

POLICE AND PRISONS

1923

C.S.

No. 691/23

Chief Constable

SUBJECT.

192 3

Mr. LESLIE HARDY

19th September

Applies for permission to visit his brother.

Previous Paper.

MINUTES.

Letter from Mr. L Hardy of 19th Sept 1923 — Encl (1)
Minute by Chief Constable of 20th Sept 1923 — " (1a)

PA
28/9/23

*2 E. Submitted.
M.H.B.
O'Keefe
21 Sept 1923*

Mr. Hardy should be informed that there is no power to authorize a breach of the Regulations as laid down by law. I regret therefore that it is not possible to grant the application. ~~Letter~~ 20 Sept.

*Chief Constable.
To Mr. Hardy
M.H.B.
O'Keefe
22 Sept 1923*

Subsequent Paper.

*How Col Sec.
noted
28/9/23 Ch Const.*

(1)

Stanley Bakery
Stanley

19/9/23.

Sir , I beg to request that we might be granted permission to visit my brother on Sunday's , as Saturday's is a very busy day for us , also Sir would it be possible for me to visit him one evening in the week Wednesday or any other evening would do . I pledge myself to strictly adhere to the prison regulations Sir I plead that my request might be granted .

I am
Dear Sir,
Yours Faithfully

D.J.O'Sullivan Esq.
Chief Constable
Stanley

Lusby Hardy

You Col Secretary

*Sir, letter from Mr. Lusby Hardy
Gaol regulations
attached, see rule 5 regulations*

24/9/23

D.J.O.

(1a)

GAOL REGULATIONS.

Made in accordance with Section 54 of the Administration of Justice Ordinance No. 10 of 1853, by His Excellency Sir Roger Tuckfield Goldsworthy, K. C. M. G., Governor of the Falkland Islands and their Dependencies.

1.—The Gaoler shall keep a Book (Form A) in which shall be entered the name of every prisoner committed to Gaol, the offence for which committed, age, nationality and previous conviction, if any. The Gaoler shall keep a Conduct Book (Form B) in which the conduct of prisoners shall be entered, with such other particulars as may be required from time to time, which book shall be submitted to the Visiting Justices at each visit. All punishments, by whosoever order inflicted, shall be entered in this book.

2.—All prisoners on entering the Gaol must be searched, everything not necessary for their use while in custody must be taken from them and retained by the Gaoler until their release, and all articles so taken must be entered in a book (Form C). The name of the prisoner, and other particulars required, shall be entered at the time in the Gaol book. The Colonial Surgeon shall examine each prisoner on admission. He shall, if possible, see every prisoner once a week, and prisoners in solitary confinement at shorter intervals. No dietary or corporal punishment shall be inflicted without his certificate that the prisoner is able to bear it. The Colonial Surgeon shall keep a book (Form D) and enter all cases of illness therein.

3.—The Colonial Secretary, the Colonial Chaplain, the Colonial Surgeon, and every Justice of the Peace, shall at all times have free access to the Gaol and to any prisoner therein; they shall sign their names in the Official Visitors Book, and make such remarks or suggestions as they may deem necessary. Any prisoner having a complaint to make or a request to prefer to them shall be given every facility for doing so.

4.—All offences committed in gaol shall be heard before one or more of the Visiting Justices. The Gaoler shall report to the Visiting Justices, as soon as possible, any complaint respecting any of the offences following, that is to say :—

- 1.—Disobedience of the Regulations of the prison by any prisoner.
- 2.—Common assaults by one prisoner on another.
- 3.—Profane cursing and swearing by any prisoner.
- 4.—Indecent behaviour by any prisoner.
- 5.—Irreverent behaviour at Divine Service by any prisoner.
- 6.—Insulting or threatening language by any prisoner to any officer or prisoner.
- 7.—Absence from Divine Service without leave by any criminal prisoner.
- 8.—Idleness or negligence at work by any convicted criminal prisoner.

9.—Wilful mismanagement of work by any convicted criminal prisoner.

And it shall be lawful for any one of the Visiting Justices to examine any person touching such offences and to determine thereupon, and to punish such offences by ordering the offender for any time not exceeding three days to close confinement to be kept there upon bread and water.

If any criminal prisoner is guilty of repeated offences against prison discipline, or is guilty of any offence against prison discipline which one Visiting Justice is not empowered by these Regulations to punish, the Gaoler shall report the same to the Visiting Justices, and the Visiting Justices shall have power to enquire upon oath and to determine concerning any matter so reported to them, and to order the offender to be punished by confinement in a punishment cell for any term not exceeding one month, or in the case of prisoners convicted of felony or sentenced to hard labour by personal correction not exceeding 36 lashes, in the case of prisoners over 18, and half that number of strokes with a birch when the prisoner is 18 years of age or under.

5.—Prisoners may see their friends every Saturday from twelve to one o'clock by order of the Colonial Secretary but in the event of misconduct such indulgence will not be granted.

6.—Prisoners not at hard labour or in solitary confinement shall be allowed one hour's exercise in the gaol yard every day; but all prisoners, other than those under solitary confinement, shall be allowed one hour's exercise in the gaol yard every Sunday.

8.—The prisoners shall rise at 5 a.m. in Summer and 6 30 in Winter, and be locked up in their respective cells at 8 p.m. in the Summer and 5 30 p.m. in the Winter.

