

Application
of general
rules.

297. Prisoners undergoing penal servitude shall also be subject to the rules for the general government of Ordinary prisons, except so far as they are inconsistent with these special rules.

Board of
Visitors.

298. References in the general prison rules to the Visiting Committee shall be construed as references to the Board of Visitors where such general rules relate to prisoners undergoing penal servitude.

PART IX.

REVOCATION OF RULES.

Repeals.

299. All previous rules made by the General Prisons Board for Ireland, with respect to Prisons, are hereby repealed, so far as they affect Prisons in Northern Ireland.

Given under the Seal of the Ministry of Home Affairs for Northern Ireland this 19th day of June, 1925.

A. P. Magill,

(L.S.)

Assistant Secretary.

By the Governor and Privy Council of Northern Ireland.

ABERCORN:

In pursuance of the Statutes in that behalf, I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland with the approval, advice, and consent of the Privy Council of Northern Ireland, have settled and hereby approve of the foregoing Rules made by the Ministry of Home Affairs for Northern Ireland.

Given at the Council Chamber, Stormont Castle, Belfast, this 27th day of August, 1925.

H. M. Pollock.

John M. Andrews.

J. Milne Barbour.

Visiting Committees of Ordinary Prisons.

MADE BY THE GOVERNOR OF NORTHERN IRELAND, IN PURSUANCE OF THE PRISONS (IRELAND) ACT, 1877, THE GOVERNMENT OF IRELAND ACT, 1920, THE IRISH FREE STATE (CONSEQUENTIAL PROVISIONS) ACT, 1922, AND THE ORDERS MADE THEREUNDER.

1925. No. 90.

1. The following rules shall apply to every visiting committee or joint visiting committee of an ordinary prison in Northern Ireland :—

2. The visiting committee or joint visiting committee, as the case may be, of a prison, shall continue to act until the specified time for appointment of their successors ; provided always that if any Grand Jury or Town Council ordered to appoint such committee or members of a joint committee shall make default in doing so at the time appointed for that purpose, the committee or members of the joint visiting committee appointed to represent the Grand Jury or Town Council making such default as aforesaid shall continue to act until a committee or members of a joint visiting committee shall be appointed at a subsequent time for appointment. Tenure of office.
3. Every visiting committee shall, at their first meeting, appoint a chairman and make rules as to their attendance at the prison for the purpose of carrying out the duties assigned to them. Chairman and rules.
4. A visiting committee and the members thereof may act notwithstanding any vacancy in their body. Powers not affected by vacancies.
5. Every visiting committee shall keep a book of minutes of their proceedings, in which all minutes shall be recorded. Minutes.
6. They shall meet as a committee at the prison once in each month, or, if the committee pass a resolution that, for reasons specified in the resolution, less frequent meetings are sufficient, not less than eight times in the year. Meetings at prison.
7. One or more of them shall visit the prison once in each week, or, if the committee pass a resolution that for reasons specified in the resolution fortnightly visits are sufficient, then once in each fortnight. Visits to prison.
8. No member of the visiting committee may have any interest in any contract made in respect of any prison of which he is on the visiting committee. Interest in contracts.
9. They shall co-operate with the Ministry of Home Affairs for Northern Ireland, hereinafter referred to as "the Ministry," in promoting the efficiency of the service, and shall make inquiry into any matter specially referred to them by the Governor of Northern Ireland or the Ministry, and report their opinion thereon. Co-operation with the Ministry.
10. They shall take care that any abuses in connection with the prison which come to their knowledge are brought to the notice of the Ministry immediately, and in case of urgent necessity they may suspend any officer of the prison until the decision of the Ministry is made known. Abuses.
11. They shall hear and adjudicate on any report made by the governor of the misconduct or idleness of any prisoner. Misconduct or idleness.
12. If any prisoner is charged with any serious or repeated offence for which the punishment the governor is authorised to inflict is deemed insufficient, or is charged with any offences with the aggravations mentioned in this rule, the governor shall, without loss of time, report the same to the visiting committee, Powers as to offences against prison discipline.

or one of them, who are or is empowered, after enquiry into the same on oath, to determine concerning any matter so reported to them or him, and to order the offender to be punished. The offences referred to above are—

- (1) Personal violence to a fellow prisoner.
- (2) Grossly offensive or abusive language to any officer or servant of the prison.
- (3) Wilfully or wantonly breaking the prison windows, or otherwise destroying the prison property.
- (4) When under punishment, wilfully making a disturbance tending to interrupt the order and discipline of the prison.
- (5) Any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.
- (6) Escaping or attempting to escape from prison.

The visiting committee, or one of them, may order a prisoner to be punished by any one or more of the following punishments :

- (a) Close confinement for a period not exceeding 14 days.
- (b) No. 1 diet for ill-conducted or idle prisoners for a period not exceeding 15 days, with intervals as laid down in the rules for dietaries.
- (c) No. 2 diet for ill-conducted or idle prisoners for a period not exceeding 42 days, with intervals as laid down in the rules for dietaries.
- (d) Reduction from a higher stage to a lower stage or postponement of promotion to a higher stage for a period not exceeding 28 days.
- (e) Forfeiture of the privilege of remission of sentence or of the privileges of any stage for a period not exceeding 28 days, or may recommend to the Ministry a longer period of forfeiture.

