

# **BORSTAL INSTITUTIONS AND REMAND CENTRES ACT**

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## BORSTAL INSTITUTIONS AND REMAND CENTRES

### ACT

**An Act to provide for the establishment of borstal institutions and remand centres and for regulating the government thereof.**

[1960 No. 32. 1962 L.N. 34.]

[1st April, 1962]

[Commencement.]

### PART I

#### *Preliminary*

#### **1. Short title**

This Act may be cited as the borstal Institutions and Remand Centres Act.

#### **2. Interpretation**

In this Act, unless the context otherwise requires—

**"borstal institution"** means any building or place or any part thereof declared to be a borstal institution under section 3 of this Act;

**"Director"** means the Director of Prisons;

**"Inmate"** means any person lawfully confined in a remand centre or borstal institution;



"**Minister**" means the minister of the Federation charged with responsibility for matters relating to remand centres and borstal institutions;

"**prison**" and "**prison officer**" have the meaning assigned to those expressions in the Prisons Act;

[Cap. P29.]

"**remand centre**" means any building or place or any part thereof, declared to be a remand centre under section 3 of this Act.

## PART II

### *Establishment and government of remand centres and borstal institutions*

[1961 No. 18.]

#### **3. Minister may by order constitute and discontinue remand centres and borstal institutions**

(1) The Minister may by order declare any building or place situated on land which has been set aside or acquired for the public purpose of the Federation to be—

(a) a remand centre, that is to say a place for the detention of persons not less than sixteen but under twenty-one years of age who are remanded or committed in custody for trial or sentence; or

(b) a borstal institution, that is to say a place in which offenders who were not less than sixteen but under twenty-one years of age on the day of conviction may be detained and such training and instruction as will conduce to their reformation and the prevention of crime,

and by the same or any subsequent order declare the area for which any such building or place shall be used for the purposes of a remand centre or borstal institution.

(2) The Minister may, by order, direct that any building or place declared to be a remand centre or borstal institution under subsection (1) of this section shall cease to be used as a remand centre or borstal institution.

(3) A prison or any part of a prison shall not be deemed to be discontinued as a prison by reason only that it has been declared to be a remand centre or borstal institution under subsection (1).

#### **4. Regulations**

(1) The President may by regulation prescribe or provide for—



- (a) the regulation and government of remand centres and borstal institutions;
- (b) the appointment, powers, duties, conduct and disciplinary control of the officers and other persons employed in remand centres or borstal institutions;
- (c) the functions and duties of visitors, visiting committees and voluntary visitors;
- (d) the classification, treatment, diet, clothing, maintenance, employment, discharge, discipline, instruction and control of inmates;
- (e) the release of inmates on parole;
- (f) the establishment of after-care associations, that is to say, organisations for the welfare and reformation of persons discharged from borstal institutions;
- (g) the form in which any order shall be made;
- (h) such matters as are required or permitted by this Act to be prescribed or provided for by regulations,

and generally for the better carrying out of the purposes of this Act.

(2) Regulations made under subsection (1) of this section may provide that any regulations made under the Prisons Act shall apply in relation to remand centres or borstal institutions as they apply in relation to prisons, subject to such adaptations and modifications as may be prescribed.

[Cap. P29.]

## **5. Standing orders**

(1) Standing orders made under section 7 of the Prisons Act for the good order, discipline and welfare of prisons, shall apply in relation to remand centres and borstal institutions as they apply in relation to prisons, subject to such adaptations and modifications as the Director may, with the approval of the Minister, make by standing orders, and shall be binding on all prison officers employed in remand centres or borstal institutions.

[Cap. P29.]

(2) Standing orders made under subsection (1) of this section need not be published in the *Federal Gazette*.

## **PART III**

*Officers, etc.*



## **6. Director of Prisons to have charge of remand centres and borstal institutions**

The Director shall have the general charge and superintendence of remand centres and borstal institutions in the whole or such part of the Federation as the Minister may direct.

## **7. Officers of remand centres and borstal institutions**

(1) Prison officers may be required to carry out duties in relation to remand centres and borstal institutions.

(2) Any prison officer so required shall not be deemed to cease to be a prison officer within the meaning of the Prisons Act, by reason only of such requirement.

[Cap. P29.]

## **8. Visitors and visiting committees**

(1) The Minister may, after consultation with the appropriate Commissioner of the State concerned, by notice in the Federal Gazette, appoint such persons as he may think fit to be visitors in relation to such remand centres and borstal institutions as may be specified in the notice.

(2) The following shall *ex officio* be visitors-

(a) in relation to all remand centres and borstal institutions in the Federation, the Chief Justice of Nigeria and Justices of the Supreme Court;

(b) in relation to remand centres and borstal institutions in the area of their jurisdictions only-

(i) the Chief Judges and Judges of the High Courts of the States;

(ii) all District Judges;

(iii) all magistrates;

(iv) all Area Court Judges and presidents of area/customary courts;

(v) all justices of the peace.

(3) The Minister may, after consultation with the appropriate Commissioner of the State concerned, by notice in the Federal Gazette, appoint any visitor or visitors to be a visiting committee in relation to such remand centres and borstal institutions as may be specified in the notice without prejudice to the general right of visitation on the part of other visitors.

(4) Visitors and visiting committees shall perform such functions and duties in relation to remand centres and borstal institutions as may be prescribed.



(5) The Minister may by notice in the Federal *Gazette* delegate the powers conferred by this section to appoint visitors and visiting committees to the appropriate Commissioner of a State in respect of remand centres and borstal institutions in his State.

(6) The provisions of this section which appoint officers or authorities of States to be visitors shall not come into operation in respect of any State until the President shall have signified in the Federal *Gazette* the consent of the Governor of the State thereto.

## **9. Voluntary visitors**

The Director may authorise such persons as he may think fit as voluntary visitors to carry out such functions and duties in relation to remand centres and borstal institutions as may be prescribed.

## **PART IV**

### *Miscellaneous*

## **10. Application of Prisons Act**

Except as otherwise provided by this Act, the Prisons Act, shall, subject to such adaptations and modifications as the President may make by regulations under section 4 of this Act, apply in relation to remand centres and borstal institutions and to inmates as it applies in relation to prisons and prisoners.

[Cap. P29.]

## **11. Facilities for observation in remand centres**

The Minister shall cause to be provided in remand centres facilities for the observation of any person detained therein on whose physical or mental condition a medical report is required for the assistance of a court in determining the most suitable method of dealing with his case.

## **12. Transfer from borstal institution to prison**

If a person detained in a borstal institution is reported to the Minister by the Director to be incorrigible, or to be exercising a bad influence on the other inmates of the institution, the Minister may direct that the said person shall be detained in a prison for such term, not exceeding the unexpired portion of the term for which the said person is then liable to be detained in a borstal institution, as the Minister may determine; and for the purpose of this Act, the said person shall be treated as if he had been sentenced to imprisonment for that term:

Provided that no such report by the Director to the Minister shall be made earlier than six months following the date of the sentence of the person concerned to borstal training.

## **13. Release and supervision after borstal training**



Subject to the provisions of section 12 of this Act, a person sentenced to borstal training shall be detained in a borstal institution and after his release therefrom shall be subject to supervision in accordance with the provisions of the Schedule to this Act.

[Schedule.]

#### **14. Prison Officers' Reward Fund**

All fines and forfeitures of pay inflicted upon prison officers carrying out duties in relation to a remand centre or borstal institution for offences against discipline under regulations or standing orders made or applicable under this Act shall be paid into the Prison Officers' Reward Fund established under section 13 of the Prisons Act, to be applied in accordance with the provisions of that section.

