Medical Officer it is essential or expedient for the purpose of maintaining or improving the physical or mental health or condition of a prisoner that he should be required to perform some work of a nature or kind specified by the Medical Officer, the Superintendent shall place such prisoner at such work and the prisoner shall undertake and perform such work within the prison in accordance with these regulations as they relate to the performance of labour by prisoners until such time as the Medical Officer shall otherwise direct.

(vii)—Prisoners Awaiting Trial or Under Remand.

164. The following regulations shall apply to persons, hereinafter referred to as "prisoners awaiting trial," committed to prison for safe custody only—

- (a) On commitment for trial for an indictable offence, and awaiting trial or on remand;
- (b) pending the preliminary hearing before a Magistrate, or a Justice of the Peace on a charge of an indictable offence, or pending the hearing of any information or complaint;
- (c) on commitment to await extradition, or any other commitment.

165. On admission of a prisoner awaiting trial his clothing shall be searched, and every article except necessary clothing may be taken from him, and an inventory made of all money and other valuable effects taken. Such property and any other which shall from time to time be sent to the prison for him shall be entered in a book kept for that purpose, and such entry duly signed by the prisoner. Such property shall be returned to the prisoner on his discharge, except where it is ascertained to belong to some other person, or is ordered to be forfeited to the Crown. In the event of the removal of the prisoner to some other place of confinement, such money or other property shall be forwarded to such other place.

166. Any prisoner awaiting trial may be required to be thoroughly washed and cleansed, and, where deemed necessary to be examined by the Medical Officer.

167. Prisoners awaiting trial at all times shall so far as practicable be kept separate and apart from convicted prisoners, and unconvicted prisoners awaiting trial kept apart from prisoners awaiting trial who have been previously convicted.

168. The confinement of all prisoners awaiting trial or on remand shall be made as little oppressive as possible with due regard to their safe keeping and to the necessity of preserving the proper government of the prison, maintaining order, and to the physical and moral well-being of the prisoners.

169. (a) Prisoners awaiting trial shall be allowed as much air and exercise as possible, consistent with their safe custody, as far as conveniences will permit.

(b) Prisoners awaiting trial, or on remand may, if they desire it, wear prison dress and they shall be obliged to do so if their own clothes are insufficient, or unfit for use, or necessary to be kept for the purpose of justice but otherwise a prisoner awaiting trial may be permitted to wear his own clothing and have the necessary changes of underclothing from time to time, if such clothing is sufficient and suitable.

170. Such prisoners shall not be compelled to have their hair cut or to shave except on account of vermin or dirt or when the Medical Officer deems it necessary on the ground of health and cleanliness; but at no time shall hair be cut closer than is necessary for cleanliness.

171. Prisoners awaiting trial may be required to keep clean the cells, wards, and yards occupied by them, and every such prisoner must keep his furniture and clothing clean and properly arranged in his cell; but a prisoner awaiting trial shall not be required to be employed in the service or industries of the prison.

172. A prisoner awaiting trial receiving prison rations will not be allowed to purchase or receive other food from outside.

173. A prisoner awaiting trial having permission to maintain himself must do so entirely or not at all. Such maintenance is to consist of a sufficient quantity of wholesome food, and shall be subject to proper restrictions to prevent extravagance, or improper indulgence, and to prevent the admission of spirituous liquors, wine, or fermented liquors, or the introduction of any improper article or instrument calculated to facilitate escape. Such food, clothing, and other necessities may be paid for out of the money belonging to the

prisoner, in the hands of the Officer in Charge. Male prisoners may be allowed to purchase or receive a small quantity of tobacco or cigarettes.

174. No part of any such food, clothing, or other necessities shall be sold or transferred to any other prisoner.

175. No money shall be stopped from the funds belonging to any prisoner for maintenance by the State, unless by order of the Comptroller General, acting with legal authority.

176. Prisoners awaiting trial or on remand may send and receive letters at all reasonable times, subject to the rules regarding the inspection of correspondence, and the Officer in Charge may withhold any letters to or from such prisoners as he may deem fit and lay them before the Comptroller General for his decision.

