

STATUTORY INSTRUMENTS

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2012 No. 65.

THE PRISONS REGULATIONS, 2012

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STATUTORY INSTRUMENTS 2012 No. 65.

The Prisons Regulations, 2012

(Under section 124 of the Prison Act, (No. 17, 2006)

In exercise of the powers conferred upon the Minister by section 124 of the Prisons Act, 2006 these Regulations are made this 13th day of September, 2012.

Part I—Preliminary

1. Title.

These Regulations may be cited as the Prisons Regulations, 2012.

2. Interpretation.

In these Regulations unless the context otherwise requires—

“Act” means the Prisons Act, 2006;

“appellant prisoner” means a prisoner who has made an appeal;

“cell” means a small room in a prison for one person or a small number of people;

“Commissioner” means the Commissioner of Prisons;

“ghee” means clarified butter of animal origin;

“justice of peace” means a justice of the peace appointed under the Justice of Peace Act;

“long sentence prisoner” means a prisoner who is sentenced to imprisonment for a period of six months or more or for consecutive periods the total of which amounts to or exceeds six months;

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“medical officer” includes the district director of health, a medical officer, a registered or licensed government practitioner and a medical officer appointed to a prison;

“Minister” means the Minister responsible for Internal Affairs;

“officer-in-charge” means a prison officer appointed by the Commissioner to be in charge of a prison;

“principal officer” means a prison officer, subject to the control of the officer-in-charge, the executive head of all junior uniformed staff in a prison unit;

“prison offence” means an offence committed by a prisoner while in prison;

“prison officer” means a member of the prisons service of whatever rank;

“prisoner” means a person duly committed to custody under the writ, warrant or order of a court exercising criminal jurisdiction or by order of a court martial;

“prohibited article” means an article the introduction or removal of which into or out of prison is prohibited under the Act;

“refractory prisoner” means a prisoner who is resistant to authority and unable to change, after remedial attempts;

“remission” means lessening of the time a person has to stay in prison;

“senior prison officer” means a prison officer of a class declared by the Minister by notice in the Gazette to be a senior prison officer;

“short sentence prisoner” means a prisoner who is sentenced to imprisonment for a period of less than six months or for consecutive periods the total of which is less than six months;

“special class” means a stage attained after stage four for a sentenced prisoner;

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“ward” means a separate division of a prison building meant for a prisoner’s accommodation;

“yard” means an enclosed or partly enclosed area next to a prison building for recreation of a prisoner.

3. Application.

These Regulations shall be applied, in accordance with the following principles—

- a. discipline and order shall be maintained with fairness and firmness, and with no more restriction than is required for safe custody and to ensure a well-ordered community life;

- b. in the control of a prisoner, a prison officer shall seek to influence him or her, through the prison officer's own example and leadership, so as to enlist his or her willing co-operation; and
- c. at all times the treatment of a convicted prisoner shall be to—
 - i. encourage his or her self-respect and sense of personal responsibility;
 - ii. re-build his or her morale;
 - iii. inculcate in him or her the habit of good citizenship and hard work; and
 - iv. encourage him or her to lead a good and useful life on discharge.

Part II—Admission of Prisoners

4. Search on admission.

- 1. Every prisoner shall be searched when taken into custody by prisons staff on admission into prison.
- 2. The officer-in-charge shall direct all unauthorised articles to be taken from him or her.

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5. Manner of search.

- 1. A prisoner shall be searched in a manner as is consistent with the necessity of discovering a concealed article.
- 2. A prisoner shall not be stripped and searched in sight of another prisoner.
- 3. A prisoner shall be searched by a prison officer of the same sex as the prisoner.
- 4. A prisoner shall not be subjected to internal physical search of the body by a prison officer.
- 5. An intimate examination related to a search may only be conducted by a medical officer.
- 6. A prisoner shall be present when his or her personal property is being searched unless investigating techniques or a potential threat to the prison officer prohibit this.
- 7. A prison officer shall be trained to carry out a search in a way as to detect and prevent an attempt to escape or to hide contraband, while at the same time respecting the dignity of the prisoner being searched and his or her personal possessions.

6. Prisoner's property.

- 1. Subject to sub-regulation (2) all money, clothing and other effects belonging to a prisoner which he or she is not allowed to retain shall be placed in the custody of the officer-in-charge.
- 2. The officer-in-charge shall keep an inventory of the items retained and the inventory shall be signed by the prisoner.
- 3. The officer-in-charge may permit in his or her discretion any property to be sent to the prisoner's friends or relatives.

4. Property of a perishable nature, property infected with vermin or property likely to spread disease in the prison that is in the possession of a prisoner on admission into prison shall be destroyed.

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5. Where the clothes of a prisoner are so old, worn or dirty as to be useless, the officer-in-charge shall order the clothes to be destroyed, and, on the release of the prisoner, the officer-in-charge shall give the prisoner clothing of a suitable nature.
6. Property which in the opinion of the officer-in-charge is too bulky for storage shall not be accepted into the prison.
7. On the discharge of a prisoner, all clothing and property shall be returned to him or her unless it has been destroyed in accordance with these Regulations.
8. Where a prisoner—
 - a. is discharged from prison and fails to claim his or her property within six months after his or her discharge; or
 - b. dies in prison and his or her representatives or relatives do not claim his or her property within six months of his or her death,

the officer-in-charge may, in his or her discretion decide whether the property is of any value.

9. Where the officer-in-charge is of the opinion that—
 - a. the property is of no value, he or she shall direct that it be destroyed; or
 - b. it is possible to sell the property, he or she shall direct that it be sold and devote the proceeds to the welfare of the prisoners in the prison.
10. The Commissioner shall from time to time publish and avail to the prisoners a list of prohibited property on admission.
7. Recording of particulars.
 1. The name, race, tribe, age, height, weight, particular marks, measurements and other particulars of a prisoner shall be recorded on his or her admission.

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(2) The particulars in sub-regulation (1) may from time to time, be recorded in a manner as the Commissioner shall direct.

8. Finger prints.

1. On admission into prison, every convicted criminal prisoner shall have his or her fingerprints taken under the provisions of the Identification of Offenders Act, Cap.119.
2. The finger-prints taken under sub-regulation (1) shall be dealt with in accordance with the provisions of that Act.

9. Photographs.

1. A prisoner shall be photographed on admission and subsequently.
2. A copy of the photograph shall not be given to a person who is not authorised to receive it.

10. Bath.

A prisoner shall take a bath or shower on admission, unless he or she is exempted by the officer-in-charge or the medical officer.

11. Medical examination.

1. A prisoner shall, on the day of admission, be separately examined by the medical officer.
2. The medical officer shall record the state of health of the prisoner and other particulars as may be directed.
3. Where a prisoner is received too late to be examined on the same day, he or she shall be examined as soon as possible on the next day, and in any case within twenty-four hours of his or her admission.

12. Information to be provided to prisoner.

1. A prisoner on admission to prison shall be provided with full information with regard to rules governing the treatment of prisoners.

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2. The information in sub-regulation (1) shall include those rules relating to—
 - a. disciplinary requirements of the prison;
 - b. earnings and privileges;
 - c. the proper method of submitting petitions to the President;and
 - d. the proper method of making a complaint as to food, clothing, bedding and other necessities.
3. An officer-in-charge shall ensure as soon as possible after admission into prison, and in any case within twenty-four hours that a prisoner who can read has read the information.
4. Where a prisoner cannot read or has difficulty in understanding the information provided, the information shall be explained to him or her so that he or she may understand his or her rights and obligations.

5. A prisoner committed to prison in default of paying a sum of money or for want of surety shall on admission be informed of the means by which he or she may obtain his or her release.

Part III—Classification of Prisons and Prisoners

13. Class of prison.

The Commissioner may set aside a prison or part of a prison for the custody of a particular class of prisoner.

14. Classification.

A prisoner shall be classified having regard to his or her age, character and previous history in the following classes—

- a. young prisoner class, which shall consist of convicted criminal prisoners between the age of eighteen and twenty one years, or young convicted criminal prisoners who in the opinion of the officer-in-charge should not, having regard to their age and character, be classed with other adult prisoners;

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- b. star class, which shall consist of convicted criminal prisoners not being in young prisoner class who are first time offenders or well behaved prisoners who the officer-in-charge is satisfied have no vicious tendencies or habits;
- c. ordinary class, which shall consist of all convicted criminal prisoners who are not in the young prisoner class or star class;
- d. unconvicted class, which shall consist of all debtors, persons on remand or awaiting trial, or persons detained for safe custody or for want of sureties, who have not been convicted.

15. Reception board.

1. There shall be a reception board at every prison consisting of the officer-in-charge and other person as the officer-in-charge may determine, who shall interview every prisoner as soon as possible after his or her reception in prison, and consider what arrangements are to be made for his or her training.
2. The reception board shall, classify a prisoner sentenced to imprisonment, having regard to his or her age, character and previous history.

16. Transfer of prisoner between classes.

1. The officer-in-charge may at any time remove from the young prisoner class a prisoner between eighteen and twenty one years of age or over whom he or she regards as unsuitable by character for that class, and may place him in the star class.
2. The officer-in-charge may at any time remove from the star class to the ordinary class a prisoner whose character has shown him or her to be unfit to associate with other prisoners of star class.
3. Arrangements shall be made at all prisons to provide, so far as is practicable, for the effective segregation from each other at all times of the various classes of prisoners.
4. The Commissioner may require each class of the convicted criminal prisoners to wear a distinguishing badge or uniform.

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17. Institution of other classes.

1. The Commissioner may institute other classes as in his or her opinion may be necessary for improving the method of classification.
2. The Commissioner may authorise in a particular case, or at a particular prison, departure from this regulation.

18. Progressive stage system.

1. A convicted criminal prisoner shall serve his or her sentence in accordance with the progressive stage system prescribed in these Regulations.
2. For the purpose of the progressive stage system, the length of a prisoner's sentence shall be the total of all consecutive or overlapping sentences.

19. First stage.

1. A short sentence prisoner shall be placed and remain in the first stage for the whole of his or her sentence and shall be employed at ordinary or light labour.
2. Subject to good conduct and industry, a prisoner in the first stage shall be eligible to receive on release a gratuity of an amount as the Minister shall from time to time direct.
3. The Commissioner may cause a prisoner to forfeit all or part of gratuity earned by a prisoner in the first stage as punishment for a disciplinary offence or as a part of the punishment.

20. Second stage.

1. A long sentence prisoner shall on admission to prison, be placed in the second stage and remain in that stage for three months.
2. A long sentence prisoner in the second stage shall not be promoted to the third stage until he or she has served his or her sentence for not less than one month without being found guilty of a disciplinary offence.

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3. A prisoner in the second stage shall be employed at ordinary or light labour but not participate in the earning scheme.

21. Third stage.

1. A long sentence prisoner after serving three months or longer in the second stage or longer period as he or she may be required to serve in the second stage shall enter the third stage and remain in it for fifteen months.
2. A prisoner in the third stage shall not be promoted to the fourth stage until he or she has served for not less than three months without being found guilty of a disciplinary offence.
3. A prisoner in the third stage shall be employed at ordinary or light labour or such labour as the officer-in-charge may direct, and subject to industry and good conduct to the satisfaction of the officer-in-charge, shall participate in earning scheme.

22. Fourth stage.

1. A long sentence prisoner after serving fifteen months in the third stage or a longer period as he or she may be required to serve in that stage shall enter the fourth stage and remain in that stage for eighteen months.
2. A prisoner in the fourth stage shall not be promoted to the special stage until he or she has served for not less than six months without being found guilty of a disciplinary offence.
3. A prisoner in the fourth stage shall be employed at ordinary or light labour or other labour as the officer-in-charge may direct and, subject to industry and good conduct to the satisfaction of the officer-in-charge, shall participate in the earnings scheme.