[Cap. P29.]

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#### **SCHEDULE**

##### *Borstal Training*

[Section 13.]

**1.** A person sentenced to borstal training shall be retained in custody in a prison for as short a period as possible only and, after any necessary period in a remand centre, shall be detained in a borstal institution for such period, not extending beyond three years after the date of his sentence, as the Director may determine, and then shall be released:

Provided that the Director shall not release any such person from a borstal institution before the expiration of nine months from the date of his sentence, unless required to do so by directions of the Minister under this Schedule.

**2.** A person shall, after his release from a borstal institution and until the expiration of four years from the date of his sentence, be under the supervision of such after-care association or person as may be specified in a notice to be given to him by the Director on his release, and shall, while under that supervision, comply with such requirements as may be so specified:

Provided that the Director may at any time modify or cancel any of the said requirements or order that a person who is under supervision as aforesaid shall cease to be under supervision.

**3.** If before the expiration of four years from the date of his sentence the Director is satisfied that a person who is under supervision after his release from a borstal institution under paragraph (1) has failed to comply with any requirement for the time being specified in the notice given to him under paragraph (2), he may direct him to be recalled to a borstal institution; and thereupon he shall be liable to be detained in the borstal institution until the expiration of three years from



the date of his sentence, or the expiration of six months from the date of his being taken into custody under the direction, whichever is the later, and, if at large, shall be deemed to be unlawfully at large:

Provided that—

(a) any such direction shall, at the expiration of four years from the date of the sentence, cease to have effect unless the person to whom it relates is then in custody thereunder; and

(b) the Director may at any time release a person who is detained in a borstal institution under this paragraph; and the foregoing provisions of this Schedule shall apply in the case of a person so released as they apply in the case of a person released under paragraph (1).

**4.** If any person while under supervision, or after his recall to a borstal institution as aforesaid, is sentenced by a court in any part of the Federation to borstal training, his original sentence of borstal training shall cease to have effect; and if any such person is so sentenced to imprisonment, any period for which he is so imprisoned under that sentence shall count as part of the period for which he is liable to detention in a borstal institution under his original sentence.

**5.** The Director, in exercising his functions under this Schedule, shall act in accordance with any general or special directions of the Minister regarding the advisability of releasing a person from a borstal institution.

**6.** In this Schedule, any reference to the date of a sentence of borstal training shall, in relation to a person who has appealed against his sentence, be construed as a reference to the date on which the sentence was finally affirmed.

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## BORSTAL INSTITUTIONS AND REMAND CENTRES ACT

### SUBSIDIARY LEGISLATION

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#### *List of Subsidiary Legislation*

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2. Delegation of Powers Order.
3. Notice of Assent.



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**BORSTAL INSTITUTIONS AND REMAND CENTRES  
REGULATIONS**

[L.N. 67 of 1962.]

**ARRANGEMENT OF REGULATIONS**

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2. Interpretation.
3. Application of regulations under the Prisons Act.

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## **BORSTAL AND REMAND CENTRE REGULATIONS**

Under section 4



1962]

[Commencement. ]

[31st May,

### **1. Short title**

These Regulations may be cited as the Borstal and Remand Centre Regulations.

### **2. Interpretation**

In these regulations-

"**Act**" means the Borstal Institutions and Remand Centres Act;

"**borstal**" means a borstal institution as defined in the Act;

"**Director**" has the same meaning as in the Act;

"**inmates**" means persons required to be detained in a borstal;

"**legal adviser**" shall not include a clerk or servant to a legal adviser;

"**Minister**" has the same meaning as in the Act;

"**officer**" means an officer or servant of a borstal or remand centre;

"**remand centre**" has the same meaning as in the Act;

"**Superintendent**" means the Superintendent of a borstal or a remand centre.

### **3. Application of regulations under the Prisons Act**

Regulations made under the Prisons Act, shall apply in relation to remand centres or borstal institutions as they apply in relation to prisons subject to such adaptations and modifications as may be prescribed.

[Cap. P29.]

## **PART I**

### *Borstal institutions*

#### *(i) Training*

### **4. Purpose and method**



(1) The objects of borstal training shall be to bring to bear every good influence, which may establish in the inmates the will to lead a good and useful life on release, and to fit them to do so by the fullest possible development of their character, capacities and sense of personal responsibility.

(2) Methods of training may vary as between one borstal and another, according to the needs of the different types of inmates allocated to them.

## **5. Removal to a borstal**

A person sentenced to borstal training shall be removed at the earliest possible date to a borstal.

## **6. Houses**

(1) To enable members of a borstal staff to exercise their personal influence on the character and development of inmates and to understand the needs of each for the purpose of training, inmates of borstals may be grouped in houses.

(2) An officer shall be responsible to the Superintendent, with the assistance of such other staff as may be appointed for the administration of each house and for the personal training of the inmates in his house.

## **7. Grading**

(1) To encourage the progressive development of responsibility and to assist in the assessment for fitness for release, inmates may be placed in such grades as the Director approves.

(2) Promotion from grade to grade or reduction in grade, otherwise than as an award for an offence against discipline shall be decided by the Superintendent with the advice of such officers as the Director shall determine.

(3) Inmates who have been promoted to an appropriate grade may be given positions of special responsibility and leadership.

## **8. Privileges**

(1) There shall be established at every borstal such system of privileges as the Director may approve in the interests of good conduct and training.

(2) Such system shall include arrangements under which sums paid to inmates under these Regulations may be spent on such articles and subject to such conditions as the Director shall determine.

*(ii) Reception and removal*



## **9. Admission to a borstal and transfer to other borstals**

(1) No person may be admitted into a borstal unless accompanied by a warrant committing him to a sentence of borstal training; and the Superintendent shall verify that the inmate is the person named in the warrant, that the offence and the date of sentence are recorded therein and that the warrant bears the signature of the proper authority.

(2) A warrant of committal to borstal training shall be addressed by the court of committal to the Superintendent of the borstal which is situated nearest to the court, and thereafter the inmate may be removed on the instructions of the Director to any borstal for the purposes of training, discipline, health, the relief of overcrowding or any other proper reason.

## **10. Search**

(1) Every inmate shall be searched when taken into custody by an officer, on reception at a borstal, and at such subsequent times as may be directed, and all unauthorised articles shall be taken from him.

(2) The searching of an inmate shall be conducted in as seemly a manner as is consistent with the necessity of discovering any concealed article.

(3) No inmate shall be stripped and searched in the sight of another inmate.

(4) An inmate shall be searched only by officers of the same sex as the inmate.

## **11. Retention of property**

All money, clothing or other effects belonging to an inmate, which he is not allowed to retain, shall be placed in the custody of the Superintendent, who shall keep an inventory thereof, which shall be signed by the inmate.

## **12. Recording of particulars**

A personal record of each inmate shall be prepared and maintained in such manner as the Director may determine.

## **13. Interviews by Superintendent**

Every inmate shall as soon as possible after admission be separately interviewed by the Superintendent.

## **14. Medical examination**

Every inmate shall as soon as possible after admission into a borstal be examined by a medical officer, who shall record the state of health of the inmate and such other particulars as may be directed, and any observation which he may deem fit to make.



## **15. Information to inmates**

The Superintendent shall personally explain to every inmate the proper methods of making complaints and submitting petitions to the Director, the disciplinary requirements of the borstal and the rules relating to privileges, in order that the inmate may understand both his rights and obligations.