177. A prisoner awaiting trial shall be allowed all reasonable facilities, including the provision of writing materials for communicating by letter with his relatives and friends, or his legal adviser.

178. Any confidential written communication prepared as instructions for his solicitor may be delivered personally to such solicitor or his authorised clerk without being examined by any prison officer, unless the Officer in Charge believes he has reason to suppose it contains matter not relating to such instructions.

179. The relatives, or friends, of a prisoner awaiting trial or on remand may visit him at all reasonable hours during week days, at the discretion of the Officer in Charge, and subject to the instructions of the Comptroller General or Crown Law authorities.

180. A prisoner awaiting trial shall be allowed to see his legal adviser, and, if necessary for the purposes of his defence a medical practitioner, on any week-day at a reasonable hour, in the sight but not in the hearing of a prison officer.

181. Subject to foregoing regulations 164 to 180, inclusive, the regulations in this Division (except so far as they are applicable only to convicted prisoners) may be applied to prisoners awaiting trial as herein defined.

(viii)—Debtors.

182. Any person imprisoned for default of payment of a debt, or in lieu of distress to satisfy a sum of money adjudged to be paid by the order of any Court, or for default in performance of any obligation or for contempt of Court (hereinafter referred to as "such person") shall be subject to the following rules:—

183. Every such person shall be allowed to maintain and clothe himself, and for this purpose may receive, at proper hours, a reasonable supply of food, clothing, and other necessary articles, subject in all cases to detention and examination, to prevent the introduction of fermented or spirituous liquors or other prohibited articles. Such person may be allowed from time to time to purchase or receive a newspaper or a small quantity of tobacco or cigarettes.

184. No gaming will be permitted under any pretence. Dice, cards, and anything used for purposes of gaming which may be found in the possession of such person may be seized and destroyed.

185. No visitors to such person will be admitted before 10 a.m. or after 4 p.m. on week days and not at all on Saturday afternoon or Sunday, except by special permission of the Comptroller General or the Officer in Charge.

186. Every such person may be required to keep himself clean in person and clothing, and if he is unable to obtain changes of clothing he may be compelled to wear the ordinary prison dress.

187. For the purpose of cleanliness, the hair of such person may be cut, should the Officer in Charge so order.

188. Every such person must make up his own bedding according to instructions and keep his cell, and utensils therein clean and in proper order. Singing, whistling, and all loud noises are strictly prohibited.

189. Any such person receiving prison rations will not be allowed to purchase or receive other food from outside, but must confine himself to the rations supplied by the Officer in Charge.

190. Any such person shall not be permitted, under any circumstances, to communicate with a prisoner of another class, either in writing or by signs, or in any other manner, and shall not be permitted to give, or send to any such prisoner food, clothing, or any articles whatever, except as provided for in the regulations.

191. Every such person may send or receive letters. Should the Officer in Charge, however, suspect improper correspondence, he may open and peruse any such communication and detain any suspected letter for the decision of the Comptroller General.

192. Every such person shall, in all cases, conform to the rules and regulations and at once obey any orders given him by a warder for the due performance thereof.

193. Any breach of these regulations or any disorderly or improper behaviour on the part of such person shall be at once reported and dealt with by the Comptroller General or Visiting Justice.

194. Subject to these regulations, the regulations in this Division (except as far as they are applicable only to convicted prisoners) may be applied to such persons.

PART III.—REFORMATORY PRISONS.

The Board.

195. (a) The Indeterminate Sentences Board (hereinafter referred to as "the Board") shall meet from time to time as may be necessary. Minutes of each meeting shall be kept by the secretary, and signed by the chairman, who shall be elected by a majority of the Board.

(b) The Board, or two members thereof, shall visit each reformatory prison at least once every three months, and shall view all the inmates confined therein. The Board, or any member thereof, shall have free access to every part of the reformatory prison, and may see and interview any inmate, and inspect diets, and examine any books kept in the reformatory prison.

196. The Board shall generally satisfy themselves that the reformatory prison is properly conducted, the regulations duly enforced, and that proper attention is given to the health of the inmates and to the sanitary requirements.