23. Special stage.

1. A long sentence prisoner after serving eighteen months in the fourth stage or a longer period as he or she may be required to serve in it, shall be eligible to enter the special stage.

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2. A prisoner in the special stage shall be known as an “honour prisoner”.
3. An “honour prisoner” shall be employed at labour as the officer-in-charge may direct, and subject to industry and good conduct to the satisfaction of the officer-in-charge participate in the earnings scheme.
4. An “honour prisoner” in the special stage, whose conduct has been continuously excellent from the time of his or her entering the fourth stage, shall, if he or she is in the special stage for at least two years, be eligible for discharge thirty days earlier, subject to a special remission being granted by the Commissioner.

24. Demotion to a lower stage.

1. As punishment or part of punishment for a disciplinary offence, the Commissioner or the officer-in-charge may reduce a prisoner from the stage he or she is in to a lower stage.
2. A prisoner demoted to a lower stage shall not be entitled to enter his or her previous stage unless—
 - a. in case of demotion from stage three or stage four, he or she serves for three months without being found guilty of a disciplinary offence;
 - b. in case of a first demotion from the special stage, he or she serves six months without being found guilty of a disciplinary offence; or
 - c. in case of the second demotion from the special stage, he or she completes twelve months without being found guilty of a disciplinary offence.
3. In addition to demoting a prisoner to a lower stage, as punishment for a disciplinary offence, the Commissioner or the officer- in-charge, as the case may be, may cause a prisoner to forfeit all or part of the earnings, or reduce the rate of his or her earnings or remove him or her from the earnings scheme and may combine two or more punishments.

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25. Uniform for stages.

The Commissioner may direct a prisoner in each stage to wear a special uniform or badge.

26. Further privileges.

The Commissioner may direct a prisoner in any stage who is eligible to receive other privileges which he or she is otherwise entitled to, to forfeit the privileges as punishment or part of the punishment for a disciplinary offence.

Part IV—Basic Conditions For Prisoners.

27. Sleeping accommodation.

1. A prisoner shall sleep in communal wards or in separate cells as the officer-in-charge may direct.
2. A male and female prisoner shall be kept separate from each other and confined in different buildings.
3. A ward, cell or yard where a female prisoner is confined shall be secured by locks different from those securing the wards, cells and yards allotted to a male prisoner.
4. A female prisoner shall in all cases be attended to by a female prison officer.
5. A male prison officer shall not enter a prison or part of a prison appropriated to a female prisoner except on duty, and unless accompanied by a female prison officer.
6. A prisoner appearing to be a young person, whether male or female, shall be kept apart as far as practicable from an adult prisoner, and confined in a separate building or a separate part of the prison.

7. The medical officer shall certify the number of prisoners that may sleep in one ward or cell.

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28. Cleanliness of prison.

1. A prison and every room and part of the prison shall be kept clean.
2. A prisoner shall—
 - a. keep his or her cell, ward, utensils, books, clothing, bedding and other articles issued for his or her use, clean, neat and arranged, as may be ordered; and
 - b. clean and sweep the yard, passage, and other part of the prison as he or she may be ordered to do.

29. Clothing of prisoner.

1. A prisoner shall be supplied with and wear prison clothing as may be directed.
2. Additional or alternative clothing may be allowed to the prisoner on the recommendation of the medical officer, or by permission of the officer-in-charge on the recommendation of the medical officer.
3. Clothing of a prisoner shall be changed and washed at least weekly, and bedclothes shall be washed and aired as often as the officer- in-charge may direct.
4. Prison clothing discarded by the prisoner on discharge shall be washed, dried and disinfected before being returned to store or re-issued.

30. Bedding of prisoner.

1. A prisoner shall be supplied with bedding adequate for warmth and health.
2. A bed or additional or alternative bedding may be supplied to the prisoner on the recommendation of the medical officer.
3. Arrangements shall be made to enable prisoners to wash and dry their bedding on a regular basis.

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4. Bedding shall be washed and dried as often as the officer-in- charge may direct.
5. Bedding discarded by a prisoner on discharge shall be washed, dried and disinfected before being returned to store or re-issued.

31. Bathing facilities for prisoner.

A prisoner shall have access to a shower or bath on daily basis.

32. Food and water for prisoner.

1. Subject to section 69 of the Act and the provisions of this regulation, a prisoner shall be entitled to a sufficient quantity of plain wholesome food in accordance with Scale A in Schedule 1.
2. In providing food to prisoners regard shall be had to the mode and standard of life of the prisoner before he or she was admitted into prison.
3. Where the officer-in-charge after consultation with the medical officer is satisfied that the prisoner is not accustomed to the type of diet laid down in scale A, he or she may order that the prisoner shall be given a diet in accordance with Scale B or C in Schedule 1.
4. Notwithstanding the provisions of paragraph (1)—
 - a. the diet of a prisoner who persistently wastes his or her food may be reduced by the officer-in-charge after obtaining a written advice of the medical officer;
 - b. where the medical officer certifies that it is necessary or desirable in the interests of a prisoner's health that any diet should be substituted for the diet to which a prisoner is entitled under the provisions of these Regulations, other diet shall be substituted for as long as the medical officer shall direct;
 - c. a record of every substitution shall be kept by the officer-in-charge in manner as the Commissioner may direct;

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- d. where the Commissioner is satisfied that an item of diet prescribed by these Regulations is unobtainable, he or she may, with the approval of the Minister, direct that another item of diet to be substituted for as long as the item remains unobtainable.
5. The weight of food specified in Schedule 1 shall be the weight of the food before it has been cooked.
6. The officer-in-charge shall ensure that a prisoner receives the quantity of food to which he or she is entitled by these Regulations and that the food is wholesome in quantity and prepared in a hygienic manner.
7. A senior prison officer and a medical officer shall ensure that the quality and quantity of food supplied to prisoners is in accordance with these Regulations.
8. A copy of the scales of diet specified in Schedule 1 shall be displayed in a conspicuous part of every prison.
9. Drinking water shall be available to a prisoner at all times.

33. Prisoner not to have prohibited article.

A prisoner shall not have a prohibited article in his or her possession.

34. Cutting of prisoner's hair.

1. Subject to sub-regulation (2), (3), (4) and (5), a convicted male criminal prisoner sentenced to imprisonment for a period exceeding one month shall have his hair cut short, beards, whiskers, moustaches if worn, trimmed close.
2. A prisoner who does not wear hair on his face, or wears a moustache only, shall be shaved as often as may be necessary to preserve a clean and decent appearance.
3. The hair of a female prisoner shall not be cut on admission or afterwards unless the medical officer considers it to be necessary for health or cleanliness or unless the female prisoner expresses a desire to have her hair cut.

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4. The hair of a prisoner awaiting trial and a prisoner awaiting the hearing of an appeal shall be kept clean and in the same state as it was on admission.
5. The hair of a prisoner who follows a religion that prohibits the cutting of hair shall not be cut without an order in writing from the officer-in-charge, made on the ground of necessity certified by a medical officer.
6. During the last month of imprisonment, the hair of a prisoner shall be allowed to grow should the prisoner so desire, consistent with cleanliness and health.

35. Exercise.

A prisoner shall be given the opportunity to take outdoor exercise for a minimum of one hour per day in accordance with instructions issued by the officer-in-charge.

36. Minister of religion and religious instruction.

1. A prisoner on admission shall be required to state his or her religion and denomination and be treated as a member of the religion and denomination until a time as a minister of religion subject to approval of the Commissioner at the request of the prisoner certifies in writing that he or she belongs to another religion or denomination.
2. A minister of religion shall be permitted to visit a prisoner at times as an officer-in-charge shall consider desirable.
3. An officer-in-charge shall make arrangements as he or she shall consider practicable for the holding of religious services in the prison and for the religious instruction of a prisoner.

Part V—Health Care

37. Prison infirmary.

A prison shall have an infirmary or proper place for the care and reception of sick prisoners.

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38. Power of medical officer to delegate his or her duties and functions.

Subject to the directions of the head of Prisons Health Services, a medical officer may delegate any of his or her functions or duties in this Part to a person whom he or she considers is suitably qualified to carry out the duties.

39. Medical officer to attend regularly.

The medical officer shall attend at the prison for which he or she is responsible either daily or at regular intervals.

40. Examination of prisoner.

1. The medical officer shall examine a prisoner on the following occasions—

- a. on the prisoner's admission to prison;
- b. prior to the prisoner being required to undergo a class of labour

of a more strenuous nature than the labour that he or she has been certified fit to undertake, and shall certify whether the prisoner is to undergo the labour;

- c. prior to the prisoner undergoing a punishment which is likely to

affect his or her health and shall certify whether the prisoner is fit to undergo the punishment;

- d. prior to discharge of the prisoner from prison; and

- e. prior to transfer of the prisoner to another prison.

2. A prisoner due for discharge who is suffering from an acute or dangerous illness or who is so recommended by the medical officer shall be transferred to a hospital.

3. If a prisoner is found to be suffering from an infectious or contagious disease, or to be in a verminous condition, steps shall be taken immediately to treat the condition and to prevent it from spreading to other prisoners.

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41. Duties of a medical officer.

1. A medical officer shall—

- a. examine a prisoner at least once a week;
- b. examine a prisoner held on a capital charge or sentenced to death or in cellular confinement every day;

- c. inspect the prisoners at work from time to time; and
 - d. at least once a month inspect the prison with particular attention to the cooking equipment and sanitary facilities.
2. A medical officer may as a result of his or her examination and inspection recommend modification in labour or punishment either generally, or in relation to a class of prisoner or in relation to a particular prisoner.

42. Advice of medical officer on removal of prisoner.

1. A medical officer shall advise the officer-in-charge on a prisoner who should be transferred from a prison to a hospital, mental hospital or leper settlement.
2. A medical officer shall advise the officer-in-charge as to a prisoner who should be released by reason of his or her health being likely to be endangered by remaining in prison, or being unlikely to survive his or her sentence or being permanently unfit for prison discipline.

43. Mental condition of prisoner.

1. A medical officer shall keep observation on the mental health of all prisoners held on a capital charge or sentenced to death and on all convicted criminal prisoners with long sentences.
2. A medical officer shall report to the officer-in-charge any case where he or she considers a prisoner is mentally ill.

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3. A medical officer shall submit to the officer-in-charge in respect of a prisoner held on a capital charge who in his or her opinion is of unsound mind, a full report on the mental state of the prisoner four days before his or her trial in High Court and not more than three weeks after his or her conviction.
4. All reports made under subregulation (3) shall be forwarded to the Commissioner who shall forward them either to the Director of Public Prosecutions or the Advisory Committee on the Prerogative of Mercy.

44. Spread of disease.

A medical officer shall take all measures necessary to prevent the spread of infectious or contagious diseases.

45. Records to be kept.

The medical officer shall keep the following books and records—

- a. a case book showing the name, disease and treatment of every sick prisoner;

- b. a journal containing his comments on the state of the prison and the prisoners;
- c. a case book giving full details of the medical history, cause of death and treatment of every prisoner who dies in the prison other than by judicial execution; and
- d. a report from time to time on the nature and quality of the food of prisoners both before and after cooking.

46. Vaccination and inoculation of prisoners.

- 1. If the medical officer considers it necessary for the health of a particular prisoner, or for the health of other prisoners or members of the public, he or she may arrange for the vaccination or inoculation of the prisoner, and any prisoner who refuses to be vaccinated or inoculated commits a disciplinary offence.