## **16. Custody during removal outside a borstal**

(1) An inmate, in respect of whom an order for removal to any place outside the borstal is produced, shall, while outside the borstal, be kept in custody of either borstal or prison officers:

Provided that an inmate directed to be brought before a court of summary jurisdiction may while outside the borstal be in the custody of police officers:

Provided also that an inmate removed to a hospital under paragraph 2 of this regulation may, at the discretion of the Superintendent, be in the custody of the medical officer of the hospital during the time that such inmate is detained therein.

(2) An inmate who is seriously ill and for whom there is no suitable accommodation in the borstal may be removed upon the certificate of a medical officer to a Government or other approved hospital and remain therein until a medical officer certifies that he is fit to be returned to the borstal and the Superintendent shall cause the return of the inmate to the borstal provided that he is still liable to be detained therein.

## **17. Medical examination prior to removal to another borstal**

An inmate shall immediately prior to removal to another borstal be examined by a medical officer and shall not be so removed unless the medical officer certifies in writing that he is fit for removal.

## **18. Release on parole**

(1) An inmate may be allowed by the Director on conditions and for reasons approved by him, to be temporarily absent from the borstal on parole, for a stated length of time.

(2) If the Director is satisfied that an inmate absent on parole has broken any of the said conditions, he shall, notwithstanding that the said length of time has not elapsed, be liable to be recalled to the borstal.

*(iii) Discipline and control*

## **19. General principles**



The purpose of borstal training requires that every inmate, while conforming to the rules necessary for well-ordered community life, shall be able to develop his individuality on right lines with a proper sense of personal responsibility. Officers shall therefore, while firmly maintaining discipline and order, seek to do so by influencing the inmates through their own example and leadership and by enlisting their willing co-operation.

## **20. Removal from house**

(1) If the Superintendent is satisfied that the behaviour of an inmate is such that, in the interests of his own training or of the good conduct of his house, he should be temporarily removed from normal community life, he may order the removal of the inmate from his house.

(2) Inmates removed from their houses shall be accommodated in a separate part of the

borstal under such restrictions of association and privileges as the Director shall determine.

(3) Where the period of removal ordered exceeds one month, a report of the case together with the evidence recorded shall be sent to the Director, and during such period every effort shall be made to ascertain the causes of the inmates' behaviour and to correct it.

## **21. Supervision by Superintendent**

(1) The Superintendent shall exercise a close and constant personal supervision of the whole borstal. He shall visit and inspect daily all parts of the borstal where inmates are working or accommodated, and shall give special attention to every inmate who is a hospital patient.

(2) At least twice a fortnight the Superintendent shall during the night visit the borstal and satisfy himself as to its state.

## **22. Use of force**

(1) No officer in dealing with inmates shall use force unnecessarily and, when the application of force to an inmate is necessary, no more force than is necessary shall be used.

(2) No officer shall deliberately act in a manner calculated to provoke an inmate.

## **23. Superintendent to deal with reports**

No report against an inmate shall be dealt with by any officer except the Superintendent.

## **24. Information to reported inmates**

An inmate shall, before a report against him is dealt with, be informed of the offence for which he has been reported and shall be given a proper opportunity of hearing the facts alleged against him and of presenting his case.



## **25. Unauthorised articles**

The Superintendent may deprive an inmate of any unauthorised article found in his accommodation or in his possession.

## **26. Offences**

An inmate shall be guilty of an offence if he—

- (a) disobeys any order of the Superintendent or other officer;
- (b) treats with disrespect any officer or any person authorised to visit the borstal;
- (c) is idle, careless, or negligent at work or refuses to work;
- (d) uses any abusive, insolent, threatening or other improper language;
- (e) is indecent in language, act or gesture;
- (f) commits any assault;
- (g) absents himself without permission from any place where he is required to be;
- (h) has in his room or possession any unauthorised articles or attempts to obtain such an article;
- (i) gives to or receives from any person any unauthorised article;
- (j) takes improperly or is in unauthorised possession of any article which is the property of the borstal or of any other person;
- (k) wilfully disfigures or damages any part of the borstal or any property which is not his own;
- (l) commits any nuisance;
- (m) escapes from the borstal or from legal custody;
- (n) mutinies or incites other inmates to mutiny;
- (o) commits gross personal violence against any officer or inmate;
- (p) makes false and malicious allegations against an officer;
- (q) makes repeated and groundless complaints;
- (r) in any other way offends against good order and discipline;



(s) attempts to do any of the foregoing things;

(t) fails to return to the borstal after an absence from the borstal on parole for a stated length of time; and

(u) breaks any condition attached to a release on parole in accordance with regulation 18 of these Regulations.

## **27. Investigation of offences and awards by the Superintendent**

(1) Every offence against discipline shall be reported forthwith and the Superintendent shall investigate every such report not later than the following day unless that day is a Sunday or public holiday.

(2) If upon investigation the Superintendent considers that the offence is proved he shall, subject to the provisions of regulation 29 of these Regulations, make one or more of the following awards-

(a) caution;

(b) removal of an inmate from his house for a period not exceeding one calendar month;

(c) deprivation of privileges for a period not exceeding one calendar month;

(d) stoppage of earnings for a period not exceeding one calendar month;

(e) reduction in grade or delay in promotion to a higher grade, for a period not exceeding three calendar months;

(f) confinement to a single cell for a period not exceeding six days; and

(g) restricted diet as stipulated in Part II of the First Schedule hereto for a period not exceeding three days.

## **28. Investigation and awards by *ex-officio* visitor or visiting committee**

Where an inmate is reported for an offence upon which the Superintendent, having regard to the circumstances of the case, thinks it expedient that an *ex-officio* visitor or a visiting committee should adjudicate, the Superintendent may report the offence to an *ex-officio* visitor or a visiting committee and thereupon the *ex-officio* or two members of the visiting committee shall inquire into the report (such inquiry if considered desirable being on oath) and shall determine thereupon and make one or more of the following awards-

(a) caution;



- (b) removal of an inmate from his house for a period not exceeding three calendar months;
- (c) deprivation of privileges for a period not exceeding three calendar months;
- (d) stoppage of earnings for a period not exceeding three calendar months;
- (e) reduction in grade or delay in promotion to a higher grade for a period not exceeding six calendar months;
- (f) confinement in a single cell for a period not exceeding 21 days;
- (g) restricted diet as stipulated in Part II of the First Schedule hereto for a period not exceeding 21 days; and

[Part II. First Schedule.]

(h) whipping with a cane: Provided that the punishment shall be ordered in respect of offences as specified in paragraphs 14 and 15 of regulation 26 only and that the number of strokes awarded shall not exceed six.

(2) The Superintendent may, notwithstanding the provisions of regulation 27 and of paragraph (1) of this regulation, report any offence committed by an inmate to the Director, and the Director, the Deputy Director or an Assistant Director shall inquire into such report and deal with it in the same manner as an *ex-officio* visitor or the visiting committee.

### **29. Medical certificate**

In no case shall an award of whipping or of reduced diet be imposed unless the medical officer has certified that the inmate is in a fit condition of health to sustain it.

### **30. Award of whipping**

(1) At the infliction of every award of whipping the officer-in-charge and the medical officer shall be present and the medical officer shall give such directions for preventing injury to health as he may deem necessary, and the officer-in-charge shall carry such directions into effect.

(2) At any time after the infliction of corporal punishment has commenced, the medical officer may, if he deems it necessary in order to prevent injury to the prisoner's health, recommend that no further punishment be inflicted, and the officer-in-charge shall thereupon remit the remainder of the punishment.