197. The Board shall be paid such fees as shall from time to time be recommended by the Comptroller General and approved by the Minister.

198. The Board shall, from time to time, when necessary, recommend to the Comptroller General the appointment of a secretary, and the terms of his appointment.

Comptroller General.

199. The Comptroller General shall furnish the Board with such records, reports, and returns as the said Board may, from time to time, require.

Superintendent of Fremantle Prison.

200. (a) The Superintendent shall cause the Board to be furnished with a full record of such inmates as the Board may desire, and shall cause all such reports and returns to be furnished as the Board may, from time to time, require.

(b) The Superintendent shall cause to be kept a record of the conduct, and the amounts earned by each inmate, and, also, of all deductions made for the payment of such luxuries, or extras, as the Board may direct.

Chaplain.

201. The Chaplain shall pay particular attention to the inmates in any reformatory prison, in addition to carrying out the instructions laid down in the ordinary Prison Regulations.

Medical Officer.

202. The Medical Officer shall examine every inmate at least every three months, and shall furnish a report of the mental and physical condition of such inmate to the Superintendent, who shall forthwith submit such reports for the Board's perusal.

Visiting Justices.

203. The Visiting Justices shall have the same power to hear and determine complaints respecting the inmates as in the case of ordinary prisoners under the Act, and may similarly direct punishment, or otherwise deal with the offenders.

Officer in Charge.

204. The Officer in Charge shall—

- (a) each day personally inspect the wards, kitchen, and premises generally of the reformatory prison under his charge;
- (b) see that the inmates receive their proper allowance of rations and luxuries;
- (c) see that the inmates are usefully employed during the whole of their respective working hours; and
- (d) report to the Superintendent forthwith any charges of misconduct preferred against any of the inmates.

205. All requests by inmates shall be made to the Officer in Charge.

Grading of Inmates.

206. All inmates subject to reformatory treatment shall be graded as follows:—

1st Grade: Those inmates who have been sentenced to reformatory treatment in pursuance of section 661 of the Criminal Code (Act No. 32 of 1918, s. 27).

2nd Grade: Those inmates who have been sentenced to reformatory treatment in pursuance of section 662 of the Criminal Code (Act No. 32 of 1918, s. 27).

3rd Grade: Those inmates undergoing sentences of imprisonment only, and who have been selected by the Board as suitable for reformatory treatment in pursuance of section 64B of the Prisons Act, 1903-1918.

207. As far as practicable, and except when otherwise recommended by the Board, and approved by the Comptroller General, inmates of one grade shall be kept apart from inmates of any other grade.

Treatment of Inmates under Reformatory Treatment.

208. As far as practicable, the treatment of inmates in the 1st, 2nd and 3rd Grades shall be in the following manner:—

- (a) Inmates of any grade will be dealt with under a progressive stage system, by which they will practically determine their own treatment as regards enjoyment of privileges, or the reverse.
- (b) They may be classified into any of the four following classes:—
 1. The Primary.
 2. The Intermediate.
 3. The High, and
 4. The Highest.

209. Inmates in the intermediate, high, and highest classes will be eligible to earn various privileges for which those in the primary class will not be eligible.

210. Prisoners sentenced to finite sentences who have been transferred to a reformatory under the provisions of section 64B of the Act shall also be allowed marks in like manner as provided by regulation 152.

211. Inmates of any class prescribed in regulation 206 shall, so far as practicable, be kept apart from inmates in any other class, and each inmate shall have a separate cell.

212. An inmate shall not share with others indulgence, or any extra article. Any inmate so offending shall render himself liable to severe punishment including reduction and forfeiture of privileges.

Primary Class.

213. When an inmate is reduced for a breach of discipline, idleness, or misconduct to the primary class, the earning of wages and privileges shall be suspended until the intermediate class is re-entered.

214. An inmate reduced to the primary class shall not be eligible for promotion to the intermediate class until he has served, with continuous good conduct and industry, at least one month in the primary class.

Intermediate Class.

215. An inmate of any grade when commencing reformatory treatment shall be placed in the intermediate class; from this he may rise to the high class by industry and good conduct.