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- 2. Where the officer-in-charge is satisfied that a prisoner has a bona fide conscientious objection to being vaccinated or inoculated, he or she may in consultation with the medical officer excuse him or her from vaccination or inoculation.

47. Prevention and management of suicide attempts, self-harming and hunger strikes.

The procedure for the prevention and management of suicide attempts, self-harming and hunger strikes shall be prescribed in the Standing Orders.

Part VI—Contact With The Outside World

48. Visit, letter and telephone call.

- 1. Communication, other than communication with legal advisers, between prisoners and their relatives and friends, shall only be allowed in accordance with this Regulation, subject to such restrictions as the officer-in-charge may think are necessary for the maintenance of discipline and order in the prison, and the prevention of crime.
- 2. A prisoner on admission shall be entitled to write and receive a “reception letter” and to receive a visit of fifteen minutes duration.
- 3. A prisoner on transfer to another prison, shall be entitled to write and receive a “transfer letter”.
- 4. Except as provided in subregulation (2), visits and letters shall be granted as follows—
 - a. first stage prisoners shall be entitled to write and receive one letter every four weeks and to receive a visit of at least fifteen minutes for a duration of every six weeks or to write and receive a letter in lieu of it;
 - b. second stage prisoners shall be entitled to write and receive one letter every four weeks and to receive a visit of at least twenty minutes duration every six weeks or to write and receive a letter in lieu of it;

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- c. third stage prisoners shall be entitled to write and receive one letter every three weeks and to receive a visit of at least twenty minutes duration every four weeks or to write a letter in lieu of it;
 - d. fourth stage prisoners shall be entitled to write and receive one letter every two weeks and to receive a visit of at least thirty minutes duration every four weeks or write and receive a letter in lieu of it;
 - e. special stage prisoners shall be entitled to receive letters without restriction, write one letter every week and to receive a visit of at least thirty minutes duration every two weeks or to write and receive one letter in lieu of it.
5. A person visiting a prisoner shall be subjected to a search by a prison officer of the same gender.
 6. A person being searched shall not be humiliated by the searching process.
 7. The obligation to preserve security and safety shall be balanced against the privacy of a visitor.
 8. The procedure for regulating a professional visitor, shall be the subject of consultation with the professional body to ensure a balance between security, safety, and the right of confidential professional access.
49. Transfer of prisoner to enable him or her to be visited.
1. Where a prisoner serving a long sentence has served for a period of three years and, owing to the distance from his or her home, has not received any visit from relatives or friends during the imprisonment, the Commissioner may, order the temporary transfer of the long sentence prisoner to the prison nearest his or her home.
 2. The Commissioner may permit the prisoner to be visited by friends or relatives, not exceeding three in number at any one time, for a period as the Commissioner may direct, if in all those cases the work, conduct and progress of the prisoner merits the privilege.

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3. The Commissioner may direct transfer of prisoners on the following grounds—
 - a. for the purpose of undergoing a trade test;
 - b. for medical treatment; or
 - c. in order to decongest a particular prison.
50. Postponement of privilege of visits, letter writing and receiving.

1. The privilege of writing and receiving letters and receiving visits may, at the discretion of the officer-in-charge, be postponed at anytime in case of misconduct, but shall not be subject to forfeiture.
2. Where a prisoner who becomes entitled to a letter and a visit is at the time undergoing punishment, the officer- in-charge shall defer the privilege to a suitable time.
3. The Commissioner may, as a privilege for any prisoner or class of prisoner, allow additional letters and visits as he or she may determine.
4. The officer-in-charge may allow a prisoner to write a special letter and receive a reply or receive a special visit in any of the following circumstances—
 - a. the death or serious illness of a close relative;
 - b. business or family affairs of an urgent nature; or
 - c. the arrangement of employment or assistance on release.

51. Visit to sick prisoner.

Where a seriously sick prisoner desires to be visited by a close relative or a friend, the officer-in-charge may give an order in writing for the admission of the relative or friend.

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52. Restriction and condition relating to visit.

1. A maximum of three persons shall be allowed to visit a prisoner at one time.
2. A visit to a prisoner shall take place during working hours in the prison and during hours as the officer-in-charge may direct.
3. A prison officer of a rank detailed by the officer-in-charge, together with an interpreter in the case where the officer does not understand the language spoken, shall be within sight and hearing during the whole of every visit unless the officer-in-charge by an order in writing otherwise directs.
4. The prison officer detailed to supervise visits shall—
 - a. demand and record the name and address of every visitor to a prisoner;
 - b. where he or she has any grounds for suspicion, he or she may search or cause to be searched, male visitors and may direct a female officer to search female visitors;
 - c. in case a visitor refuses to be searched, order him or her to leave the prison; and
 - d. when ordering a visitor to leave the prison shall make a record of the order in writing.
5. A search under subregulation (4) (b) shall not to be conducted in the presence of a prisoner or another visitor.
6. An ex-prisoner shall not be allowed to visit a prisoner save with a written permission of the officer-in-charge not earlier than six months from the date of his or her discharge.

53. Restriction on the reading and receipt of letter.

1. A letter to or from a prisoner shall be read by the officer-in-charge.

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2. The officer-in-charge shall have the discretion to stop a letter on the grounds that the contents are objectionable or that it is of inordinate length.
3. In case of an outgoing letter, the prisoner shall be informed and given the opportunity to re-write the letter.
4. A prisoner shall not be permitted to write or receive a letter from an ex-prisoner without permission in writing of the officer-in-charge.

54. Visit by advocate and diplomatic representative.

1. A prisoner who after conviction, has given notice of appeal shall be given all reasonable facilities to see his or her advocate with regard to the appeal, in the sight, but not in the hearing of a prison officer.
2. A prisoner who has been ordered to be repatriated out of Uganda shall be given a reasonable facility to see his or her advocate and a representative of his or her State with regard to the order of repatriation, in the sight, but not in the hearing of a prison officer.
3. Reasonable facilities shall be accorded to the advocate of a prisoner who is conducting any litigation, civil or criminal, in which the prisoner is a party to see the prisoner with regard to the proceedings, in the sight, but not in the hearing of a prison officer.
4. An advocate of a prisoner may, with the permission of the officer-in-charge, see a prisoner with reference to any other legal business within the sight and hearing of a prison officer.
5. An advocate of a prisoner may be accompanied by another person under his or her direct and immediate control for the purpose of interpretation or taking of notes.
6. For the purpose of this regulation, "advocate of an prisoner" means either the prisoner's advocate himself or herself or the advocate's clerk.

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55. Visit and letter of debtor.

1. The provisions of these Regulations relating to visits and letters shall apply to all classes and categories of prisoners.
2. Where an officer-in-charge considers it desirable he or she may allow a prisoner to see relatives and friends and to receive and read letters as often as possible.
3. A prisoner committed to prison in default of the payment of a sum as a consequence of a conviction or order, shall be allowed to have a visit with his or her relatives or friends on a weekday during working hours in the prison, or to communicate by letter with them for the purpose of providing for a payment which would procure his or her release from prison.

4. A prisoner under subregulation (3) shall, on his or her admission be informed of this regulation.

56. Visit by police officer and process server.

1. The Inspector General of Police, a superior police officer, or a police officer may on production of an order from a magistrate, at any reasonable time, visit a prison and interview a prisoner for the following purposes—
 - a. identification of offenders;
 - b. taking statements considered necessary for any investigation; or
 - c. any other purpose authorised in writing by the Commissioner.
2. The officer-in-charge shall direct whether a visit by a police officer to a prisoner shall take place in or out of the hearing or sight of a prison officer.
3. A person duly authorised by court shall be permitted to enter a prison during working hours in order to serve any legal process on a prisoner.

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57. Contact with legal advisor.

1. A prisoner shall be entitled to legal advice.
2. The prison authority shall provide a prisoner with reasonable facilities for gaining access to legal advice.
3. A prisoner may consult on a legal matter with a legal adviser of their own choice and at his or her own expense.
4. A visit, consultation and other communication including correspondence about a legal matter between a prisoner and his or her legal adviser shall be confidential in the sight, but out of the hearing of, a prison officer.
5. A court may in exceptional circumstances authorise restrictions on confidentiality to prevent serious crime or major breaches of prison safety and security.
6. A prisoner shall have access to, or be allowed to keep in his or her possession, documents relating to his or her legal proceedings.

Part VII—Constructive Activities For Prisoners

58. Sentence Planning.

1. The activities for a sentenced prisoner shall be designed to enable them to lead a responsible and crime-free life.
2. The activities for a sentenced prisoner shall commence as soon as he or she has been admitted to prison with the status of a sentenced prisoner, unless it has commenced before.

3. A prison shall have a Sentence Planning Board consisting of the officer-in-charge and other persons as the officer-in-charge may determine, who shall interview every prisoner not later than seven days after his or her reception in prison, and consider what arrangements are to be made for his or her training, education and work.

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4. A report shall be drawn up for a sentenced prisoner about his or her personal situations, the proposed sentence plans for him or her and the strategy for preparation for his or her release.
5. A sentenced prisoner shall be encouraged to participate in drawing up his or her individual sentence plan.
6. Such plans shall as far as is practicable include—
 - a. education;
 - b. work;
 - c. other activities such as offending behaviour programmes; and
 - d. preparation for release.
7. Social work, medical and psychological care may also be included in the activities for sentenced prisoners.
8. Particular attention shall be paid to providing appropriate sentence plans and activities for life sentence prisoners.
9. There shall be a procedure for establishing and regularly reviewing individual sentence plans for each prisoner after the consideration of appropriate reports, full consultations among the relevant staff and with the prisoners concerned who shall be involved as far as is practicable.

59. Education of prisoner..

1. The officer-in-charge shall take all steps that he or she considers practicable to arrange educational class for a prisoner in his or her charge.
2. The officer-in-charge shall permit prisoners in their leisure time to study by means of practising handicrafts courses approved and arranged by him or her.

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3. Special attention shall be paid to the education of an illiterate person.
4. There shall be a library in every prison and a prisoner shall be permitted to draw books from the library in accordance with directions as the Commissioner shall make.

5. The officer-in-charge may arrange for lectures, concerts and debates for prisoners to take place outside the hours of labour.
6. A prison shall be provided with facilities for physical training, games and recreation.
60. Voluntary teacher.

The Commissioner may on the recommendation of the officer-in-charge, appoint a sufficient number of prison visitors of both sexes as voluntary teachers for the purpose of visiting prisoners regularly during their imprisonment and for conducting classes as may be approved.

61. Employment of prisoner.

1. A prisoner shall be required to engage in practicable and useful work, to be performed outside the cell.
2. A prisoner shall not be employed in work not authorised by the Commissioner or the officer-in-charge.
3. The medical officer may excuse a prisoner from work on medical grounds.
4. A prisoner shall not be sent to work unless he or she has been certified as fit for that type of work by the medical officer.
5. The officer-in-charge, shall allot to each prisoner the labour for which he or she is best suited.
6. In allotment of work, consideration shall be given to a prisoner's the best training which his or her sentence, his or her capacity, and the resources of the prison will permit.

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7. If at any time it appears to the Commissioner or to the officer-in-charge that it is desirable for the maintenance of good order, discipline, or in the interests of a prisoner, that he or she should not be employed in association with others, the officer-in-charge may arrange for him or her to work temporarily in a cell and not in association with other persons.
8. It shall be within the discretion of the officer-in-charge to arrange for a prisoner ordered to work alone to be employed in association with other prisoners again whenever he or she considers this desirable.
9. The officer-in-charge shall implement subregulation (8) on the advice of the medical officer on medical grounds or at the expiration of one month unless further authority for him or her to be kept separate is given from month to month by the Commissioner.