### **31. Mitigation of awards**

(1) A disciplinary award may be remitted or mitigated by the Minister.



(2) A disciplinary award may be determined or mitigated at any time during the currency thereof by the authority responsible for making the award by recommendation to the Director.

### **32. Use of mechanical restraints**

(1) Mechanical restraints shall not be used as a punishment or for any other purpose other than safe custody during the removal of an inmate, except on medical grounds by direction of the medical officer, or in the circumstances and under the conditions stated in the following paragraphs of this regulation.

(2) When it appears to the Superintendent that it is necessary to place an inmate under mechanical restraint in order to prevent his injuring others or himself, or damaging property or creating a disturbance, the Superintendent may order him to be placed under mechanical restraint and notice thereof shall be given to the medical officer.

(3) No inmate shall be kept under mechanical restraint longer than is necessary, or for a longer period than twenty-hours unless an order in writing from the Director is given, specifying the cause thereof and

the time during which the inmate is to be so kept, which order shall be preserved by the Superintendent as his warrant.

(4) Particulars of every case of mechanical restraint shall be forthwith recorded by the Superintendent in his journal.

### **33. Temporary confinement**

The Superintendent may order a refractory or violent inmate to be temporarily confined in a special room but no inmate shall be confined in such a room as a punishment or after he has ceased to be refractory or violent.

### **34. Complaints by inmates**

(1) Arrangements shall be made that every request by an inmate to see the Superintendent, Director or a member of the visiting committee or an *ex-officio* visitor shall be recorded by the officer to whom it is made and conveyed without delay to the Superintendent.

(2) The Superintendent shall at a convenient hour on every day, other than Sundays and public holidays, hear the applications of all inmates who have made a request to see him, and enter their request or complaint and his decision concerning the request or complaint in a record kept for that purpose.

(3) The Superintendent shall record any request of an inmate for an interview with the Director or a member of the visiting committee or an *ex-officio* visitor and shall inform the Director or the member of the visiting committee or the *ex-officio* visitor who next visits the borstal of every such request of an inmate.



### **35. Prohibited articles generally**

No person shall without authority convey into or throw into or deposit in a borstal, or convey or throw out of a borstal, or convey to an inmate, or deposit in any place with the intent that it shall come into the possession of an inmate, any money, clothing, food, drink, tobacco, letter, paper, book, tool or other article whatever. Anything so conveyed, thrown, or deposited may be confiscated by the Superintendent.

### **36. Drink and tobacco**

(1) No inmate shall be given or allowed to have any intoxicating liquor except in pursuance of a written order of the medical officer specifying the quantity to be given and the name of the inmate for whose use it is intended.

(2) No inmate shall be allowed to smoke or to have in his possession any tobacco except in accordance with such orders as may be given by the Superintendent with the approval of the Director.

### **37. General restrictions**

(1) All persons and vehicles entering or leaving the borstal may be examined and searched.

(2) A person suspected of bringing any prohibited article into the borstal or of carrying out a prohibited article or any property belonging to the borstal or, while in a borstal, of being in possession of a prohibited article, or in improper possession of any property belonging to the borstal, shall be stopped and immediate notice thereof shall be given to the Superintendent, who may order that he shall be examined and searched.

(3) The Superintendent may refuse admission to the borstal of a person who is not willing to be examined and searched.

(4) The Superintendent may direct the removal from the borstal of a person who, while in the borstal, is not willing to be examined and searched, or whose conduct is improper.

### **38. Visitors viewing borstals**

(1) The Superintendent shall not, except as provided by law or as directed by the Minister or the Director, allow any person to view a borstal.

(2) The Superintendent shall ensure that no person authorised to view the borstal makes a sketch or takes a photograph or holds communication with an inmate, unless authorised to do so by the Minister or the Director.

*(iv) Work*

### **39. General requirements**



- (1) The work shall so far as practicable be such as will help to fit an inmate to earn his livelihood on release.
- (2) Provision shall so far as practicable be made for the technical training of suitable inmates in skilled trades.
- (3) The medical officer may excuse an inmate from work on medical grounds and no inmate shall be employed on any work unless he has been certified fit for that type of work by the medical officer.

#### **40. Progressive Stage and Earnings Scheme**

- (1) With a view to facilitating the reformative treatment of inmates and to encourage good conduct and industry, there shall be established a Progress Stage and Earnings Scheme (hereinafter called "the Scheme") into which every inmate shall on admission into the borstal be admitted.
- (2) The Director may make provisions for promotions, postponement or deprivation of privileges and the rates of monthly payments under the Scheme.

#### **41. Unauthorised work**

- (1) No inmate shall be set to any type of work not authorised by the Director.
- (2) Except with the authority of the Director, no inmate shall work in the service of another inmate or an officer, or for the private benefit of any person.

*(v) Religion, education and welfare*

#### **42. Recording of denomination**

The religion or faith of every inmate shall be ascertained and recorded on his reception and he shall be treated as a member of the religion or faith then recorded unless and until he satisfies the Superintendent that he has good grounds for desiring the record to be altered.

#### **43. Religious services**

Religious services for the Christians and for the Muslims shall be conducted at regular intervals where practicable, and inmates shall be permitted to attend any such services of their declared religions.

#### **44. Visits by ministers of religion**

The Superintendent shall arrange for ministers of religion of various denominations of the Christian religion to visit at proper and reasonable times, inmates who are declared members of their respective denominations.



#### **45. Religious books**

There shall so far as practicable be available for the personal use of every inmate such of the scriptures and books of religious observance and instruction recognised by his religion as are accepted by the Director for use in borstals.

#### **46. Sunday work, etc.**

Arrangements shall be made for the avoidance of all unnecessary work by inmates of the Christian religion on Sundays, Christmas Day and Good Friday, and by inmates recorded as belonging to other religions on their recognised days of religious observance.

#### **47. Class teaching, etc.**

(1) At every borstal provision shall be made for the continued education of the inmates by class teaching, individual study, and all such cultural influences, including hobbies and handicrafts, as may make for development of valuable interests and good use of leisure.

(2) Facilities shall so far as practicable be provided to enable every inmate to take part in such educational activities for at least three hours a week outside normal working hours, and where it is desirable in the educational interests of any inmate, particularly those under eighteen years of age, or those who are backward or illiterate, provision may be made for education within the normal working week.

#### **48. Library**

A library shall be provided in every borstal, and, subject to such conditions as the Director may determine, every inmate shall be allowed to have library books and to exchange them as often as practicable.

#### **49. Books from outside**

Inmates may receive books or periodicals from outside the borstal under such conditions as the Director may determine.

#### **50. Family relationship, etc.**

(1) Special attention shall be paid to the maintenance of such relations between an inmate and his family as are desirable in the best interests of both.

(2) So far as is practicable, and in the opinion of the Superintendent desirable, an inmate shall be encouraged and assisted to maintain or establish such relations with persons or agencies outside the borstal as may promote the best interests of his family or the social rehabilitation of the inmate.



(3) The Superintendent may at any time communicate to an inmate, or to his family or friends, any matter of importance to such inmate.

#### **51. Information of removal**

An inmate shall be allowed to inform his family of his removal.

#### **52. After-care, etc.**

From the beginning of the training of every inmate, consideration shall be given, in consultation with the Chief Social Welfare Officer, to the future of the inmate and the assistance to be given to him on and after release, and for this purpose the Chief Social Welfare Officer shall be given all necessary information and assistance.