216. If an inmate in the 3rd Grade shall be guilty of any breach of discipline, idleness, or misconduct, the Board may recommend that he be re-transferred either to the prison from which he was transferred, or be transferred to another prison, to serve the unexpired residue of his sentence, in pursuance of section 64C of the Act, or he may be reduced to the primary class.

217. On entering the intermediate class, an inmate shall be eligible to receive No. 3 ration, also 1 oz. of tobacco weekly, and may purchase luxuries as provided in regulations.

218. Every facility shall be afforded the inmates desirous of improving their education.

219. Lights may be allowed in cell to inmates until 8.30 p.m.

220. Each inmate shall be permitted to receive each month a visit from a friend, or relation, of twenty minutes' duration, and may also write and receive one letter each month.

221. Inmates shall wear the ordinary prison dress with the letter "I" on the left sleeve of coat only.

222. Any inmate shall be eligible to be recommended for promotion from the intermediate class to the high class when he has earned—

- (a) 2,192 marks, and
- (b) full marks each consecutive day for a period of three months after having earned the aforesaid, 2,192 marks.

High Class.

223. On promotion to the high class, an inmate shall be eligible to receive full privileges.

224. For any breach of discipline, idleness, or misconduct an inmate may be reduced to another class for such reasonable time as the Comptroller General, on the recommendation of the Board, may decide.

225. Any inmate shall be eligible to be recommended for promotion from the high class to the highest class when he has earned—

- (a) 2,192 marks, and
- (b) full marks for each consecutive day for a period of three months after having earned the aforesaid, 2,192 marks.

226. Inmates in the high class when earning full marks may be allowed the same ration as the intermediate class, and 1½ ozs. of tobacco weekly.

227. Lights may be allowed until nine o'clock each evening. Inmates may be permitted to receive one visit each month of thirty minutes' duration, and may receive and write two letters monthly. Library books may be changed daily, except Sunday.

228. Inmates shall have the letter "H" on the left sleeve of coat.

Highest Class.

229. Inmates of the highest class shall be allowed all the privileges of the preceding classes, and shall wear the letter "H" with a star on the left coat sleeve.

Earning of Marks.

230. Each inmate shall be tasked according to his ability, and shall be treated in the same manner as other prisoners in respect to the earning of marks for good conduct and industry, in accordance with prison regulation 152.

Promotion.

231. Notwithstanding anything in these regulations contained, the Comptroller General, on the recommendation of the Board, may promote any inmate in any class to a higher class.

Discipline.

232. Inmates shall be subject to the Act and the prison regulations in so far as such regulations are not inconsistent with these regulations.

233. For any breach of discipline, idleness, or misconduct a Visiting Justice, in addition to, or in substitution of, any other penalty provided by the Act, may fine an inmate a sum not exceeding ten shillings, and, further, may order that the inmate be separately confined: Provided that any punishment, or penalty, inflicted by a Visiting Justice shall in no way affect the right of the Comptroller General, on the recommendation of the Board, to place the inmate in a lower class.

234. Without prejudice to any other means of recovery or enforcement, fines inflicted by a Visiting Justice may be deducted wholly or in part from any gratuity credited or to become credited to the inmate.

Reg. 234
substituted
by G.G.
3/2/1956,
p. 450.

Confinement in Cells.

235. The Superintendent may confine an inmate charged with a breach of discipline, idleness, or misconduct, or any offence, in his cell, or in a refractory cell and take any precautionary measures as he may deem necessary, and, further, may stop any privilege until the Visiting Justice deals with the charge.

Industrial Employment.

236. Every inmate subject to reformatory treatment shall, if fit, be put to such work, or trade, as in the opinion of the Board or of the Superintendent he is most suitable for, or proficient in, and which, in their or his opinion, will the most fit him for self-support when at liberty.

237. Male inmates shall commence as labourers, and may be promoted on approval of the Board and concurrence of the Comptroller General, to be artisans as they become proficient on the recommendation of the Superintendent, together with a certificate of the trade instructor or farm manager.