62. Work for unfit prisoner.

A prisoner certified not to be fit for ordinary labour by the medical officer may be employed in one or more of the following forms of light labour—

- (a) sewing;
- (b) gardening;
- (c) laundry work;
- (d) cleaning and white-washing the prison;
- (e) conservancy; and

similar services as the officer-in-charge may from time to time direct.

63. Work for female prisoner.

A female prisoner shall be employed only in association with female prisoners and in work suitable for them.

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64. Hours of work.

The hours of labour for a prisoner shall be as directed by the Commissioner.

65. Record of work.

A prison shall keep a record of the daily work of a prisoner in form as the Commissioner may direct.

66. Holidays.

1. A prisoner shall not be required to work, other than to keep the prison clean and prepare food, on Sundays and public holidays.
2. The officer-in-charge may, in his or her discretion, make special arrangements for the observation by a class of prisoners of religious and national festivals peculiar to that class of prisoners.

67. Earnings scheme and gratuity.

1. A prisoner eligible under the provisions of these Regulations to participate in the earnings scheme shall be classified in the following grades—
 - a. Grade A - a prisoner who in the opinion of the Commissioner is of exemplary conduct and skilled in his or her trade and all special stage prisoners;

- b. Grade B - a prisoner who in the opinion of the officer-in-charge is of good conduct and semi-skilled in his or her trade.
 - c. Grade C - a prisoner who is eligible to participate in the earnings scheme who is not in Grade A or B.
- 2. Gratuity of one thousand shillings per month shall be paid to a prisoner.
 - 3. Promotion to Grade A shall be made by the Commissioner and promotion to Grade B shall be made by the officer-in-charge.

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- 4. A prisoner engaged in collective work shall be graded in Grade C but may receive additional payment for work completed in excess of a fixed task.
- 5. A prisoner under subregulation (4) shall not earn more than a prisoner in Grade A.

68. Rate of earnings.

- 1. The Minister shall, review and determine the rate of earnings for a prisoner's grade as classified in Regulation 67.
- 2. The rate of earnings in each grade shall be published in the Gazette.

69. Use of earnings.

- 1. A prisoner in the earnings scheme may spend up to a maximum of two-thirds of the total of his or her monthly earnings upon the purchase of goods as may be allowed by the officer-in-charge on the instructions of the Commissioner.
- 2. The total balance of the earnings shall be placed to the credit of the prisoner and be paid to him or her on release.

70. No earning in hospital.

A prisoner shall not be eligible to gratuity or earn under the earnings scheme for days spent in hospital.

Petitions and complaints.

71. Petitions and complaints.

- 1. A prisoner may petition the President in accordance with section 72 of the Act, through the Commissioner and that petition shall be written in a form as the Commissioner shall direct.
- 2. A prisoner may make complaints to a visiting justice, the Commissioner, the Regional Prisons Commander, the officer-in-charge or other class of prison officers as the Commissioner shall designate to hear complaints.

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3. A request by a prisoner to see a person to whom he or she is entitled to make a complaint shall be recorded by the officer to whom the request is made.
4. Upon a request under subregulation (3) arrangements shall be made for the prisoner to see the person concerned at the first convenient opportunity.
5. An officer-in-charge shall at a convenient hour on any day, other than Sunday and a public holiday, see a prisoner who has requested to see him or her.
6. A written petition made by a prisoner to the Commissioner or the Regional Prisons Commander shall be treated confidentially if the prisoner so requests.
7. Unless it is evidently frivolous or groundless, every petition or complaint shall be dealt with promptly and replied to without delay.

Part VIII—Security and Use of Force

72. Security categorisation of prisoner.

1. A prisoner on admission, shall be assessed to determine—
 - a. the risk that they would present to the community if they were to escape; and
 - b. the risk that they will try to escape either on their own or with external assistance.
2. A prisoner shall be held in security conditions appropriate to these levels of risk.
3. The level of security necessary shall be reviewed at regular intervals throughout a prisoner's imprisonment.
4. The security measures applied to individual prisoners shall be the minimum necessary to achieve their secure custody.

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73. Physical security.

The Commissioner shall ensure that—

- a. appropriate security equipment is available in a prison to assist staff in preventing escapes; and
- b. appropriate mechanisms are in place for the procurement and management of prison locks, keys, doors and safes.

74. Procedural security.

1. An officer-in-charge shall establish an intelligence information system and ensure that regular intelligence reports are submitted to relevant authorities.
2. An officer-in-charge will ensure that appropriate local systems are in place for the security and management of prison keys, tools and equipment.

75. Dynamic Security.

Security provided by physical barriers, technical means, and procedure shall be complemented by the dynamic security to be provided by a prison officer with knowledge of the prisoner under his or her control.

76. Use of force.

1. A prison officer shall not use force against a prisoner except—
 - a. in self-defence;
 - b. in case of an attempted escape; or
 - c. active or passive physical resistance to a lawful order.
2. The amount of force used shall be the minimum necessary and be imposed for the shortest necessary time.
3. Detailed procedure for the use of force shall be prescribed for in Standing Orders which will provide for—

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- a. the type of force that may be used;
 - b. the circumstances in which a type of force may be used;
 - c. a prison officer who may use a type of force;
 - d. the level of authority required before any force is used; and
 - e. the reports that must be completed once force has been used.
4. If a prison officer uses force against a prisoner, the prison officer shall have the prisoner examined as soon as possible by the medical officer and immediately report the incident to the officer- in- charge.
 5. The officer-in-charge shall take appropriate measures to ensure that a prisoner against whom force is used is examined by a medical officer and receives medical treatment as necessary.
 6. A member of staff who deals directly a prisoner shall be trained in techniques that enable the minimal use of force in the restraint of prisoners who are aggressive.
 7. A prison officer shall only use force as a last resort.

77. Prevention of Escape.

1. A prison officer shall use the greatest vigilance to prevent the escape of a prisoner.
2. A prison officer shall ensure that equipment likely to facilitate an escape is properly secured in a prison.

78. Action on report of an escape.

On receiving the report of the escape of a prisoner, the officer-in-charge shall—

- a. order the prison and its neighbourhood to be searched at once;
- b. circulate notification of the escape and the prisoner's description to the police; and

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- c. notify the Commissioner and the Regional Prisons Commander.

79. Treatment of escapee.

1. A prisoner who during a previous detention in lawful custody escaped or attempted to escape, shall be considered and treated as a potential prison escapee, unless exempted by the officer- in-charge for any special reason.
2. The period during which an escaped prisoner is at large shall not be counted as part of the sentence he or she was undergoing at the time of his or her escape.

Part IX—Safety, Order and Discipline of Prisoners

80. Safety of a prisoner.

1. The officer-in-charge shall be responsible for the safety of a prisoner in a prison.
2. The officer-in charge shall put in place appropriate means to ensure the safety of a prisoner.
3. A prisoner shall on admission, be assessed to determine whether he or she poses a safety risk to other prisoners, prison officers or other persons working in or visiting prison or whether they are likely to harm themselves.
4. Where a prisoner poses a risk, an officer-in-charge shall take the necessary action to manage the risk.
5. A prisoner shall take part in safe daily activity.
6. A prisoner shall have access to a prison officer at all times.
7. National health and safety laws shall be observed in prisons.

81. Mechanical restraint of prisoner

1. A prisoner shall not be placed in mechanical restraint as a punishment.

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2. A prisoner shall only be placed in mechanical restraints to prevent his or her escape or if it is necessary to prevent him or her from doing injury to himself or herself or any other person.
3. The Commissioner shall approve the means of mechanical restraint to be used.
4. A prisoner shall not be kept under mechanical restraint unless the medical officer has certified that the mechanical restraint will not be injurious to his or her health.
5. An order to place a prisoner under mechanical restraint shall—
 - a. only be made in case of urgent necessity;
 - b. be made by the senior prison officer present;
 - c. not continue for more than forty-eight hours without the permission of the Commissioner;
 - d. be notified immediately to the medical officer; and
 - e. be entered into a journal as the Commissioner shall direct.
6. The officer-in-charge may order a refractory or violent prisoner to be temporarily confined in a separate cell.

82. Minor prison offence.

A prisoner who does any of the following acts commits a minor prison offence—

- a. talks during working hours or talks loudly, laughs or sings after having been ordered by a prisons officer to desist from doing so;
- b. quarrels with another prisoner;

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- c. secreting an article;
- d. disrespects a prisons officer or visitor;
- e. assaults or takes part in any attack on another prisoner;
- f. answering untruthfully a question put by a prisons officer;
- g. holding any communication in writing, by word of mouth, or otherwise with a person in contravention of these Regulations;
- h. fails to report a prison offence, or to give assistance to a prison officer when called upon to do so;
- i. does an act likely to create unnecessary alarm in the mind of prisoner or prison officer or other employee of the prison;

(j) leaves a party to which he or she is attached, or the part of the prison in which he or she is confined without permission of a prison officer;

(k) leaves the ward, yard, place in file, seat assigned to him or her without permission of a prison officer;

(l) loiters about the yards or lingering in the wards when these are open;

(m) omits or refuses to march in file when moving about the prison or proceeding to or returning from work;

(n) visits the latrine without permission of a prison officer or remains there for a period longer than is necessary;

(o) stubbornly refuses to eat food prescribed by the prison diet scale;

(p) eats, appropriates or has in his or her possession food not assigned to him or her or takes from or adds to the portions assigned to other prisoners;

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(q) removes without permission of a prison officer food from the kitchen or from the place where meals are served, or disobeying an order as to the issue and distribution of food and drinks;

(r) wilfully destroys or throws away food;

(s) gives, barter or sells a portion of his or her food which he or she may be allowed to receive to another prisoner;

(t) introduces into food or drink anything likely to render it unpalatable or unwholesome;

(u) omits or refuses to wear the clothing given to him or her, or exchanges a portion of the clothing it for the clothing of another prisoner, or loses, discards, damages or alters part of the clothing;

v. removes, defaces, or alters a distinctive number, mark or badge, attached to, or worn on his or her clothing or person or on the clothing or person of any other prisoner;

(w) omits or refuses to keep himself or herself clean, or disobeys an order regulating the cutting of hair;

(x) omits or refuses to keep clothing, bedding or utensils clean or disobeys an order as to the arrangement or disposition of these articles;

(y) tampers with prison property with which he or she has no concern.

(z) takes prison clothing or a part of a prison kit of another prisoner;

(aa) commits a nuisance in any part of the prison;

(ab) soils a part of a prison;

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(ac) damages the vegetation within the enclosure of the prison;

(ad) omits or refuses to take care of prison property entrusted to him or her;

(ae) omits to report loss, breakage which he or she may have caused to prison property;

(af) manufactures an article without the knowledge or permission of a prison officer;

(ag) performs a portion of the task allotted to another prisoner, or obtains the assistance of another prisoner in the performance of his or her own task;

(ah) appropriates a portion of the task performed by another prisoner;

(ai) mixes or adds a foreign substance to the materials issued for work;

(aj) curses, swears or uses indecent, violent, threatening, or insulting language;

(ak) causes or omits to assist in suppressing violence or insubordination;

(al) immoral, disorderly or indecent behaviour;

(am) omits or refuses to help a prison officer in case of an attempted escape or of an attack upon a prison officer or another prisoner;

(an) disobeys a lawful order of a prison officer or other employee of the prison;

(ao) malingers, refuses to work or shows negligence in the performance of his or her allotted task;

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(ap) refuses to undergo medical treatment;

(aq) has in his or her possession a prohibited article;

(ar) aiding or abetting the commission of any of the foregoing offences.

