

SUBSIDIARY LEGISLATION 260.01**GOZO PRISON REGULATIONS**

5th June, 1934

GOVERNMENT NOTICES 228 of 1934 and 342 of 1964, consolidated.

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| 1. The title of these regulations is the Gozo Prison Regulations. | Title. |
| 2. The Gozo Prison shall be administered by the Director of Prisons. | Administration. |
| 3. The staff of the prison shall consist of a Principal Warder and two warders. | Staff. |
| 4. One of the warders shall reside in the prison. | Warder to reside in prison. |
| 5. The prisoners to be kept in the prison are those referred to article 4 of the Prisons Act. | Prisoners to be kept in the prison. Cap. 260. |
| 6. These classes of prisoners are to be kept separated as far as the accommodation of the prison permits. | Classes of prisoners. |
| 7. Female prisoners are in all cases to be separated from male and juvenile prisoners, and when possible, youths under eighteen, from adults. | Female prisoners. |
| 8. Prisoners under trial before the Court of Magistrates may be visited only by permission of the presiding Magistrate. | Prisoners under trial. |
| 9. No access shall be allowed to an arrested party before presentation to the Court except by special permission of the Commissioner of Police. | Access to an arrested party. |
| 10. Whenever a person is placed in confinement, the police officer shall deliver such person to the prison official on duty who, in the presence of the police officer, shall search and remove from such person any moneys and other articles found in his possession, and shall make an entry accordingly in the Prisoners' Property Book. | Person placed in confinement. |
| 11. Prisoners paying a fine in the hands of the Principal Warder in order to be released are to be furnished by him with an official receipt before leaving the prison; and such moneys are to be remitted within the next working day to the Registrar of Courts. | Prisoners paying a fine. |
| 12. The release of all prisoners is to be entered daily in the Discharge Register and signed by the Principal Warder. | Release of prisoners. |
| 13. Prisoners, whose state of health requires hospital treatment, should be transferred to hospital, if proper accommodation cannot be provided in the prison, measures being taken to keep such patients apart from other patients. | Prisoners requiring hospital treatment. |
| 14. The scale of dietary is that laid down for the same category of prisoners confined in the Corradino Civil Prison. | Scale of dietary. |
| 15. Medical diet shall be supplied to the prisoners on the | Medical diet. |

recommendation of the District Medical Officer on duty. A record of each case is to be kept in the report book of prisoners under medical diet and such entry is to be initialled by the District Medical Officer.

Prisoners awaiting trial or undergoing a sentence of detention.

16. Prisoners awaiting trial or undergoing a sentence of detention are allowed to have food provided at their own expense. No wine or beer above half a pint and no spirituous liquors of any sort, nor tobacco in any form, shall be allowed to any such prisoners, except under the written order of the Medical Officer. Such prisoners must either provide themselves with food entirely or accept the rations supplied by the Government. A prisoner of this class shall not be allowed to supplement in any way the prison fare, and shall not be allowed to sell or transfer to any other prisoner any articles introduced for his own use.

Prisoners not providing their own food.

17. Prisoners undergoing detention who do not provide their own food may be compelled to work.

Prisoners not allowed to converse.

18. Prisoners are not allowed to converse or communicate with each other except with the order of the Director.

Hours of unlocking and locking up. S.L.260.03

19. The hours of unlocking and locking up of prisoners, and the wearing of prison dress shall be the same as those laid of in the Prison Regulations.

Duties of Principal Warder.

- 20.** (a) The Principal Warder shall be responsible to the Director of Prisons to whom he shall report and from whom he shall receive instructions on all matters connected with the prison. He shall be responsible that all orders recorded in the Director's Order Book are communicated to the warders under his charge and duly attended to.
- (b) He shall on no occasion whatever leave the prison unless substituted by a warder and with the previous approval of the Director.
- (c) He shall immediately report to the Director any neglect, misconduct or irregularity on the part of the warders as well as any circumstance likely to affect the safety, health or discipline of the prisoners which may come to his knowledge.
- (d) He shall hand over to the warder on night duty at 6 p.m. the keys of the outer gate of the prison.
- (e) He shall visit and inspect every yard, ward and division of the prison as often as possible and shall ensure that the whole premises are kept clean and tidy, regard being given to the personal cleanliness of the prisoners.
- (f) He shall cause to be handed to him by the warder on night duty the keys of the outer gate of the prison after unlocking hours each morning.
- (g) He shall be responsible for all articles of clothing, rations and supplies issued to prisoners and shall personally attend the distribution of rations according

to the scale of diet.

- (h) He shall be responsible for all stores as well as for all articles of furniture, tools, etc., existing within the prison and shall ensure that all items connected therewith are duly entered in the Inventory Book.
- (i) He shall not receive visitors in the prison without the written permission of the Director of Prisons.
- (j) He shall keep the following books:
 - (i) a register called "Register of Prisoners" in which the name, surname, the age, the name of the father, and the residence of the prisoners, the date of admission, the nature of the charge, by whose authority confined, the date of sentence, and the sentence awarded are to be entered;
 - (ii) a "Prisoners' Property Book" in which all moneys and goods taken from prisoners are to be entered;
 - (iii) a "Ration Book" containing the total number of rations supplied daily;
 - (iv) a "Daily Admission and Discharge Register";
 - (v) an inventory of all the articles in the prison distinguishing those that are in actual use from those in store; and
 - (vi) any other book which the Director may order him to keep.

- 21.** (a) The warders shall obey the orders of the Director and of the Principal Warder and shall be held responsible for being fully acquainted with the rules and orders relating to their respective duties. Duties of Warders.
- (b) They shall not be absent from the prison during the hours of duty without the leave of the Director.
 - (c) They shall treat prisoners with kindness and humanity being firm at the same time, maintaining order and discipline and enforcing complete observance of all rules and orders.
 - (d) They shall not converse familiarly with prisoners and shall not correspond or hold intercourse with the relatives of the prisoners unless expressly authorized by the Director.
 - (e) They shall as frequently as possible inspect the yards and divisions and shall seize all prohibited articles and deliver them to the Principal Warder.
 - (f) They shall be responsible for the cleanliness of the premises, wards, yards, and divisions, and shall superintend the work of the prisoners under their charge.
 - (g) The warder on night duty shall lock up the prison at 8 p.m. and shall keep the keys in his custody until the

hour of unlocking in the morning, when he shall hand over same to the Principal Warder. He shall not allow egress or ingress between the hour of locking at night and unlocking in the morning except to the officials of the prison or other public officer in case of emergency.

Inspection.

22. The Commissioner for Gozo shall inspect the prison and hold surprise visits at least once a month recording the result of his inspections in the Official Visitors' Book.

Visits.

23. The powers of the Commissioner for Gozo shall be the same as those laid down for the Board of Visitors in Part IV of the Prison Regulations.

S.L.260.03

Cases of emergency.

24. In case of emergency not provided for in these Regulations, the Director of Prisons shall take such action as he may consider necessary and report such action forthwith to the Minister.

Prisoners committed for trial.

25. A prisoner committed for trial by the Court of Magistrates of Judicial Police for the Islands of Gozo and Comino may, in lieu of being kept at the Gozo Prison, be kept at the Corradino Prison:

Provided that any such prisoner who, after having been so committed for trial, has remained in the Gozo Prison shall, as soon as may be after an indictment against him has been filed by the Attorney General, be removed to and kept in the Corradino Prison.