238. Inmates by any reason prevented from working shall not be credited with gratuities for the period of their unemployment, except during the first week thereof.

Reg. 238
amended by
G.G.
3/2/1956,
p. 450.

239. Inmates physically unfit are not eligible to earn gratuities, but may on their release receive, subject to the Minister's approval, such sums as the Board, after considering the circumstances of each case, shall in their discretion recommend.

Reg. 239
amended by
G.G.
3/2/1956,
p. 450.

Wages.

240. [*Regulation 240 repealed by G.G. 3/2/1956, p. 450.*]

241. The Board shall, from time to time, recommend what amounts (if any) shall be applied towards the maintenance of any inmate's wife and family (if any), or of any person dependent, or partially dependent, on him. The balance in the case of an inmate released on probation shall be dealt with as provided by section 64F, subsection (6) of the Act.

242. There shall be credited to each inmate such portion of gratuities earned by him as the Board may from time to time recommend. In the case of an inmate released on expiration of sentence, or on temporary leave, under section 64H of the Act, the

Reg. 242
amended by
G.G.
3/2/1956,
p. 450.

amount standing to his credit (if any) shall be disbursed for his benefit in such manner, and in such times, and in such sums, as the Board may from time to time direct.

Reg. 243
amended by
G.G.
3/2/1956,
p. 450.

243. Where an inmate, entitled to earn full marks fails to do so, through any breach of discipline, idleness, or misconduct, then there shall be deducted from his gratuity, the sum of sixpence for each mark forfeited. Where a charge is laid against an inmate and forfeiture of marks is awarded as a punishment, there shall be deducted from his gratuity the sum of sixpence for each mark so forfeited up to a maximum of two shillings in respect of each charge.

244. The privilege of purchasing luxuries shall be withdrawn for the week in which forfeiture occurs.

245. The loss of mark or marks shall be confirmed by the Superintendent, and the inmate shall have the right of appeal to the Comptroller General.

246. All forfeitures, and the reasons for such forfeitures, shall be recorded in a book kept for that purpose.

Petitions for Release on Probation.

247. Subject to regulation 249, only inmates who have been for six months in the highest class shall be allowed, and then only at the discretion of the Board, to petition for release on probation.

248. Inmates when petitioning under preceding regulation shall state if definite employment is available for them, and every facility should be afforded to an eligible inmate to communicate regarding the employment with any organisation, or reputable person, likely to find employment for him.

249. Nothing in these regulations shall debar the Board at any time from recommending the release on probation of any inmate, provided there are special circumstances as the Board may consider sufficient, and in such cases the Board may allow an inmate to submit his petition to the Board through the Comptroller General, and such petition will be placed before the Minister, together with the Board's recommendation.

Clothing.

Reg. 250
amended by
G.G.
13/11/1959,
p. 2830.

250. (a) Every inmate undergoing reformatory treatment shall be supplied with two kits of clothing of ordinary prison material and pattern, with such distinguishing marks of class thereon as may be prescribed for the class he is in. Suits not in use shall be neatly folded up and kept in lockers.

(b) [*Paragraph (b) deleted by G.G., 13/11/1959, p. 2830.*]

Bedding.

251. Inmates shall be supplied with the same amount of bedding including mattress, pillow, and bedstead, as may be prescribed from time to time in the prison regulations.

Furniture.

252. Inmates shall be provided with a locker and key, in which clean clothing and belongings shall be kept.

Recreation.

253. Inmates will be provided with games, such as draughts, dominoes, chess, and rope quoits, and, when practicable, may, after tea, play games or read in the association room up to 8 p.m.

Miscellaneous.

254. The hours of rising, and the times for meals and work, shall be the same as at the Fremantle Prison, or as the Board may from time to time decide.

Luxuries.

Reg. 255
amended by
G.G.
3/2/1956,
p. 450.

255. Luxuries which inmates may purchase with portion of their gratuity available for the purpose comprise tobacco, sugar, golden syrup, butter, eggs, jam, sauce, cocoa, weekly newspapers, and such other articles as the Board may from time to time allow.