(as) attempts to commit any of the foregoing offences; and

(at) commits any other act or omission to the prejudice of good order or discipline.

83. Penalty for minor prison offence.

1. A prisoner who commits a minor prison offence shall if found guilty be liable to—
 - a. confinement in a separate cell for a period not exceeding three days;
 - b. reduction in stage, or postponement of promotion in stage, or forfeiture of privileges for a period not exceeding one month;
 - c. forfeiture of earnings not exceeding one quarter of thirty days earnings;
 - d. removal from the earnings scheme for a period not exceeding one month; or
 - e. reduction in earnings grade until a time that the prisoner is considered fit for restoration to his or her original grade by virtue of his or her good conduct and skill at his or her trade.
2. A prisoner shall not be reduced from grade A in the earnings scheme without the approval of the Commissioner.
3. A prison officer of lower rank shall not inquire into an aggravated prison offence.

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84. Aggravated prison offence.

A prisoner who does any of the following acts commits an aggravated prison offence—

- a. mutiny or incitement to mutiny;
- b. escapes or attempts to escape;
- c. takes part in an assault on a prison officer;
- d. commits aggravated assault against another prisoner;
- e. destroys prison property;
- f. causes himself or herself illness, injury or disability;
- g. makes a false or groundless accusation or complaint against a prison officer;
- h. repeats a minor prison offence, after having been twice punished for the same minor offence;
- i. commits an act of gross misconduct or insubordination;
 - (j) uses grossly abusive or offensive language with a prison officer;
 - (k) makes a disturbance tending to interrupt the order of the prison while undergoing, or about to undergo punishment;
- attempts to commit any of the foregoing offences; and
 - (m) aids and abets another prisoner in committing the above offences.

85. Penalty for aggravated prison offence.

1. A prisoner who commits an aggravated prison offence shall if found guilty be liable to—

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- a. confinement in a separate cell for a period not exceeding seven days;
 - b. forfeiture of remission for a period not exceeding thirty days;
 - c. reduction in stage, or postponement of promotion of stage or forfeiture of privileges;
 - d. forfeiture of earning not exceeding twenty-two days' earning;
 - e. removal from the earnings scheme for a period not exceeding six months; or
 - f. reduction in earnings grade until a time as the prisoner is considered fit for restoration to his or her original grade by virtue of his or her good conduct and skill at his or her trade.
2. A prisoner shall not be reduced from grade A in the earnings scheme without the approval of the Commissioner

86. Inquiry into prison offences.

1. An officer-in-charge shall hear a case of a prisoner charged with having committed a prison offence.
2. A prisoner charged with a prison offence shall be informed of the offence with which he or she is charged.
3. A prisoner charged with an offence shall—
 - a. be given the opportunity to hear and question a witness giving evidence against him or her;
 - b. make a statement in person; and
 - c. call a witness whom he or she thinks necessary.
4. A charge against a prisoner shall be heard without delay.
5. An officer-in-charge may order a prisoner charged with a prison offence to be kept apart from other prisoners.

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87. Power of officer-in-charge to prescribe penalty.

1. An officer -in -charge shall prescribe a penalty for a prisoner who is found guilty of committing a prison offence.
2. A prison officer other than an officer-in-charge shall not punish a prisoner unless authorised to do so under these Regulations.

88. Transfer of case to the Commissioner.

An officer-in-charge, if a senior prison officer, where a prisoner is charged before him or her with an aggravated prison offence may transfer the case to the Commissioner under section 73 of the Act.

89. Power of Commissioner to prescribe penalty.

The Commissioner may prescribe the following penalty—

- a. confinement in a separate cell for a period of not exceeding thirty days;
- b. forfeiture of remission not exceeding three months;
- c. forfeiture of earnings not exceeding thirty days earnings;
- d. removal from the earnings scheme for a period not exceeding six months,
- e. reduction in earnings grade until the prisoner is considered fit for restoration to his or her original grade by virtue of his or her good conduct and skill at his or her trade;
- f. reduction in stage, or postponement of promotion in stage; or
- g. forfeiture of privileges.

90. Separate cell.

1. A prison, shall have a cell set aside for the confinement of a prisoner undergoing punishment for prison a offence.
2. A cell set aside as a punishment shall be certified as fit to be used for that purpose by the medical officer.

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91. Confinement in separate cell.

1. A prisoner shall not be confined in a separate cell for an aggregate of more than ninety days in one year.
2. Where a prisoner is sentenced to two periods of confinement in a punishment cell, the two sentences shall be separated by a period not less than the longer of the two sentences.
3. A prisoner sentenced to confinement in a separate cell shall—
 - a. only see a prison officer, medical officer, minister of religion and a visiting justice;
 - b. only have physical exercise as may be certified by the medical officer;
 - c. be visited once a day by the officer-in-charge and the medical officer; and
 - d. be visited at intervals of not less than three hours during the day and night by a prison officer appointed to carry out that duty.

92. Punishment in different prison

A punishment lawfully imposed upon a prisoner may be carried out partly in one prison and partly in another.

93. Forfeiture of remission.

A prisoner shall not be ordered to forfeit as a punishment more remission than he or she has earned.

94. Punishment book to be kept.

1. A prison shall keep a punishment book.
2. The officer-in-charge shall enter or cause to be entered in the punishment book a record of every prisoner punished under these Regulations showing—
 - a. the name of and particulars of the prisoner;

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- b. the date and nature of the offence and punishment;
 - c. the authority dealing with the case; and
 - d. directions given by the medical officer.
3. A record of the punishment shall be entered in the prisoner's personal record.

95. Ordinary law not affected.

Nothing in these Regulations shall be construed as to exempt a prisoner from being proceeded against for an offence by the ordinary course of law, but a prisoner shall not be punished twice for the same offence.

Part X—Sentence Calculation and Release of Prisoners

96. Calculation of total length of imprisonment.

1. Subject to the provisions of any Act, where a person has been convicted of another offence, either before or after a sentence has been passed upon him or her for the first offence but before the expiration of the sentence for the first offence, then any sentence passed upon him or her in respect of the second offence shall be served after the completion of the sentence for the first offence unless the court otherwise orders.
2. Where a prisoner on the same occasion is sentenced to several terms of imprisonment on different counts, the sentence shall be consecutive unless the court otherwise orders.
3. Where a prisoner serving two or more sentences is further convicted and sentenced to imprisonment and court orders the sentence to commence at the expiration of the sentence the prisoner is now serving, the sentence shall be consecutive to that sentence but concurrent with any other sentences which the prisoner has not then commenced to serve.
4. Subject to subregulation (3) if the court orders that the sentence shall commence "after the sentences" or "after the imprisonment that the prisoner is now serving", the sentence shall begin to run after the completion of all the sentences the prisoner is then serving.

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97. Calculation of dates in relation to imprisonment.

1. A term of imprisonment shall commence on the day the prisoner is sentenced unless the sentence is consecutive to another sentence.
2. A prisoner may be detained until the end of the last day of his or her sentence.
3. A prison sentence expressed in months and years shall be calculated in accordance with calendar months and years.
4. Where a death sentence is commuted to a sentence of imprisonment for a term of years, the sentence shall be deemed to have been commenced on the date the sentence of death was passed.

98. Officer-in-charge responsible for due release of prisoners.

1. An officer-in-charge shall be responsible for the due release of a prisoner immediately on his or her becoming entitled to release and ensure accuracy in regard to remissions.
2. An officer-in-charge shall, at least one month before the date of release of a prisoner, check the remission earned by each prisoner.

99. Rules for calculating amount of remission

1. A prisoner is entitled to release on the day after he or she has completed earning remission.
2. Where a prisoner is serving consecutive terms of imprisonment, the aggregate of the terms shall be treated as one term for the purposes of remission.
3. Where a prisoner is serving terms of imprisonment which overlap, then for the purposes of remission, the total period of his or her imprisonment shall be treated as one term.
4. Where a death sentence is commuted to a sentence of life imprisonment the sentence shall, for the purposes of the remission system, be considered as, a sentence passed by court.

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5. Where a death sentence is commuted to a sentence of life imprisonment, the sentence shall for the purposes of remission be deemed to have commenced at the date the sentence of death was passed.
6. When a prisoner has been sentenced to a fine and imprisonment or to imprisonment in default of the payment of a fine, he or she shall earn remission on that part of his or her sentence which he or she served in prison.
7. A prisoner shall not earn remission if he or she serves less than a month in prison.
8. A prisoner transferred to a mental hospital or leper settlement shall earn the same remission as if he or she were in prison.

100. Remission system to be explained to prisoner

1. The remission system shall be explained to all prisoners on admission.
2. Where remission is forfeited, the officer-in-charge shall ensure that a prisoner is made aware of the forfeiture.

101. Record of remission to be kept

A record shall be kept for a prisoner earning remission showing—

- a. the sentence;
- b. the remission a prisoner is entitled to;
- c. a forfeiture of remission if any;
- d. the earliest possible date of discharge; and
- e. the latest possible date of discharge.

102. Review of sentence

1. The officer-in-charge shall prepare a report on every prisoner who has during the previous month completed four, eight, twelve, sixteen or twenty years of his or her sentence, or having served seven or more years of his or her sentence, has attained, or is believed to have

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attained, the age of sixty years.

2. A report shall include—
 - a. a statement by the officer-in-charge on the work and conduct of the prisoner; and
 - b. a statement by the medical officer on the mental and bodily condition of the prisoner, with particular reference to the effect of imprisonment on his or her health.
3. The officer-in-charge shall forward every report to the Commissioner.
4. The Commissioner shall enter on the report recommendations he or she may desire to make and forward it to the Minister for the time being designated under section 88 (1) of the Act.
5. The Minister may on the basis of the report advise the President to remit the residue or part of the residue of the prisoner's sentence or may direct at what time the case shall be submitted for his or her consideration.

103. Release on licence.

1. A habitual criminal under section 87 (13) of the Act who is serving a sentence or consecutive sentences for a period of three years or more shall be released on a licence.
2. Where a prisoner is released on licence, the licence shall, unless previously revoked, remain in force for the unexpired portion of the prisoner's original sentence.