#### **53. Information to family of death, etc.**

Upon the death or serious illness, or certification as insane or mentally defective, of an inmate, or the sustaining by an inmate of a serious accident, the Superintendent, if the inmate is married to a person whose address is known, shall at once inform the wife or husband as the case may be, and otherwise shall at once inform the nearest relative whose address is known, and shall in any event inform any other person whom the inmate has requested may be so informed.

#### **54. Normal minimum provision as to communication**

(1) Every inmate shall be allowed to write and receive a letter on admission and thereafter in accordance with rules made under the Scheme.

(2) The letters and visits to which an inmate is entitled under this regulation shall not be liable to forfeiture under regulations 27 and 28 of these Regulations.

(3) The Director may allow such additional letters or visits as he may determine, as a privilege for any class of inmates.

#### **55. Censorship of letters**

Every letter to or from an inmate shall be read by the Superintendent or by a responsible officer deputed by him for the purpose and it shall be within the discretion of the Superintendent to stop any letter on the grounds that its contents are objectionable or that it is of inordinate length.

#### **56. Letter instead of a visit**

The Superintendent may allow an inmate who is entitled to a visit to write a letter and receive a reply instead of such visit.

#### **57. Discretionary letters and visits**



An inmate may be allowed, at the discretion of the Superintendent, to have special letters and visits for any purpose which in the opinion of the Superintendent is likely to promote the best interests of the inmate or his family either during his training or after his release.

### **58. Visits by police**

(1) An officer of police may visit within the sight and hearing of a borstal officer any inmate who is willing to see him on production of an order issued by or on behalf of the appropriate superior police officer.

(2) Any written statement to such officer of police made and signed by an inmate at such a visit shall be produced to the Superintendent for his information only.

### **59. Visits by legal adviser**

(1) Reasonable facilities shall be allowed for the legal adviser of an inmate who is a party to legal proceedings, civil or criminal, to interview the inmate with reference to those proceedings out of the hearing of an officer.

(2) The legal adviser of an inmate may, with the permission of the Superintendent, see such inmate with reference to any other legal business.

### **60. Special purpose visits not to be forfeited**

The visits for special purposes to which regulations 58 and 59 refer shall be additional to the visits allowed under any other of the foregoing regulations and shall not be liable to forfeiture under regulations 27 and 28 of these Regulations.

(vi) Physical welfare

### **61. Hospital**

At every borstal either a separate hospital building or a suitable part of the borstal shall be equipped and furnished in a manner proper for the medical care and treatment of sick inmates and be suitably staffed.

### **62. General duties of medical officer**

The medical officer shall have the care of the mental and physical health of the inmates and shall, unless absent from the station, visit the borstal every day, see every sick inmate, every inmate who complains of illness, and every other inmate to whom his attention is specially directed.

### **63. Duty to report**



The medical officer shall report in writing to the Superintendent any matter which appears to him to require the consideration of the Director on medical grounds, and the Superintendent shall send such report to the Director.

#### **64. Report on danger to health, etc.**

Whenever the medical officer has reason to believe that an inmate's mental or physical health is likely to be injuriously affected by continued training, or by any conditions of the training, or that the life of an inmate will be endangered by training, or that a sick inmate will not survive his sentence or is totally or permanently unfit for borstal discipline, he shall without delay report the case in writing to the Superintendent with such recommendations as he thinks fit, and the Superintendent shall forward such report and recommendations to the Director forthwith and the Director in turn shall forward such report with the recommendations to the Minister.

#### **65. Recommendations on diet, etc.**

The medical officer shall report in writing to the Superintendent the case of any inmate to which he thinks it is necessary on medical grounds to draw attention, and shall make such recommendations as he deems needful for the alteration of diet, or treatment of the inmate, or for the supply to him of additional clothing, bedding or other articles, and the Superintendent shall so far as practicable carry such recommendations into effect.

#### **66. Case-book**

The medical officer shall enter in a case-book to be kept in the borstal an account of the disease, condition and treatment of every sick inmate.

#### **67. Infectious diseases**

The medical officer shall give directions in writing for separating inmates suffering from infectious diseases, for cleansing and disinfecting any accommodation occupied by such inmates and for cleansing, disinfecting or destroying, if necessary, any infected apparel or bedding.

#### **68. Supervision of hygiene**

The medical officer shall oversee and shall advise the Superintendent upon the hygiene of the borstal and the inmates, including arrangements for cleanliness, sanitation, lighting and ventilation.

#### **69. Death of an inmate**

(1) The medical officer shall immediately on the death of an inmate, notify the Superintendent who in turn shall notify the Director, the inmate's next-of-kin and for the purposes of an inquest the Superintendent shall also notify the coroner.



(2) The medical officer shall forthwith, on the death of any inmate, enter in the case-book, the time when the illness was first observed and reported to him, when it assumed a dangerous character, and when the death occurred, and an account of the inmate's appearance after death together with any special observations that he may deem fit to make.

#### **70. Hair-cutting**

The hair of a male inmate may be cut as short as is necessary for good appearance but the head of an inmate shall not be shaved without his consent, except by direction of the medical officer for the eradication of vermin, dirt, or disease.

#### **71. Exercise to be regular**

(1) Inmates shall be given such physical recreation, training and exercise as are required to promote health and physical well-being.

(2) The medical officer shall decide on the fitness of every inmate for physical recreation, training and exercise, and may on medical grounds modify or excuse them for any inmate.

#### **72. Nurse**

The nurse attached to a borstal hospital shall be under the control and supervision of the medical officer.

#### **73. Medicament or drug**

The nurse shall not dispense any medicament or issue drugs of any kind except upon the order of the medical officer.

#### **74. List of sick inmates, etc.**

The nurse shall submit to the medical officer a report containing the names of those inmates in the hospital and of those who wish to see the medical officer or who appear to him to be out of health.

#### **75. Nurse to keep records and books, etc.**

The nurse shall be responsible to the medical officer for the keeping of all books and records in use in the borstal hospital and he shall prepare the requisition for all supplies which may be needed in the hospital.

#### **76. Diet of every inmate**

Every inmate shall be allowed the quantity set out in the First Schedule of plain and wholesome food, well prepared and served:



[First Schedule.]

Provided that the Director may, in consultation with a medical officer, alter or vary any of the items of the said food by substituting suitable quantities of other commodities of similar nutritive value.

### **77. Inspection of food**

The medical officer shall frequently inspect the food, cooked and uncooked, provided for inmates, and shall report to the Superintendent on the state and quality of the food and on any deficiency in the quantity or defect in the quality of the water.

### **78. No private food**

Except as determined by the Director or on medical grounds, no inmate shall be allowed to have any food other than the normal borstal diet.

### **79. Quantity of diet**

(1) Except as provided under regulations 27 and 28 of these Regulations for an offence against discipline or on medical grounds by direction of the medical officer, no inmate shall have less food than is provided in the normal borstal diet.

(2) Restricted diet awarded for an offence against discipline under regulations 27 and 28 of these Regulations shall be as stipulated in Part II of the First Schedule.

[Part II. First Schedule.]

### **80. Clothing of every inmate**

Every inmate shall be provided with clothing adequate for warmth and health as stipulated in the Second Schedule.

[Second Schedule.]

*(vii) Release*

### **81. Eligibility for release**

An inmate shall become eligible for release in accordance with the Schedule to the Act, when the Director is satisfied that there is a reasonable probability that the objects of training as defined in regulation 4 of these Regulations have been achieved.