Prisoners
under me-
chanical
restraint.

13. If the governor represents to the visiting committee that he has, in case of urgent necessity, put a prisoner in irons or under other mechanical restraint, and that it is necessary that the prisoner be so kept for more than twenty-four hours, the visiting committee or one of them may authorise the detention by order in writing, which shall specify the cause thereof and the time during which the prisoner is to be so kept.

Duty to
supply
information.

14. They shall furnish such information with respect to the offences reported to them, and the punishments they award, as may from time to time be required by the Ministry or the Governor of Northern Ireland.

Complaints
by prisoners.

15. They shall hear and investigate any complaint which any prisoner may desire to make to them ; and, if necessary, report the same, with their opinion, to the Ministry, or take such steps with regard to the matter as they may be directed to take.

16. They shall attend to any report which they receive as to the mind or body of any prisoner being likely to be injured by the discipline or treatment to which he is subjected, and shall communicate their opinion to the Ministry. If the case is urgent, they shall give such directions thereon as they deem expedient, communicating the same to the Ministry. Injury by discipline or treatment
17. They shall frequently inspect the diets of the prisoners and if they find that the quality of any article does not fulfil the terms of the contract under which it is supplied, they shall report the circumstances to the Ministry, and note the same in their minute book, and the governor shall thereupon take such steps as may be immediately necessary to provide the prisoners with suitable food. Prisoners' diet.
18. They may inspect any of the books of the prison. Power to inspect books.
19. They may, on application from any prisoner, dispense with his attendance at Divine Service on Sundays and other days. Divine Service.
20. They may, in any case of special importance or urgency, allow a prisoner an additional visit or letter or prolong the period of a visit. Powers as to visits and letters.
21. They shall assist the Ministry with advice and suggestions as to the industrial employment and occupation of prisoners. Industrial employment of prisoners
22. They shall assist the Ministry in the selection of library books for the use of the prisoners. All demands for such books must be submitted to them by the chaplains through the governor, for their approval, before being sent to the Ministry. Library books.
23. They shall investigate and decide on any application from a prisoner to change his religion. Before granting such an application, they must satisfy themselves that it is made from conscientious motives and not caprice or a desire to escape any prison regulations. Application for change of religion.
24. They may, subject to the approval of the Ministry, organise lectures and addresses in the prison, provided that they do not interfere with the necessities of prison discipline, and are directed to the moral improvement of the prisoners. Powers as to lectures and addresses.
25. They shall exercise supervision in carrying out the rules for the treatment of young and unconvicted prisoners. Young and unconvicted prisoners.
26. They shall, so far as practicable, co-operate with the governor as to the classifying of first offenders. First offenders.
27. They shall, as far as practicable, from time to time, satisfy themselves as to the operation of the Discharged Prisoners' Aid Societies connected with the prison, or any other agencies having for their object the welfare of prisoners. Discharged prisoners.

Prison
buildings.

28. They shall enquire into the state of the prison buildings, and report to the Governor of Northern Ireland or the Ministry with respect to any repairs or additions which may appear to them to be necessary.

Prison
labour.

29. They shall inquire into the condition of prison labour, whether the industrial employments provided are sufficient and of the kind most suitable for preparing prisoners for earning their livelihood on release in their own localities.

Annual
report.

30. They shall make an annual report at the beginning of each year to the Governor of Northern Ireland with regard to all or any of the matters referred to in these rules, or to any other matters appertaining to the prison that they may deem expedient ; and they shall, from time to time, make such reports to the Governor of Northern Ireland or to the Ministry as they consider necessary concerning any matter to which, in their opinion, the attention of the Ministry should be called.

Conditions
under
which per-
missions are
to be granted

31. They shall, before granting any permission which by the prison rules they are authorised or required to grant, satisfy themselves that it can be granted without interfering with the security, good order, and government of the prison and prisoners therein, and if, after it has been granted, its continuance seems likely to cause any such interference, or the prisoner has abused the permission, or has been guilty of any misconduct, they may suspend or withdraw the permission.

Privileges
which may
be allowed
prisoners
awaiting
trial.

32.—(1) They shall, on the application of any prisoner awaiting trial, if, having regard to his ordinary habits and conditions of life, they think such special provision should be made in his case, permit him—

- (a) To occupy, on payment of a small sum fixed by the Ministry, a suitable room or cell specially fitted for such prisoners, and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells ;
- (b) To take exercise separately or with selected untried prisoners, if the arrangements and construction of the prison permit it ;
- (c) To have at his own cost the use of private furniture and utensils suitable to his ordinary habits, to be approved by the governor ;

- (d) To have, on payment of a small sum fixed by the Ministry, the assistance of some person to be appointed by the governor, relieving him from the performance of any unaccustomed tasks or offices.

(2) They may also permit the governor to modify the routine of the prison in regard to any prisoner awaiting trial so far as to dispense with any practice which, in the opinion of the governor, is clearly unnecessary in the case of that particular prisoner.