104. Form and condition of licence

1. A licence for the release of a prisoner shall be in the form specified in Schedule 2.
2. A licence shall be granted subject to the following conditions—
 - a. the holder shall keep his or her licence safe and at all times produce it on demand when called upon by a magistrate,

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- police or prison officer or chief;
 - b. the holder shall abstain from violation of the law;
 - c. the holder shall not associate with a person of ill repute;
 - d. the holder shall not lead an idle or dissolute life or be without visible means of earning an honest livelihood;
 - e. the holder shall at the time of his discharge from prison inform the officer-in-charge of his proposed place of residence and proceed to that place;
 - f. the holder shall within forty-eight hours of arrival at the place of residence report himself or herself, unless prevented by an unavoidable cause, to the officer-in-charge of the nearest police station or other person in authority specified in the licence;
 - g. the holder shall, unless prevented by an unavoidable cause, once every month report himself or herself personally to the officer-in-charge of the police station nearest to the place where he or she is residing;
 - h. the holder shall on every change of residence—
 - i. if the change is to a place within the area covered by the police station to which he or she is then reporting, inform the officer-in-charge of the police station personally or by registered letter of his or her proposed new residence; or
 - ii. if the change is to a place outside the area covered by the police station to which he or she is then reporting, give forty-eight hours notice personally or by registered letter to the officer-in-charge of the police station of the area he or she is leaving, of his or her intention to leave and so far

as is practicable of his or her exact future address; and

- iii. shall within forty-eight hours after arrival at his or her destination within the new area where he or she intends to reside, report himself or herself personally to the officer-in-charge of the police station nearest to the place where he or she proposes to reside.
- 3. For the purposes of subregulation (2), an absence from a notified residence for a period exceeding forty-eight hours shall be deemed to be a change of residence.
- 4. The holder shall, if he or she loses the licence, report the loss within seven days to the officer-in-charge of the nearest police station to where he or she resides.
- 5. Where a prisoner released on a licence at any time resides in a place which is more than ten miles from a police station, he or she may, where his or her obligations under subregulation (2) cannot be fulfilled by sending a letter and must be performed personally, instead of reporting himself or herself to an officer-in-charge of a police station, report himself or herself to the sub-county chief of the area in which he or she is then residing.
- 6. If a prisoner released on licence proves to the satisfaction of the officer-in-charge of a police station that he or she has lost the licence, he or she is entitled to a duplicate of the licence.

105. Discharge board and fare for discharged prisoner.

- 1. The Commissioner may establish in a prison a discharge board, in this regulation referred to as "the board", which shall consist of the officer-in-charge as a chairman and other persons as the Commissioner shall appoint.
- 2. The board shall interview a convicted criminal prisoner within three months of his or her due date of discharge, and decide, what assistance should be granted to the prisoner with a view to his or her

rehabilitation in civil life.

- 3. A sum not exceeding five currency points may be awarded to a prisoner who has undergone a sentence of four years or more of imprisonment and who has shown special zeal and skill, accompanied by exemplary conduct, in any branch of prison industries.
- 4. Award of the sum in subregulation (3) shall be subject to the following—
 - a. the sum shall only be granted with the approval of the Commissioner; and

- b. the sum shall be applied to the purchase of tools and other equipment which will assist the rehabilitation of the prisoner.
5. A prisoner discharged from a prison outside the district or area in which he or she normally resides shall be provided with free transport to his or her district or area by the board.

Part XI—Treatment of Special Classes of Prisoners

106. Appellant prisoner

1. For purposes of this Part Special Class of prisoners shall include the following—
 - a. appellant prisoners;
 - b. unconvicted prisoners; and
 - c. prisoners under the sentence of death.
2. An appellant prisoner shall, be kept apart from other classes of prisoners but remain subject to the provisions of these Regulations.
3. Paper and other writing materials shall be furnished to an appellant prisoner who requires them, for the purpose of communicating

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with friends or preparing his appeal.

4. An appellant prisoner's confidential written communication prepared for his or her advocate may be delivered personally to the advocate or his or her clerk, without being previously examined by a prison officer and all other written communications are to be considered as letters and shall be treated as such.
5. An appellant prisoner when appearing in court shall wear his or her own clothing or, if his or her own clothing cannot be used, the officer-in-charge shall supply him or her with clothing different from prison clothes.
6. on the release of an appellant prisoner by an order of court on an appeal, he or she shall be paid in accordance with a scale to be fixed by the Minister for any work he or she has done while in prison other than work he or she has been required to do in order to keep his or her cell, the precincts of his or her cell, his or her furniture, his or her clothing and his or her utensils clean.
7. A period not exceeding forty-two days during which an appellant prisoner is treated as an appellant shall not count towards his or her sentence of imprisonment unless the court otherwise orders.

107. Unconvicted prisoner

1. An unconvicted prisoner may be permitted during his or her period of exercise to associate with another unconvicted prisoner in an orderly manner under conditions as the Commissioner may direct.
2. An unconvicted prisoner shall be kept apart from another class of prisoners.
3. Where in the opinion of the officer-in-charge it is practicable and safe, employment may be provided for an unconvicted prisoner, if he or she desires it.
4. An account of the daily value of the labour of an unconvicted

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prisoner who accepts the labour shall be kept by the officer-in-charge.

5. A sum equivalent to the value of an unconvicted prisoner's labour shall be paid to prisoner upon his or her discharge.
6. An unconvicted prisoner may be denied further employment under this regulation on account of misconduct during employment.
7. An unconvicted prisoner shall be allowed to see a registered medical practitioner appointed by himself or herself and at his or her own cost or by his or her relatives or friends or advocate on any weekday during working hours in the prison, in the sight, but not in the hearing of the officer-in-charge.
8. Where an unconvicted prisoner wears his or her own clothing in prison the medical officer may, for the purpose of preventing the introduction or spread of infectious disease, order that the clothing be disinfected, and supply the prisoner with prison clothing.
9. An unconvicted prisoner charged with a capital offence shall be kept under special observation at all times.
10. A letter written or received by an unconvicted prisoner charged with a capital offence shall be carefully examined by the officer-in-charge.
11. A privilege allowed under this regulation may at any time be withdrawn by the officer-in-charge if he or she is satisfied that the privilege has been abused.
12. For the purpose of this regulation, "unconvicted prisoner" means a prisoner other than a convicted criminal prisoner or an appellant prisoner.

108. Prisoner under sentence of death

1. Notwithstanding these Regulations, a prisoner under sentence of death shall—

- a. be confined apart from other prisoners and under constant

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supervision of a prison officer during day and by night;

- b. be allowed special facilities to correspond with relatives, friends and legal advisers;
 - c. not be subject to employment; and
 - d. be permitted to see a minister of his or her religious persuasion whenever practicable.
2. The cell of a prisoner under sentence of death shall be examined by the officer-in-charge before it is occupied by the prisoner.
 3. A cell occupied by a prisoner under sentence of death shall only be unlocked in the presence of two prison officers.

109. Access to prisoner under sentence of death.

1. The following shall have access to a prisoner under sentence of death—
 - a. a prison officer;
 - b. a medical officer; and
 - c. if the prisoner requires, a minister of religion.
2. A prisoner under sentence of death shall not have access to the public without a written order from the Commissioner.
3. A written order under subregulation (2) shall only be granted to a relative, friend or legal adviser of the prisoner upon the prisoner's request.
4. A visit to a prisoner under sentence of death shall take place in the presence and hearing of a prison officer.
5. For the purpose of this regulation, a prisoner under sentence of

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death includes an appellant prisoner under sentence of death.

110. Execution of prisoner sentenced to death.

1. An execution shall be carried out by a public executioner or prison officer appointed by the Commissioner.

2. An execution shall be carried into effect in accordance with instructions issued by the Commissioner.
3. An officer-in-charge and a public executioner shall make himself or herself familiar with the instructions and satisfy himself or herself that every precaution is taken to ensure efficiency and dispatch and that all appliances are maintained in good condition.
4. A person other than the officer-in-charge, the public executioner, the medical officer and other prison officer as the officer-in-charge may direct shall not attend an execution unless authorised by a written order by the Commissioner.
5. For purposes of this Part, special classes of prisoners shall include the following—
 - a. appellant prisoners;
 - b. unconvicted prisoners; and
 - c. prisoners under sentence of death.

Part XII—Management, Staffing And Official Duties.

111. Management structure

1. The Commissioner shall ensure that an efficient and flexible management structure for all ranks is put in place to deliver the Prisons Service's vision, mission, and function.
2. The management structure shall be duly implemented at all times.
3. The management structure shall be regularly reviewed and, where necessary, amended.
4. The Commissioner shall ensure that the roles, responsibilities and duties of a prison officer are clearly set out in a job description for each post and that the job description is availed to the prison officer on

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assuming office.

5. The Commissioner shall issue orders in relation to a prison officer's attendance for duty and take appropriate action to ensure a prison officer reports for duty.

112. Conduct and performance.

1. The Commissioner shall put in place a system of regular prison officer performance assessment and appraisal.
2. Mechanisms shall be put in place to address performance shortfalls and to reward good performance.
3. A Code of Conduct shall be put in place to regulate the conduct and behaviour of prison staff, together with a system of discipline to ensure compliance.
4. Punishment imposed for breaking the Code of Conduct shall be applied in a consistent manner, while taking into account individual circumstances.

113. General duty of prison officers and penalties.

1. A prison officer shall carry out his or her duties and responsibilities in accordance with these Regulations, Standing Orders or administrative directions issued by the Commissioner.
2. A prison officer who does not comply with the Act, these Regulations, standing orders, or administrative directions issued by the Commissioner commits a disciplinary offence.
3. A prison officer who commits a disciplinary offence shall be subjected to an inquiry and if found guilty punished in accordance with the Act.
4. Nothing in this or any other regulation shall be construed as to exempt a prison officer from being prosecuted under the Act or any other Act in respect of an act or omission that is an offence under the Act or

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any other Act.

114. Special duties of officer-in-charge in relation to custody of prisoners.

An officer-in-charge shall—

- a. cause to be examined frequently the state of the cells, bedding, locks, bolts, bars and seize all prohibited articles;
- b. receive reports accounting for all prisoners in his or her custody at all times, at the opening and closing of the prison, on locking up and on return from labour each morning and afternoon;
- c. report to the Commissioner an escape, serious assault, outbreaks of disease or any other occurrence of an unusual or serious nature; and
- d. in the case of an emergency take immediate steps as he or she may consider necessary to restore the situation to normal.

115. Books and documents to be kept by officer-in-charge

1. An officer-in-charge shall keep a journal in which he or she shall record all events of importance in respect of the prison and a prisoner under his or her charge.
2. The officer-in-charge shall keep or cause to be kept the following books and records—
 - a. a prison record for a convicted criminal prisoner showing—
 - i. the name and particulars of a convicted criminal prisoner;
 - ii. the date of his or her sentence;
 - iii. the date of the expiry of his or her sentence;
 - iv. full details of any remission due to him or her, forfeited by him or her and restored to him or her;
 - v. the earliest date on which he or she may be released; and

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- vi. other particulars as the Commissioner may require;
- b. a daily release book in diary form in which the proper date and the name of a prisoner on admission into the prison shall be entered;
- c. a prisoners' property book in a form approved by the Commissioner;
- d. a prisoners' punishment book in which the name of a prisoner punished for a prison offence, the punishment imposed, the name of the prison officer awarding the punishment and in the case where a certificate from a medical officer is necessary, the certificate;
- e. a petty cash account;
- f. an account of receipts and disbursements;
- g. an unofficial visitors' book, containing an account of unofficial visitors to the prison;
- h. a visiting justices' minute book;
- i. an official visitors book;
- i. a list of books and documents committed to his or her care;
 - (j) a fine and reward account book, showing the amount and disposal of all fines and forfeitures levied from prison officer; and
 - (k) other books or records as the Commissioner may direct.

116. Visit by officer-in-charge.

An officer-in-charge shall—

- a. visit every part of the prison at least twice a day;
- b. see a prisoner at least once in every twenty four hours;

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- c. visit the prison at night at an uncertain hour at least once every week; and
- d. visit a prisoner at his or her meal, investigate a justified complaint as to the prisoners' food and remove any just cause of complaint at least twice a week.