256. All luxuries shall be purchased through the Officer in Charge.

PART IV.—PARDELUP PENAL OUTSTATION.

257. In this Part of the regulations the words "Prison Farm" mean the Pardelup Penal Out-station, and include the afforestation area; "Officer in Charge" means the Officer in Charge of the Prison Farm as defined; "The Board" means the Indeterminate Sentences Board, and regulation 4 for the interpretation of other words shall apply.

258. Officers, prisoners, and inmates of the Prison Farm shall be subject to all regulations now and hereafter made under the Act except in cases where the circumstances make such regulations inapplicable.

259. The Officer in Charge shall:—

- (a) in addition to his other duties be responsible for the good order, discipline, and proper working of the Prison Farm, and for the safe custody of the prisoners and inmates;
- (b) keep or cause to be kept such books and records as may be directed, or required by the Comptroller General;
- (c) make such arrangements subject to the approval of the Comptroller General, as are necessary and requisite for carrying out the work of the Prison Farm, and for the maintenance and security of the prisoners and inmates, the enforcement of discipline, and the general management;
- (d) make an inspection daily of the dormitory, cubicle, and places where prisoners or inmates are located. On any day on which personal inspection by the Officer in Charge is impracticable, he may delegate that duty to another officer. He, or any other officer acting under his instructions, is empowered to enter any dormitory, cubicle, or place, for the purpose of search, inquiry, or for other sufficient reason;
- (e) be responsible for arranging and carrying out all farming and domestic work, provided that the Comptroller General shall be kept fully advised of all arrangements, which shall be alterable at the discretion of the Comptroller General.

Reg. 259
amended by
G.G.
13/11/1959,
p. 2830.

260. Officers shall be expected to interest themselves in promoting the smooth working of the Prison Farm to encourage prisoners and inmates to be industrious and painstaking and to see that no disrespect is shown by the latter to officers or persons employed in other departments with whom they may be brought into contact, and such officers or persons shall not be allowed to unnecessarily converse with a prisoner or inmate.

261. All instructions to prisoners, or inmates, from officers or persons of other Departments shall be given through an officer of the Prison Department. Officers of other Departments should be instructed accordingly by the officers of the Prison Farm.

262. Rations to Officers.—The Officer in Charge, and each officer of the Prison Department having wife, or dependents, resident at the Prison Farm will be allowed while employed at the Prison Farm the following:—

Reg. 262
amended by
G.G.
13/11/1959,
p. 2830.

Article.	Officer-in-Charge.	Officers.
Butter	8 ozs. daily	5 ozs. daily
Vegetables	16 " "	16 " "
Potatoes ..	16 " "	16 " "
Milk (fresh) ..	2 pints daily	2 pints daily
Eggs ..	2 doz. weekly	1½ doz. weekly
Mutton or Beef		
Bread	At prices to be fixed from time to time by the Officer in Charge, and approved by the Comptroller General.	

263. Produce of the Prison Farm is not to be sold, or given away, by any officer without the consent of the Comptroller General or Superintendent.

264. Officers will not be permitted to keep horses, cattle, pigs, or poultry on the Prison Farm.

Reg. 265
amended by
G.G.
13/11/1959,
p. 2830.

265 Annual leave and holidays.—In addition to the leave prescribed in the Prison Regulations, officers shall be allowed one week annual leave in consideration of longer hours worked.

Reg. 266
amended by
G.G.
3/2/1956,
p. 450.