Modification of routine.

(3) If any prisoner awaiting trial who is out of health desires the attendance of his usual medical attendant, the visiting committee shall, if they are satisfied that the application is *bona fide*, permit him to be visited by that medical attendant at his own expense, and to be supplied with medicine by him, proper precautions being in all cases observed to prevent abuse of these privileges.

Medical attendance of prisoners awaiting trial.

(4) They may, in any special case, for special reasons, prolong the period of the visit allowed to any prisoner awaiting trial, or allow him to be visited by more than two persons at the same time.

Visits to prisoners awaiting trial.

33. The visiting committee shall, on the application of any offender of the first division, permit him to wear his own clothing, provided that it is sufficient and is fit for use, and to supply his own food under the restrictions made in respect thereto; also if, having regard to his ordinary habits and condition of life, they think such special provision should be made in respect to him, they shall permit any such prisoner:—

Privileges which may be allowed offenders of the first division.

- (a) To occupy, on payment of a small sum fixed by the Ministry, a room or cell specially fitted for such prisoners and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells.
- (b) To have, at his own cost, the use of private furniture and utensils suitable to his ordinary habits, to be approved by the governor.
- (c) To have, on payment of a small sum fixed by the Ministry, the assistance of some person to be appointed by the governor, relieving him from the performance of any unaccustomed tasks or offices.

34. The visiting committee may, in any special case, for special reasons, permit the period of the visit allowed to any offender of the first division to be prolonged, or allow additional visits or letters to such reasonable extent as they deem advisable.

Visits to offenders of 1st division

Newspapers,
etc., for
prisoners
waiting
trial, or 1st
division
offenders.

35. The visiting committee shall permit prisoners awaiting trial and offenders of the first division to have supplied to them, at their own expense, such books, newspapers, or other means of occupation, other than those furnished by the prison, as are not, in the opinion of the visiting committee, or in their absence, and pending their approval, in the opinion of the governor, of an objectionable kind.

Visits to
debtors or
contempt of
court prison-
ers.

36. The visiting committee may, for special reasons, prolong the period of the visit allowed to any debtor or contempt of court prisoner or accord additional visits or letters to such reasonable extent as they may deem advisable.

Visits to
prisoners
under order
for execution.

37. A prisoner under sentence of death may be visited by such of his relations, friends, and legal advisers as he desires to see, and are authorised to visit him by an order in writing from a member of the visiting committee. If any person makes it appear to a member of the visiting committee that he has important business to transact with a prisoner under sentence of death, that member may grant permission in writing to that person to have a conference with the prisoner.

Gratuities
earned by
prisoners.

38. They are requested to give such assistance as may be in their power towards securing the proper disposal of any gratuities which may be earned by prisoners, especially in places where there is no Discharged Prisoners' Aid Society, according to such instructions as may from time to time be issued on the subject.

General
duties.

39. They shall also discharge such other duties as are assigned to them in the special rules for special classes of prisoners and in the general rules for the government of prisons.

Repeals.

40. The Rules with respect to the duties of Visiting Committees made by the Lord Lieutenant on 29th April, 1902, and 4th February, 1915, are hereby repealed.

Given at Belfast, this 28th day of May, 1925.

By his Grace's Command,

R. Dawson Bates.

By the Governor and Privy Council of Northern Ireland.

ABERCORN.

In pursuance of the Statutes in that behalf, I, James Albert Edward Duke of Abercorn, the Governor of Northern Ireland, with the approval, advice and consent of the Privy Council of Northern Ireland, have settled and hereby approve the foregoing Rules.

Given at the Council Chamber, Stormont Castle, Belfast, this 27th day of August, 1925.

H. M. Pollock.

John M. Andrews.

J. Milne Barbour.

Visiting Committees.

MADE BY THE GOVERNOR OF NORTHERN IRELAND UNDER THE PRISONS (IRELAND) ACT, 1877, AND THE PRISONS (IRELAND) AMENDMENT ACT, 1884.

1925. No. 98.

Whereas by an Order made by the Lord Lieutenant General and General Governor of Ireland on the 29th June, 1922, it was ordered that the Joint Visiting Committee of the several Prisons set out in the first column of the Schedule to the said Order should be appointed by the several Grand Juries respectively specified in the second column of such Schedule, in respect of each such Prison, and such Committees should consist of the number of Justices of the Peace specified in the third column of the same Schedule, and should be appointed at the respective times for appointment in each year specified in the fourth column of the same Schedule :

And whereas by an Order dated 10th March, 1925, the Schedule to the Order of 29th June, 1922, was revoked and the Schedule to the Order of the 10th March, 1925, substituted therefor :

Now I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, in pursuance of the powers conferred upon me by the General Prisons (Ireland) Act, 1877, the Prisons (Ireland) Amendment Act, 1884, the Government of Ireland Act, 1920, the Irish Free State (Consequential Provisions) Act, 1922, and the Orders made thereunder, and of every other power enabling me in this behalf, and having regard to the locality and use of the Prisons set out in the Schedule to this Order and the class of