### **82. Institution Board**



(1) There shall be established an Institution Board consisting of the Assistant Director of Prisons, as chairman, the Superintendent, and members of the visiting committee. The chairman and four members shall form a quorum for the transaction of business.

(2) The Institution Board shall keep under review the progress of each inmate throughout the period of his training.

(3) The Institution Board shall meet at least once in three months and such meetings shall be held at the times convenient to the members.

### **83. Consideration for a release by the Institution Board**

The Institution Board shall consider any case referred to them by the Superintendent as fit for release and if they agree they shall thereupon recommend to the Director that the inmate be released under supervision.

### **84. Arrangements with after-care associations**

When the Director has decided that an inmate shall be released, the arrangements for release shall be made in consultation with such after-care association or person as may be specified in a notice to be given to him by the Director on his release in accordance with paragraph (2) of the Schedule to the Act.

[Schedule.]

### **85. Medical examination on release**

Every inmate shall, as short a time as is practicable before release, be examined by the medical officer, and an inmate who is suffering from an acute or dangerous illness shall not be released until in the opinion of the medical officer it is safe to do so, unless the period for which he may be detained in a borstal having expired, he refuses to stay.

### **86. Outfit of clothing on release**

Every inmate on release shall receive an outfit of suitable clothing if his clothing is inadequate.

(viii) Staff

### **87. General obligations**

(1) Every officer shall conform to these Regulations and shall support the Superintendent in the maintenance thereof.

(2) Every officer shall obey the lawful instructions of the Superintendent.

### **88. Sick inmates**



Every officer shall direct the attention of the Superintendent to any inmate (whether he complains or not) who appears to be out of health, or whose state of mind appears to be deserving of special notice and care, and the Superintendent shall without delay bring such cases to the notice of the medical officer.

### **89. Business transactions**

(1) No officer shall without the written authority of the Director carry out any pecuniary or business transaction with or on behalf of an inmate.

(2) No officer shall without authority bring in or carry out, or attempt to bring in or carry out, or knowingly allow to be brought in or carried out, to or for an inmate, or deposit in any place with intent that it shall come into the possession of any inmate, any article whatsoever.

### **90. Gratuities**

No officer shall receive any unauthorised fee, gratuity, or other consideration in connection with his duty.

### **91. Ex-inmates, etc.**

No officer shall knowingly communicate with an ex-inmate or with the friends or relatives of an inmate or ex-inmate except with the knowledge of the Superintendent.

### **92. Search if required**

Every officer shall submit himself to be searched in the borstal if called upon to do so by the Superintendent.

### **93. Communications to press, etc.**

(1) No officer shall directly or indirectly make any unauthorised communication to representatives of the press or other persons in reference to matters which have become known to him in the course of his duty.

(2) No officer shall without authority publish any matter or make any public pronouncement relating to the administration or the inmates of a prison or borstal.

### **94. Quarters**

(1) Every officer shall occupy such quarters as may be assigned to him and shall at any time vacate them if required to do so.

(2) On the termination of an officer's service, he shall give up the quarters he has occupied as soon as he is required to do so; and on the death of an officer, his family shall give up the quarters when required to do so.



(3) Every officer shall at once communicate to the Superintendent any abuses or impropriety which may come to his knowledge.

### **95. Third and Fourth Schedules**

Any officer below the rank of Assistant Superintendent of Prisons who is found guilty by the Superintendent of an offence specified in the Third Schedule to these Regulations, shall suffer such punishment according to the degree and nature of the offence as is set out in the Fourth Schedule to these Regulations.

### **96. Information as to charge**

An officer charged with any disciplinary offence under regulation 95 of these Regulations shall, before the charge against him is dealt with as provided under that regulation, be informed in writing of the charge, and shall be given an opportunity of hearing the fact in support of the charge and of making his defence thereto, if necessary by calling witnesses.

### **97. Appeal**

Appeal against a conviction in respect of a disciplinary offence or against any punishment awarded therefor or against such conviction and punishment awarded therefor shall lie to the Director who may—

- (a) affirm or quash such conviction; or
- (b) reduce, confirm, or vary such punishment; or
- (c) refer the case back to the Superintendent for rehearing or for further evidence to be taken.

### **98. Punishment for aggravated or repeated offence**

Where the Superintendent is satisfied that an officer charged with an offence specified in the Third Schedule to these Regulations cannot, if found guilty, be adequately punished by the imposition of any punishment which he is authorised to impose owing to the gravity of the offence by reason of previous offences against discipline committed by such officer, or for any other reason, the Superintendent shall, after recording a conviction, refer the case together with—

- (a) a copy of the record;
- (b) his report of the case; and
- (c) his recommendation as to the award of punishment,

to the Director who may award one or more of the punishments stipulated in the Fourth Schedule to these Regulations and or such other punishments as he considers just.



## **99. Trafficking**

(1) Every person who without lawful authority—

(a) conveys, supplies or causes to be supplied or conveyed to any inmate, or hides or places for his use any letter or document or any intoxicating liquor, tobacco, drug, money, clothing, provisions or any other article whatsoever; or

(b) brings or attempts by any means whatever to introduce into any borstal, or places or attempts to place where inmates shall labour, any letter or document or any intoxicating liquor, tobacco, drug, money, clothing, provisions or any other article to be sold or used therein; or

(c) brings or attempts to bring out of any borstal, conveys from any inmate any letter, document, or other article; or

(d) communicates with any inmate,

shall be guilty of an offence and shall on summary conviction be liable to imprisonment for two months or to a fine of forty naira or to both such fine and imprisonment.

## **100. Fines and stoppages**

(1) All fines, stoppages for loss of or damage to Government property may be deducted from the pay of the officer who has incurred the liability.

(2) All stoppages for loss of or damage to Government property shall be paid into revenue.

(3) All other fines imposed under these Regulations shall be paid into the Prison Officers' Reward Fund (hereinafter referred to as "the Fund").

## **101. Administration of the Fund**

(1) The Director shall administer the Fund, which may be employed for the following objects—

(a) rewards for outstanding acts of initiative and resource on the part of prison and borstal officers or for special skill in the performance in any departmental duty requiring tact or ability;

(b) rewards for any meritorious act of bravery whereby life has been saved or property has been secured from loss or destruction;

(c) providing and furnishing recreation rooms for the use of subordinate officers;

(d) purchase of sports and recreation equipment for prison and borstal officers and employees;  
and



(e) the payment of a compassionate gratuity to the widow or children of any deceased prison or borstal officer.

(2) The Superintendent of each borstal shall bring to the notice of the Director without delay all cases which he considers deserving of reward from the Fund.

(3) The Fund shall be subject to audit by the Auditor-General for the Federation.

*(ix) Appellants*

**102. Appellants**

The three following regulations shall apply to inmates who are appellants within the meaning of any enactment or rules of court (hereinafter referred to as "the appellants").

**103. Custody of appellants**

(1) An appellant who when in custody, is to be taken to, kept in custody at, or brought back from, any place at which he is entitled to be present for the purposes of any enactment or rules of court relating to his appeal, shall, while absent from the borstal, be kept in the custody of the officer designated in that behalf by the Superintendent and may be temporarily lodged by such officer in any prison or borstal with the knowledge of the Superintendent of such prison or borstal during the hearing of the appeal.

(2) An appellant when absent from the borstal under this regulation shall wear his own clothing or, if his own clothing cannot be used, clothing different from borstal dress.

**104. Private medical adviser and other visitors**

(1) An appellant may for the purposes of his appeal receive a visit from a registered medical practitioner selected by him or by his friends or legal adviser, under the same conditions as apply to a visit by his legal adviser.