8.—In case of any riotous conduct or disobedience of orders by any prisoner, the Gaoler shall take such measures as may be necessary to enforce discipline forthwith, and report the case to the Colonial Secretary and to the Visiting Justices for the month, as early as possible, with a view to their dealing with the matter.

9.—Two persons shall not at any time be kept in one cell.

10.—Prisoners convicted of felony are never to be locked in the same cell with other prisoners, nor adults with juveniles, nor re-convicted criminals with first offenders.

11.—A light is to be kept burning in the passage of the gaol all night.

12.—Prisoners sentenced by any Court or Justice to solitary confinement shall be locked up in separate cells. They shall not be allowed to leave their respective cells except in custody of the Gaoler or Warder, but they shall be given such amount of exercise as is necessary for health, and they shall not be kept in solitude for any length of time without constant medical supervision. Their meals are to be taken in their cells.

13.—Prisoners committed for trial or for debt may purchase provisions for their own use, with the sanction of the Gaoler; provided that spirits shall not be allowed to be so purchased, and not more than one pint of beer or wine per day for each prisoner so committed.

14.—Spirits shall not be conveyed into the gaol for the use of any prisoner, nor shall smoking be allowed without the written order of the Colonial Surgeon.

SCALE OF DIET.

	Men at hard labour.	Men not at hard labour and Women.
Breakfast. ...	Bread 8 oz. Coffee 1 pint	Bread ... 6oz. Gruel ... 1 pint.
Dinner. ...	Bread 8 oz. Potatoes or other vegetables 1 lb. Meat soup 1 pint (allowance 12 ozs. meat)	Bread ... 6 oz. Potatoes or other vegetables 1 lb. Meat soup ... 1 pint. (Allowance 12 ozs. meat).
Supper. ...	Same as breakfast.	Same as breakfast.

Weekly allowance for each prisoner not on punishment diet.
2 ozs. salt. 7 ozs. sugar.

Prisoners in solitary confinement are to receive the same as prisoners at hard labour—except in cases where bread and water has been ordered as a punishment, when the allowance will be 1½ lb. for males and 1 lb. for women. Bread and water diet shall not be given continuously for more than three days.

A copy of the Diet Table is to be hung up in the Day room of the gaol.

15.—The labour to be performed by the prisoners will be directed from time to time by the Colonial Secretary under orders from the Governor.

The following shall be the Time Table for work, &c.

- (1.)—Prisoners will rise and dress, sweep out and tidy their cells, and perform such other work as they may be called upon to do until breakfast time.
- (2.)—After breakfast until 12 o'clock work in or out of doors.
- (3.)—From 12 to 12-30 p.m. dinner. From 12.30 to 1 p.m. clean day room and gaol.
- (4.)—From 1 p.m. until the last bell work in or out of doors.
- (5.)—After the last bell, supper, carry water and peat.
- (6.)—Prisoners at work in the cells are to have exercise in the Prison yard from 1 to 2 o'clock p.m. daily, weather permitting.
- (7.)—Prisoners are to be discharged at noon on the day of their release. If the day of release falls on a Sunday they shall be released on the preceding Saturday.

16. The prisoners will be employed every Saturday afternoon to clean the gaol, wash their clothes, or on such other duties as may be ordered.

17.—Female prisoners are to be kept separate from the male prisoners at all times, except during the performance of divine service and they will be under the exclusive charge of the Gaoler's wife, or a matron appointed for that purpose.

18.—Each prisoner will be supplied with the following articles, viz. : one palliasse, a panakin and a spoon and fork and a sufficiency of blankets. Clothing will be supplied for use of the prisoners from time to time, for which requisition must be made by the Gaoler through the Colonial Secretary.

19.—Letters shall not be allowed to pass to or from any prisoner unless the same shall be first sanctioned by the Colonial Secretary. The Gaoler shall at once on receiving any letter addressed to any prisoner, or on receipt of any letter written by any prisoner, (the writing of which letter must be by permission granted by the Colonial Secretary) submit the same to the Colonial Secretary for instructions.

20.—The Colonial Secretary will be responsible for the general discipline of the gaol, the labour which the prisoners are to perform, and for all disbursements of public money in connection therewith; subject to the instructions of the Governor.

21.—Remission of 3 days in each month may be granted for good behaviour to prisoners sentenced to short terms of imprisonment.

Prisoners sentenced to long terms of imprisonment, or to penal servitude, may, by steady industry, accompanied by good conduct, if males, obtain remission of one fourth of the sentence, and if females, one third of the sentence—under the system of marks as laid down in enclosure to Circular Despatch of Secretary of State, dated 21st January, 1892.

22.—The Governor may, by an order in writing under his hand and Seal, grant to any prisoner whose term of imprisonment shall exceed six months, a licence to be at large within the Colony during the unexpired portion of the term of imprisonment, upon such conditions as to the Governor shall seem fit, and it shall be lawful for the Governor to revoke or alter such licence by a like order at his pleasure. Provided always that if such licence shall be revoked, the Governor shall cause to be signified to the Police Magistrate the revocation of such licence, and require such Magistrate, or any Justice of the Peace, to issue his warrant for the apprehension of the person holding such licence.

23.—Any matters for which provision has not been made in the above rules shall be governed by the Regulations in force for local prisons in England, so far as they are applicable to the circumstances of the Colony.

ROGER TUCKFIELD GOLDSWORTHY,
Governor.

Passed by the Governor in Executive Council this second day of February, 1893.

C. W. HILL,
Clerk to Council.