

HIGH COMMISSIONER'S NOTICE No. 48 of 1934.

It is hereby notified for general information that, under the provisions of section *two* of the Bechuanaland Protectorate Proclamation, No. 21 of 1927, His Excellency the High Commissioner has been pleased to cancel regulations Nos. 133, 134 and 135 of the Bechuanaland Protectorate Prison Regulations published under High Commissioner's Notice No. 57 of 1927, as amended by High Commissioner's Notice No. 57 of 1933, and to substitute the following new regulations therefor.

By Command of His Excellency the
High Commissioner.

SHIRLEY EALES,

Administrative Secretary.

High Commissioner's Office,
Capetown, 24th April, 1934.

133. (1) As often and as long as it is urgently and absolutely necessary to secure or restrain any convict or prisoner—

- (a) who has displayed or is threatening violence; or
- (b) who has been recaptured after escape or who there is good reason to believe is meditating escape,

a Magistrate or gaoler may order that convict or prisoner to be confined in an isolation cell, and in addition or in the alternative, if necessary, to be placed in irons, or subjected to some other approved means of mechanical restraint for such definite period as may be considered absolutely necessary, but not exceeding one month.

(2) The powers conferred upon a Magistrate or gaoler under sub-section (1) may likewise be exercised by him upon the written order of the medical officer of the convict prison or gaol, as the case may be, recommending any such restraint or isolation for medical reasons.

(3) A Magistrate or gaoler may cause to be isolated, and if necessary subjected to mechanical restraint any convict or prisoner, if the isolation or restraint is requested by the police authorities in the interests of justice, but the period of any such isolation or restraint shall not be longer than is necessary for the purpose required.

(4) When any order under this regulation has been issued by a gaoler he shall immediately make an entry in a book to be kept for the purpose recording the particulars thereof and shall, without loss of time, send notice of his action to the Magistrate of the district who shall, as soon as may be, visit the gaol and confirm or set aside the gaoler's order. When such an order has been issued by a Magistrate he shall in like manner make an entry in a book to be kept for the purpose and that entry shall be exhibited to the Resident Commissioner or Assistant Resident Commissioner on the occasion of his next visit.

(5) If it be considered absolutely necessary to continue the period of mechanical restraint or isolation for a period exceeding one month the Magistrate shall report to the Resident Commissioner stating the facts and making his recommendation, and upon the receipt of his recommendation the Resident Commissioner may order the extension of the period of restraint or isolation for two additional months. The Resident Commissioner may renew any such order on the expiration thereof for such further period not exceeding three months at any one time if he shall be satisfied after consideration of a report and a recommendation to that effect by the Magistrate that such renewal is absolutely necessary. A report upon any renewal by the Resident Commissioner of such order extending the period of mechanical restraint or isolation, together with a statement of the reasons therefor, shall be immediately transmitted by the Resident Commissioner to the High Commissioner.

(6) Save as in this and the last preceding regulation is provided, no convict or prisoner, other than a person under sentence of death or in the course of transfer or while temporarily outside the precincts of the convict prison or gaol shall, unless sentenced to solitary confinement by a court of law, be confined in any isolation cell, or placed in irons or subjected to any other means of mechanical restraint.

134. The weight of irons or other mechanical restraint shall not exceed five pounds. Every precaution shall be taken to prevent any injury from their use.