(2) An appellant may for the purposes of his appeal receive a visit from any other person.

**105. Letters and other facilities**

(1) Writing materials to such extent as the Superintendent considers reasonable shall be furnished to any appellant who requires them for the purpose of preparing his appeal.

(2) An appellant may write letters to his legal adviser or other persons for the purpose of his appeal.

(3) A confidential written communication prepared as instructions for the legal adviser of an appellant may be delivered personally to such legal adviser, without being examined by an officer, unless the Superintendent has reason to suppose that it contains matter not relating to



such instructions, but all other written communications shall be treated as letters, and shall not be sent out without being previously inspected by the Superintendent.

*(x) Ex-officio visitors, visiting committees and voluntary visitors*

#### **106. Term of office**

The members of a visiting committee appointed by the Minister under section 8 of the Act shall hold office for such a period not exceeding three years, as he may fix.

#### **107. Chairman**

When a visiting committee is initially constituted one of the members shall be appointed by the Minister to be chairman. Thereafter, the committee shall appoint a chairman, and fill any casual vacancy in the office of chairman.

#### **108. Meetings and visits**

The full committee shall meet at the borstal at least once in every three months to discharge their functions under these Regulations and a member of the committee shall visit and inspect the borstal at least once a month.

#### **109. Rota and quorum**

The committee shall at their first meeting arrange a rota of attendance at the borstal and fix a quorum of not less than two for the purpose of carrying out their duties, and may at that or a later meeting appoint a vice-chairman.

#### **110. Vacancies**

The powers of the committee shall not be affected by vacancies, so long as the quorum for meetings is sufficient.

#### **111. Minutes**

The committee shall keep minutes for their proceedings.

#### **112. Inquiry, etc.**

The committee shall co-operate with the Director and with the Superintendent in promoting the efficiency of the borstal, and shall make inquiry into any matter specially referred to the committee by the Minister or the Director, and report thereon.

#### **113. Abuses**



The committee shall bring all abuses in connection with the borstal which come to their knowledge to the notice of the Director immediately.

#### **114. Adjudication, report, etc.**

(1) The committee shall hear and adjudicate at the earliest possible opportunity on such offences as under regulation 28 are referred to them.

(2) They shall furnish such information with respect to the offences reported to them, and their awards, as may from time to time be required by the Director or the Minister.

#### **115. Access to borstal**

(1) The committee and all members of the committee shall have free access to all parts of the borstal and to all inmates, and may see such inmates as they desire, out of sight and hearing of officers.

(2) They shall hear and investigate any application which an inmate desires to make to them, and if necessary shall report the same, with their opinion, to the Director.

#### **116. Diet**

The committee shall inspect the dietary of inmates and if they find the quality of the food unsatisfactory, they shall report the matter to the Director and note the same in their minutes, and the Director shall immediately take such steps therefor as may be necessary.

#### **117. Books**

The committee may inspect any of the books of the borstal, and a note of any such inspection shall be made in their minutes.

#### **118. Building**

The committee may inquire into the state of the borstal buildings, and if any repairs or additions appear to them to be necessary, shall report thereon with their advice and suggestions to the Minister or the Director.

#### **119. Annual and other reports**

The committee shall make an annual report at the end of each year to the Minister with regard to all or any of the matters referred to in these Regulations, with their advice and suggestions upon any such matter, and they may make such other reports to the Minister or the Director as they consider necessary concerning any matter relating to the borstal to which, in their opinion, attention should be drawn.

#### **120. Contracts**



No visitor or member of a visiting committee of a borstal shall have any interest, either direct or indirect, in any contract made in respect of that borstal.

### **121. Duties of voluntary visitors**

- (1) On appointment, every voluntary visitor shall be supplied with a book of rules for his guidance.
- (2) Voluntary visitors shall observe those provisions of the Act and the Prisons Act and all regulations made thereunder binding on borstal and prisons officers.

[Cap. P29.]

(3) Voluntary visitors who shall perform their duties under the general guidance of the Superintendent shall regularly visit inmates during their sentences, particularly those inmates who are not regularly visited by their own friends and shall inform the Superintendent of any matter to which they think his attention should be drawn.

(4) Voluntary visitors shall not-

- (a) be concerned with the administration and inspection of the borstal, and with the complaint of inmates regarding their sentences and detention;
- (b) communicate with friends of inmates except with the consent of the Superintendent;
- (c) give to any inmate or take out of the borstal from any inmate any letter or article of any description except with the consent of the Superintendent; and
- (d) make any communication to the press or publish any matter concerning inmates or other persons in the borstal without the written consent of the Director.

### **122. Voluntary visitors' book**

The Superintendent shall provide in the borstal a voluntary visitors' book in which each voluntary visitor shall record visits made by him to the borstal; and it shall be the duty of the Superintendent to examine and countersign from time to time the recordings of each voluntary visitor in the book.

## **PART II**

### *Remand centres*

### **123. Purpose**

(1) There shall be established remand centres for the detention for observation of persons who are thought to be not less than sixteen years but under twenty-one years of age committed there



by a court of competent jurisdiction to assist such court to determine the suitability or otherwise of such persons for borstal training.

(2) The following regulations shall apply to those persons (hereinafter referred to as "detainees") who have been committed to a remand centre by a court of competent jurisdiction.

#### **124. Detainees detained in borstal**

Detainees may, where there is no remand centre, be detained instead in a borstal and where so detained they shall be deemed for all purposes to have been detained in a remand centre:

Provided that such detainees are segregated from the inmates of the borstal.

#### **125. Reports on detainees**

(1) The reports of the observation of a detainee shall consist of-

(a) a physical and mental report by a medical officer; and

(b) a report by the Director based on enquiries made with regard to the antecedents of the detainee, and the Director shall indicate in the report his opinion as to the suitability or otherwise of the person reported upon for borstal training.

(2) The period of detention for observation of a detainee shall not exceed twenty-one days and only one period of detention for observation shall be allowed in respect of one committal:

Provided that the Director may apply to the court for an extension, not exceeding seven days, of the period of detention for observation in respect of a detainee for the purpose of completing his report on the observation of such detainee.

#### **126. Employment of detainee**

(1) A detainee shall not be required to do any work other than what is required to keep his person, accommodation and utensils clean.

(2) Subject to the provisions of paragraph (1) of this regulation, work may be provided for a detainee should he desire it:

Provided that where the detainee is detained in a borstal instead of a remand centre, such work shall not be done in association with the inmates.

#### **127. Clothing and bedding**

(1) A detainee shall be permitted to wear his own clothes and to procure for himself or receive at proper hours such articles of clothing as the Superintendent may approve:



Provided that a detainee not having proper or adequate clothing of his own shall wear such clothing of the remand centre as shall be provided him.

(2) Bedding shall be provided for the detainees.

### **128. Remand centre diet**

A detainee who does not elect to provide his own food, shall be provided with and shall eat the same food as an inmate of a borstal.

### **129. Supply of food, books, etc., to detainees**

A detainee may receive or purchase through the Superintendent such quantity of food, books, newspapers and clothing as are consistent with good order and discipline of the remand centre, subject to the following conditions-

- (a) notice of such requirement shall have been given in the manner prescribed by the Superintendent;
- (b) a detainee shall not be entitled to receive any allowance from the remand centre for food supplied at his own expense;
- (c) spirituous liquor shall not be supplied;
- (d) articles shall be inspected by an officer and shall be subject to such restriction as may be necessary to prevent waste; and
- (e) articles supplied to a detainee may be paid for out of any money of such detainee in the hand of the Superintendent.