266. Prisoners.—Prisoners and inmates at the Prison Farm:—

- (a) Shall be subject to all regulations now and hereafter made under the Act except in cases where the circumstances make such regulations inapplicable.
- (b) A prisoner or inmate shall not go outside the boundaries fixed by the Officer in Charge without the special permission and authority of the Officer in Charge.
- (c) Where a prisoner or inmate is employed outside the proclaimed boundaries, the Prisons regulations shall apply, in accordance with the provisions of section 30 of the Act.
- (d) A prisoner or inmate shall occupy such quarters or cubicle as may be assigned to him, and shall keep the same, and its contents, in the highest state of cleanliness. He must not enter the cubicle of another prisoner, or inmate, without the authority of the Officer in Charge.
- (e, f) [*Paragraphs (e) and (f) deleted by G.G. 3/2/1956, p. 450.*]
- (g) Tobacco.—Prisoners or inmates shall receive 2 ozs. of tobacco per week, subject to Prisons regulation 155 (e).
- (h) Lights out and silence shall be observed after 9 p.m.
- (i) For any breach of the Prisons or these regulations, or serious misconduct which may in the opinion of the Superintendent warrant it, a prisoner or inmate engaged at the Prison Farm may be removed therefrom on the approval of the Comptroller General to any prison, and the cost of such removal including all charges incurred, shall be deducted from any earnings then standing to the credit of the prisoner or inmate concerned, or which may thereafter accrue to him.
- (j) A prisoner or inmate who escapes from the Prison Farm shall pay the cost of his recapture, including all expenses incurred in his removal to Fremantle Prison; such costs shall be deducted from any earnings then standing to the credit of the prisoner or inmate concerned or which may thereafter accrue to him.
- (k) Letters and visits.—Prisoners or inmates engaged at the Prison Farm may send, and receive, two letters per month in lieu of visits. No visits will be allowed except by special permission of the Superintendent or Comptroller General. All correspondence to be addressed to Fremantle Prison.
- (l) A prisoner or inmate shall receive the following dietary allowance:—

Bread	....	....	....	24	ozs. daily
Oatmeal	....	....	....	4	" "
Meat, uncooked	....	....	....	16	" "
Rice	....	....	....	$\frac{1}{4}$	" "
Sugar	....	....	....	3	" "
Salt	....	....	....	$\frac{1}{2}$	" "
Tea	....	....	....	$\frac{1}{3}$	" "
Soap	....	....	....	$\frac{1}{2}$	" "
Vegetables	....	....	....	16	" "
Milk (when available)	....	....	....	1	quart to 40 men.
Pepper	....	....	....	1	oz. to 100 rations.

The above may be varied, or altered, on recommendation of Medical Officer, or Superintendent, and approval of Comptroller General.

267. Subject to any variations or alterations from time to time recommended by the Officer in Charge or Superintendent and approved by the Comptroller General, the following time table, as far as circumstances permit, shall be observed on week days (Saturday excepted):—

From 16th April to 15th September. <i>Winter</i>	From 16th September to 15th April. <i>Summer</i>	
6.30 a.m.	6 a.m.	Bell rings, prisoners and inmates rise.
6.30 to 7 a.m.	6 to 6.30 a.m.	Make up beds, wash, sweep and tidy cubicle.
7 a.m.	6.30 a.m.	Fall in, roll call, breakfast.
7.15 a.m.	7.15 a.m.	Muster march to labour.
8 a.m. to noon	7.30 a.m. to noon	Labour.
12 noon	12 noon	Cease labour (Horse teams 11.45 a.m.).
12 to 1 p.m.	12 to 1 p.m.	Meal.
1 p.m.	1 p.m.	Resume labour.
5 p.m.	5 p.m.	Cease labour, return to camp, wash (Horse teams 4.45 p.m.).
5.30 p.m.	5.30 p.m.	Roll call, meal.
6 to 8.45 p.m.	6 to 8.45 p.m.	Recreation.
8.45 p.m.	8.45 p.m.	Muster, retire to dormitory or cubicle.
9 p.m.	9 p.m.	Lights out.
<i>Saturdays.</i>		
6.30 a.m. to noon ..	6 a.m. to noon ..	Same as on other days.
Noon	Noon	Return to camp.
12.30 p.m.	12.30 p.m.	Meal.
1 to 5 p.m.	1 to 5 p.m.	Recreation, bathing, mending clothes, letter writing.
5 p.m.	5 p.m.	Meal.
5.30 p.m. to 8.45 p.m.	5.30 p.m. to 8.45 p.m.	Recreation.
9 p.m.	9 p.m.	Lights out.

Sunday and Holidays.

Rise and have meal same as on Saturday. With the exception of time spent at Divine Service, or religious instruction, the day may be spent in reasonable exercise, or letter writing.