117. Duties of officer-in-charge in respect of health of prisoners.

A officer-in-charge shall—

- a. ensure that the medical officer's instructions and recommendations in regard to a prisoner are carried out;
- b. pay special attention to a prisoner in hospital or those undergoing punishment;
- c. upon learning of a prisoner with a dangerous illness, give immediate notice to the medical officer and the most accessible known relative of the prisoner;
- d. upon the death of a prisoner, give immediate notice to the nearest coroner, the relatives of the deceased, and as soon as possible, report the death to the Commissioner;
- e. report to the medical officer and to the Commissioner a case of mental disorder or apparent mental disorder; and
- f. report to the Commissioner a case in which the medical officer is of the opinion that—
 - i. the mental state of a prisoner is becoming impaired or enfeebled by continued imprisonment;
 - ii. the life of a prisoner will be endangered by further imprisonment;
 - iii. a prisoner will not survive his or her sentence; or
 - iv. a prisoner is totally and permanently unfit for prison discipline.

118. Officer-in-charge to interview prisoner.

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An officer-in-charge shall interview a prisoner after his or her reception, and prior to his or her discharge.

119. Petition to be forwarded.

An officer-in-charge shall, submit a petition received from a prisoner to the Commissioner.

120. Absence of officer-in-charge.

1. An officer-in-charge shall not be absent from duty without the previous consent in writing of the Commissioner and his or her leave of absence shall be entered in his or her journal.
2. Subject to the directions of the Commissioner, in the absence of the officer-in-charge a senior prison officer present shall be in charge of the prison and be responsible for the duties of the officer-in-charge.

121. Principal officer.

1. A prison, shall have a principal officer who shall be the principal disciplinary officer and be responsible to the officer-in-charge to—
 - a. ensure that prison rules and orders are strictly observed;
 - b. that proper discipline is maintained through out the prison; and
 - c. carry out any duties that may be assigned to him or her by the officer-in-charge.

2. In the absence of the principal officer, a senior officer shall be responsible for performing the principal officer's duties.

122. Journal and records to be kept by principal officer and books in his or her custody

1. A principal officer shall keep—

- a. a journal in which he or she shall record matters that he or she is required to record, important and unusual occurrences within the prison and date and sign the entries daily;
- b. the entries shall include—

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- i. the number of prisoners, counted three times every day;
- ii. the actual hours at which a prisoner goes and returns from labour and exercise;
- iii. what part of the prison has been searched and the names of the prison officer detailed for the purpose;
- iv. the names of the prison officer deputised daily to supervise an ordinary visit to a prisoner;
- v. the particulars of a special visit held, and the name of the prison officer detailed to supervise it;
- vi. particulars of an escort despatched and by whom inspected; and
- vii. hours of opening and final closing of the prison, and checking of keys;

- c. a record of the location of a prisoner;

- d. a record of the work in which a prisoner has been employed;

- e. an account of the estimated value of the labour of a prisoner;

- f. an inventory of all furniture and movable property belonging

to the prison;

- g. an ammunition ledger;

- h. a record of all arms belonging to the prison; and

- i. a list of books and documents committed to his or her care.

2. The principal officer shall be responsible for the safe custody of all journals, registers, records, papers, books and documents in the prison committed to his or her care.

123. Special duties of principal officer.

A principal officer shall—

- a. be present at the unlocking of a prison in the morning and supervise a prisoner's distribution of labour;
 - b. visit and inspect the prison and see a prisoner at least twice in twenty-four hours,
 - c. in default of the daily visit and inspection record in his or her journal how far he or she has omitted them and the cause of the omission;
 - d. ensure that the prison is clean, in good order and that the security measures in a prison yard and throughout the prison are effective;
 - e. ensure that a prisoner is strictly searched on admission, a prohibited article or anything that in his or her opinion is objectionable, or likely to facilitate escape, is taken from the prisoner;
 - f. check the keys in the custody of the gatekeeper at the opening and closing of the prison each day;
 - g. twice a day, and as often as may be ordered, visit every party of prisoners while at work inside the prison and see that discipline and order are maintained among them and report as may be directed by the officer-in-charge;
 - h. inspect a prison at least twice a week between the hours of 11 p.m. and 5 a.m. and record in red ink in his or her journal the time of the visit and the condition of the prison;
 - i. ensure that a prisoner having a complaint or a request to make to him or her shall have an opportunity of making the complaint or request;
- (j) take steps as may appear to him or her necessary to redress any grievance or report it to the officer-in-charge;
- (k) ensure that a prisoner desiring to make a complaint to the Commissioner, the officer-in-charge, or to a visiting justice

- has the opportunity to do so;
- inspect and superintend daily the issuing of a prisoner's meals, weigh the rations supplied to the prison and keep a record of the checks in a book kept for the purpose;
- (m) ensure that an article of food supplied for the use of a prisoner is sound and of good quality,
- (n) ensure that the scales, weights and measures used in a prison are accurate and in proper order;
- j. ensure that the rations issued are strictly in accordance with the prescribed scale of diet and a prisoner receives the diet to which he or she is entitled;
- (p) open the prison every morning for the parade of prison officers, and detail all discipline officers for their duty;

(q) ensure that the duties of the officer-in-charge in regard to punishments are carried out and that prisoners in close confinement exercise as ordered; and

(r) communicate to the officer-in-charge every circumstance which may come to his or her knowledge that is likely to affect the security, health or discipline of the prisoners, the efficiency of the prison staff, or anything which may require his or her attention.

124. Duties of principal officer in respect of sick prisoner.

1. A principal officer shall report to the medical officer and to the officer-in-charge a case of apparent mental disorder.
2. A principal officer shall report to the medical officer the illness of a prisoner and deliver to the medical officer daily, a list of prisoners who are ill or who complain of illness and a list of prisoners detained in cells.

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3. A principal officer shall carry into effect all written directions of the medical officer respecting alterations in the diet or treatment of any prisoner, and see that a prisoner is not ordered to labour until the medical officer has certified that the prisoner is fit for labour.

125. Absence of principal officer.

1. A principal officer shall not be absent from his or her quarters at night during hours when the prison is closed without permission from the officer-in-charge.
2. The principal officer shall enter in his or her journal in red ink an absence from his or her quarters at night and if absent without leave report the absence and excuse of it to the officer-in-charge as soon as possible.

126. Relief of subordinate officer from duty.

1. A principal officer may temporarily relieve a subordinate officer from duty and exclude him or her from the prison in case of misconduct.
2. A principal officer shall report the particulars of a subordinate officer's misconduct to the officer-in-charge.

127. Duties of gatekeeper.

1. A prison shall have a gatekeeper.
2. A gate keeper shall not allow a person other than a prison officer or prisoner to enter the prison without a verbal or written sanction of the officer-in-charge.
3. Notwithstanding subregulation (1), the following persons shall be entitled to admission to the prison at any time—
 - a. a member of the Cabinet;

- b. a judge, magistrate, or justice of the peace having jurisdiction in the place where the prison is situated;
- c. a visiting justice of the prison; or
- d. a member of the Uganda Human Rights Commission

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- 4. A gatekeeper shall—
 - a. keep a record of a person other than a prison officer entering or leaving the prison, and require that person to write his or her names in a book provided for the purpose;
 - b. not allow a person other than a prison officer to enter the prison without being accompanied by a prison officer;
 - c. not allow a prisoner to pass the gate unaccompanied, by a prison officer;
 - d. examine the orders for the admission of a prisoner's visitor, check his or her name and in case of any doubt as to the identity of the visitor refer the matter to the principal officer;
 - e. satisfy himself or herself that the number of prison officers passing out of the prison corresponds to the number of prison officers who entered;
 - f. take charge of all letters, parcels, or other articles sent for a prisoner and he or she deliver them to the principal officer;
 - g. examine an article brought into the prison, and prevent a person from bringing a prohibited article into the prison; and
 - h. not allow an article to be taken out of the prison without the permission of the principal officer and the production of a gate pass duly signed.

128. Living quarters of prison officer.

- 1. A prison officer shall live in quarters as the Commissioner may assign to him or her.
- 2. A prison officer shall not sleep out of the quarters without the permission of the officer-in-charge.
- 3. A prison officer living within a prison shall not permit a person not being a regular member of his or her household to remain for the night in

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his or her quarters without the permission of the officer-in-charge.

129. Illness of prison officer.

- 1. A prison officer below the rank of principal officer unable to perform his or her duties due to illness shall in writing inform the principal officer.
- 2. A prison officer under subregulation (1) shall remain in his or her quarters until seen by the medical officer, who may, if necessary, order his or her removal to a hospital.

130. Prison officer not to leave prisoner.

1. A prison officer shall not, while in charge of a prisoner, leave a prisoner unattended.
2. A prison officer shall not enter a house, store, yard, or premises not being the place appointed for the labour of the prisoner, within the period during which he or she is in charge of the prisoner.

131. Checking keys.

1. A prison officer shall check all keys when handing or taking over and immediately report a defect.
2. A prison officer shall ensure that a prison key is, not passed into the possession of a prisoner or an unauthorised person.

132. Duty to hand over.

A prison officer below the rank of principal officer on being relieved from duty or transferred to another part of the prison, shall point out to his or her successor all matters of special importance connected with their duties, and explain any directions to the superior officer affecting a particular prisoner.

133. Information to be given to superior officer.

1. A prison officer shall make an immediate report to his or her superior officer of misconduct, disobedience of the rules, or abuse or impropriety which comes to his or her knowledge.
2. A prison officer below the rank of principal officer shall without delay inform the officer-in-charge or the principal officer the name of a

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prisoner who desires to see him or her, or to make any complaint, or refer the request to superior authority.

134. Counting prisoners.

A prison officer below the rank of principal officer shall be responsible for the safe custody of prisoners under his or her charge, and he or she shall count the prisoners at least once every half hour—

- a. on receiving charge of a party of prisoners;
- b. on handing over charge of a party of prisoners; and
- c. on leaving any building or work.

135. Prison officer not to enter cells or wards at night alone.

1. A prison officer shall not enter a prisoner's cell or ward at night without being accompanied by another prison officer except in case of necessity.

2. A prison officer who enters a prisoner's cell or ward at night in case of necessity shall—
 - a. make an immediate report to the senior officer-in-charge of the prison at the time; and
 - b. make a written report to the officer-in-charge as soon as possible.

136. Prison officer to report a case of sickness.

1. A prison officer shall report a prisoner who appears not to be in good health or whose state of mind may appear deserving of special notice and care, to the officer-in-charge or the principal officer.
2. The officer-in-charge or the principal officer under subregulation (1) shall seek the opinion and instructions of the medical officer.

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137. Prison officer not to be absent from a prison during working hours.

1. A prison officer below the rank of principal officer shall not be absent from the prison during working hours without leave from the principal officer.
2. A prison officer shall leave his or her keys, arms and books in the place appointed before leaving the prison.

138. Visitor not to be received.

A prison officer below the rank of principal officer shall not receive a visitor within a part of a prison used by prisoners.

139. Effects to be delivered up.

A person on ceasing to be a prison officer shall deliver up to the officer-in-charge of the prison where he or she is serving at the time of ceasing to be a prison officer every article of uniform and clothing, arms, accoutrements and ammunition, staves and other effects belonging to the Government.

Prison Welfare Fund

140. Prison Welfare Fund.

1. The Commissioner shall administer the Prison Reward Fund.
2. Monies accruing to the Prison Welfare Fund shall be deposited into a special account to be opened by the Commissioner.
3. The Fund, shall be employed for the following objects—
 - a. reward for an outstanding act of initiative and resource on the part of a prison officer or for special skill in the performance of a departmental duty requiring tact or ability;

- b. reward for a meritorious act of bravery by which life has been saved or property has been secured from loss or destruction;
- c. entertainment for—

- i. christian officers at Christmas;
- ii. moslem officers at the feast of Ramadan;

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- d. prize for workmanship;
 - e. providing and furnishing recreation rooms for use of junior prison officers;
 - f. purchase of sports equipment and recreation requisites for the prison.
4. The officer-in-charge of a prison shall bring a case he or she considers to be deserving of a reward to the notice of the Commissioner without delay.

Part XIII—Inspection And Monitoring of Prisons

141. Inspection of prison.

1. There shall be regular administrative inspection of a prison by a properly qualified and experienced inspector.
2. An inspector shall ensure that a prison is administered in accordance with the Act and Regulations.
3. An inspector shall pay particular attention to special and vulnerable groups.
4. A visiting justice appointed in accordance with section 109 of the Act shall regularly inspect a prison.
5. An inspection report shall be submitted to the officer-in-charge of a prison.
6. An officer-in-charge shall submit the inspection report to the Commissioner for publication in the gazette.

142. Visiting justices to visit prison.

1. A visiting justice shall visit a prison to which he or she is appointed at regular intervals and at any other time as he or she may think desirable.

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2. A visiting justice may inspect a ward, cell, separate cell, yard and any other room or part of a prison to which he or she is appointed.
3. A visiting justice shall inspect a prisoner at labour, in hospital or in a separate cell.

3. Every book, journal and record of a prisoner shall be made available for inspection by a visiting justice.

143. Officer to accompany visiting justices.

A visiting justice during the course of an inspection shall be accompanied by a prison officer.

144. Visiting justices to hear complaints.

A visiting justice shall on every visit hear any complaint which a prisoner may wish to make to him or her and shall especially inquire into the condition of those prisoners who are undergoing punishment.

145. Minute book to be kept.

A visiting justice's minute book shall be kept in every prison in which a visiting justice shall record his or her visit and any suggestion or remark which he or she may have.

146. Entry into minute book.

1. A visiting justice shall enter into a visiting justice's minute book—
 - a. an irregularity in the administration of the prison which he or she discovers;
 - b. a fault which he or she finds in the conduct of a prison officer;
 - c. an improvement or repair which he or she thinks necessary to the prison infrastructure; and
 - d. the name and number of a prisoner who has complained to him or her, the nature of prisoner's complaint and visiting justice's recommendations.

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2. A visiting justice shall submit a copy of the visiting justice's minute book to the officer-in-charge who shall forward it to the Commissioner.

148. Board of visiting justices.

1. Where the visiting justices to a prison have been constituted as a board, the chairperson shall arrange for members of the board to visit the prison either together or in groups.
2. Where a board of visiting justices makes a report, all the visiting justices on the board shall be given an opportunity to see the report and to comment upon it, and to have their comments sent to the Commissioner with the report.

Miscellaneous

149. Revocation and savings.

1. The Prisons Rules S.I.304-4 and the Prisons (Earning Rates and Gratuity) Rules, 2001 are revoked.
2. Notwithstanding subregulation (1), all instruments, instructions, licences, orders and decisions made under these rules, shall in so far as they are consistent with these Regulations remain valid and binding and shall be deemed to have been made under the Act and these Regulations.
3. Upon the coming into force of these Regulations, any reference to the revoked rules in any enactment immediately before the commencement of these Regulations shall be construed as a reference to these Regulations.

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SCHEDULE 1

SCALE OF DIET

SCALE A.

Grammes

1. Carbohydrates and vegetable protein—
 - a. whole maize or standard maize flour (Gd. I) or

other cereal	680
or sweet potatoes	1587
or bananas (with skins)	2409; with,
 - b. beans 141;
 - c. groundnuts 141; and
 - d. sugar 28.3.
2. Animal protein-

Fresh meat (twice a week)	85.
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3. Fats-

fortified vegetable oil	14.15.
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4. Salt 14.15.
5. Fresh vegetables 141.
6. The diet shall be divided between the morning, midday and evening meals at the discretion of the officer-in-charge.

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7. Maize shall be the standard item and other cereals will not be issued except on the authority of the Commissioner.
8. Other cereals include rice, wheat, millet or cassava flour.
9. Sweet potatoes or bananas with skins, shall not be issued more than twice in one week.
10. Beans include dried haricot beans, dried peas and dried soya beans.
11. Fortified vegetable oil includes cotton seed oil, coconut oil, palm oil or any other edible oil approved by the Ministry of Health which contains, or to which has been added, not less than four thousand international units of Vitamin A per gramme.
12. The same addition of Vitamin A shall be made if ghee is issued.
13. If fresh meat is unobtainable on the two days of a week, 113g of dried fish, or 170g of fresh fish will be issued.
14. The weight of the meat shall include the weight of bone.
15. Fresh vegetables include green leafy vegetables, green beans, carrots, pumpkins, sweet peppers, sweet potatoes or tomatoes and fresh fruit may be issued in lieu of fresh vegetables on the authority of the Commissioner.
16. Yeast or other appropriate supplement may be added to the diet on the advice of the Ministry of Health, and in quantities as may be laid down by the Ministry.
17. If a prisoner by custom or religion does not normally eat meat or fish, he or she will be issued with 85g of beans in lieu of these items on the day of the week when they appear in the daily diet.

SCALE B

1. Carbohydrates and vegetable protein

a. bread (standard) wheaten flour

(b) oatmeal... rice ... 57 or 57;

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c. beans

d. sugar 85; and 57.

2. Animal protein

a. fresh meat

b. dried skimmed milk
reconstituted or fresh milk

c. egg (unit)

3. Fats

- a. butter or fortified margarine 42.5;
- b. cooking fat 28.3;

4. Fresh vegetables

- a. vegetables..... 28.3; and
- b. potatoes 22.7.

5. Tea 7.

6. Salt..... 14.15.

7. Fresh meat shall be either beef or mutton and shall include the weight of bone.

8. Two hundred and eighty three grammes of fresh fish may be issued in lieu of meat on one day in a week.

9. Beans includes dried haricot beans, dried peas and dried soya beans.

10. In lieu of butter or cooking fat, ghee may be substituted.

11. Fresh vegetables shall include fresh cabbages, cauliflower, parsnips, carrots, peas, turnips, onions or beans.

12. Fresh fruit may be issued in lieu of vegetables at the discretion of the officer-in-charge on the advice of the Ministry of Health.

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13. A weekly ration of fourteen point one five grammes each of baking powder, pepper and mustard shall be allowed if requested.

14. 3.5g of curry powder may be issued when rice forms part of the ration.

15. If a prisoner by custom or religion does not normally eat meat or fish, he or she will be issued with two hundred and twenty seven grammes of beans in lieu of these items.

16. If there is a deficiency of any commodity in paragraph 4 of this scale, twenty-five milligrams of ascorbic acid shall be issued daily.

SCALE C

- | | Grammes |
|---|---------------------------------|
| 1. Carbohydrates and vegetable proteins | |
| a. bread (standard) | 170; |
| or wheaten flour | 127.5; with |
| b. rice | 156; |
| c. beans | 85 |
| or soya beans | 57; |
| d. sugar | 57; and |
| e. dhall | 85. |
| 2. Animal protein | |
| a. fresh meat ; with | |
| b. dried skimmed milk | 28.3; or reconstituted or fresh |
| milk 425; and | |
| c. egg (unit) | 28.3. |
| 3. Fats | |
| ghee | 57. |
| 4. Fresh vegetables | |
| a. vegetables | 255; with |
| b. potatoes | 170. |

- 5. Salt... .. 28.3.
- 6. Tea 7.
- 7. Curry powder ... 14.15.

- 8. The diet shall be divided between the morning, midday and evening meals at the discretion of the officer-in-charge.
- 9. Beans means dried haricot beans, dried peas or dried soya beans.
- 10. Vegetables shall be as in Scale B.
- 11. One hundred and thirteen point two grammes of fresh meat shall be issued 5 times a week which shall be either beef or mutton and shall include the weight of bone.
- 12. In lieu of one hundred and thirteen point two grammes of fresh meat, one hundred and thirteen point three grammes of dried fish or one hundred and seventy grammes of fresh fish may be supplied.
- 13. If a prisoner by custom or religion does not normally eat meat or fish he or she shall be supplied with three hundred and eighty five grammes of soya beans in lieu of these items where they appear in the daily diet.
- 14. If there is a deficiency of any commodity in paragraph 4 of this scale, twenty five milligrams of ascorbic acid shall be supplied daily.

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SCHEDULE 2

The Republic of Uganda

Regulation 104

FORM

THE PRISONS REGULATIONS, 2012

LICENCE TO BE AT LARGE

Prisoner No..... Name.....

Released from..... Prison on.....

Convicted at..... on..... for the offence of

Case File No..... of the..... Court at.

Father's name.....

Name of Sub-county..... of (place)..

Name of Chief..... of (place)..

Village:..... Parish:..... County District...

Description

Tribe.....

Approximate Age.....

Height..... Build.....

Special marks.....

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Released on the..... day of..... 20

Intended place of residence.....

Tamam ya kila mwezi.

Station stamp and signature

Date stamp and signature

Classification:

FINGER IMPRESSION

Thumb Fore finger Middle finger Ring finger Little finger Thumb Fore finger
Middle finger Ring finger Little finger

This licence expires on..... day of..... 20..... and
should be returned to the office of the Commissioner of Prisons, Kampala
I..... hereby certify that the
conditions shown on this licence and the duties of the licensee have been
explained to him or her in my presence in.....
language which he or she says he or she understands.

Place..... Signature.

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COMMISSIONER OF PRISONS

* Attach passport photograph of the holder and full profile CONDITIONS
OF LICENCE

1. The holder shall keep this licence safe and shall at all times produce it on demand when called upon by a magistrate, police or prison officer or chief.
2. The holder shall abstain from any violation of the law.
3. The holder shall not habitually associate with persons of notoriously bad character such as reputed thieves, housebreakers, receivers of stolen property, and the like.
4. The holder shall not lead an idle or dissolute life or be without visible means of earning an honest livelihood.
5. The holder shall at the time of his or her discharge from prison inform the officer-in-charge of his or her proposed place of residence and shall with all convenient speed proceed to the new place of residence.

6. The holder shall within forty eight hours of arrival at the new place of residence, personally report to the officer-in-charge of the nearest police station or to any other person in authority specified in the licence.
7. The holder shall, unless prevented by unavoidable cause, once in every month report himself or herself personally to the officer-in-charge of the nearest police station to the place where he is residing.
8. The holder shall on every change of residence—

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- a. if the change is to a place within the area covered by the police station to which he or she is then reporting, inform the officer-in-charge either personally or by registered letter of his proposed new residence; or
 - b. if the change is to a place outside the area covered by the police station to which he or she is then reporting, give forty eight hours notice either personally or by registered letter to the officer-in-charge of the police station of the area he is leaving, of his or her intention to leave and so far as is practicable of his or her exact future address; and
9. The holder shall within forty eight hours of arrival at his or her intended area of residence report himself or herself personally to the officer-in-charge of the nearest police station.
 10. The holder shall, if he or she loses his or her licence, report the loss within seven days to the officer-in-charge of the police station nearest to where he or she resides.
 11. For the purposes of these conditions any absence from any notified residence for a period exceeding forty-eight hours shall be deemed to be a change of residence.
 12. If the holder at any time resides in a place which is more than ten miles distant from a police station, he or she may, instead of reporting himself or herself to an officer-in-charge of a police station, report himself or herself to the sub-county chief of the area in which he or she is then residing.

HILARY ONEK (MP), Minister of Internal Affairs.

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The Identification of Offenders Act, Cap. 119 The Prisons Act, 2006 (Act No. 17 of 2006)

The Prisons Rules S.I. 304-4

The Prisons (Earning Rates and Gratuity) Rules, 2001 (S.I No. 9 of 2001)

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