### **130. Visits by registered medical practitioner**

A detainee shall, if necessary for the purposes of his defence, be allowed to see a registered medical practitioner, appointed by himself, by his friends or relatives, or legal adviser, at any reasonable hour of any weekday, in the sight, but not in the hearing, of the Superintendent or an officer.

### **131. Visit by legal adviser**

(1) Reasonable facilities shall be allowed for the legal adviser of a detainee to interview the detainee in connection with his defence at any reasonable hour of any weekday, in the sight, but not in the hearing, of the Superintendent or an officer.

(2) Communications intended as instructions from a detainee to his legal adviser shall be delivered to such legal adviser without being examined by the Superintendent or an officer



unless the Superintendent has reasons to suspect that it contains matters not relating to such instructions.

(3) Writing materials to such extent as the Superintendent considers reasonable shall be provided to any detainee who may require them for purposes connected with the preparation of his defence.

### **132. Ordinary letters and visits to a detainee**

(1) A detainee shall, apart from communication to his legal adviser, be allowed to write and receive a letter once every week and the Superintendent may allow such additional letters as he may determine.

(2) In addition to any visits by his medical adviser and legal adviser, a detainee shall be allowed to receive one visit every week.

### **133. Withdrawal of privilege of a detainee**

Any provision of this Part of these Regulations which in the opinion of the Director is in the nature of a privilege may at any time in respect of an individual detainee be withdrawn by the Director, if he is satisfied that such privilege has been abused by the individual concerned.

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## SCHEDULES

### FIRST SCHEDULE

[Regulations 76 and 128.]

#### PART I

#### Ordinary diet

#### MONDAY

Yams	907.2 grams
Farina (Garri)	453.6 grams
Egusi	7.087375 grams
Meat	113.399 grams
Oranges	2 single



Mango	1 single (in season)
Pepper	14.17475 grams
Salt	14.17475 grams
Palm Oil	28.3495 grams

TUESDAY

Beans	56.699 grams
Palm Oil	56.699 grams
Yams	1587.6 grams
Meat	113.398 grams
Banana	1 single
Groundnuts	28.3495 grams
Pepper	14.17475 grams
Salt	14.17475 grams
Mango	1 single (in season)

WEDNESDAY

Pepper	7.087375 grams
Salt	7.087375 grams
Yams	907.2 grams
Greens	226.796 grams
Pineapple	113.399 grams
Rice	226.796 grams
Orange	1 single
Mango	1 single (in season)



Palm Oil 28.3495 grams

Fish 170.097 grams

THURSDAY

Pepper 14.17475 grams

Palm Oil 28.3495 grams

Beans 28.3495 grams

Farina (Garri) 453.6 grams

Egusi 14.17475 grams

Meat 113.399 grams

Groundnuts 28.3495 grams

Yams 907.2 grams

Mango 1 single (in season)

Salt 14.17475 grams

FRIDAY

Yams 907.2 grams

Fish 170.097 grams

Groundnuts 28.3495 grams

Banana 1 single

Rice 226.796 grams

Meat 113.399 grams

Pepper 14.17475 grams

Salt 14.17475 grams

Egusi 7.087375 grams



Mango 1 single (in season)  
Palm Oil 28.3495 grams

SATURDAY

Yams 907.2 grams  
Farina (Garri) 453.6 grams  
Meat 113.399 grams  
Egusi 14.17475 grams  
Pepper 14.17475 grams  
Salt 14.17475 grams  
Pineapple 113.399 grams  
Mango 1 single (in season)  
Okro 85.0485 grams  
Palm Oil 28.3495 grams

SUNDAY

Meat 226.796 grams  
Yams 907.2 grams  
Orange 1 single  
Rice 226.796 grams  
Egusi 14.17475 grams  
Pepper 14.17475 grams  
Salt 14.17475 grams  
Mango 1 single (in season)  
Palm Oil 28.3495 grams



Okro 85.0485 grams

#### DAILY BREAKFAST RATION

Akara 56.699 grams

Ekomimu 113.399 grams

OR

Beans 28.3495 grams

Palm Oil 28.3495 grams

Farina (Garri) 113.399grams

#### PART II

[Regulations 27, 28 and 79 (2).]

#### *Restricted diet*

**1.** (a) This diet, when given for a period of three days, or less, shall consist of half of the quantity of each item of food of ordinary diet for each day of the week stipulated in Part I of this Schedule.

(b) Restricted diet when given for more than three days, shall consist for alternate periods of three days of-

(i) as in (a) above; and

(ii) ordinary diet.

**2.** No inmate who has been on restricted diet shall be placed upon this diet for a fresh period until an interval has elapsed equal to the period already passed by the inmate on restricted diet.

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#### SECOND SCHEDULE

[Regulation 80.]



## *Clothing*

1. An inmate on reception into a borstal shall be issued with adequate clothing of an approved pattern which will consist of not less than-

- (a) 2 shirts;
- (b) 2 pairs of shorts;
- (c) 2 undervests;
- (d) 2 underpants;
- (e) 1 pair of sandals; and
- (f) 1 pair P.T. shorts.

2. Sports clothing will be issued for participation in organised games.

3. At any time upon the recommendation of the medical officer an inmate shall, in addition to the issue of wearing apparels stated in paragraphs 1 and 2 above, be issued with any other clothing considered necessary for the health of the inmate. Such clothing will be of a pattern approved by the Director and shall be withdrawn from the inmate only on the instructions of the medical officer.

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## THIRD SCHEDULE

### *Offences*

- 1. Absence from duty without good cause.
- 2. Sleeping on duty.
- 3. Use of obscene, abusive or insulting language to, or quarrelling with any other officer.
- 4. Neglect or disobedience of orders.
- 5. Being under the influence of drugs or alcohol while on or off duty.
- 6. Insubordination.
- 7. Neglect of duty.
- 8. Wilful destruction of or careless loss of or injury to Government property.



**9. Malingering.**

**10. Using personal violence to any inmate save in the case of repeated refusal to obey a lawful order, self-defence or defence of any other officer, person or inmate.**

**11. Instigating or permitting any inmate to commit any crime or offence against borstal discipline.**

**12. Allowing unauthorised persons to communicate with inmates.**

**13. Borrowing money from or lending money to any other officer.**

**14. Bringing tobacco or spirituous or fermented liquor or any prohibited articles into the borstal.**

**15. Being improperly dressed when in uniform.**

**16. Reporting late for duty.**

**17. Losing supervision over the inmates in his charge.**

**18. Selling or making away with part of his uniform, equipment or accoutrements.**

**19. Trafficking with inmates.**

**20. Using personal violence or threats towards any officer.**

**21. Associating with discharged inmates without the written authority of the Superintendent.**

**22. Making any unauthorised communication concerning the borstal to any other person.**

**23. Any other conduct to the prejudice of good order or discipline, or the security of the borstal.**

**24. Negligent loss of, or damage to, Government property.**

**25. Allowing without lawful authority any intoxicating liquor, tobacco, drug, money, document or other article to be sold to, received, or used by or on behalf of any inmate.**

**26. Lending or giving without lawful authority to any inmate any such intoxicating liquor, tobacco, drug, money, clothing, provisions or other articles.**

**27. Allowing without lawful authority any letter, document, or other article to be brought out of any borstal or to be conveyed from any inmate.**

**28. Absence from his quarter or station without proper authority.**

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## FOURTH SCHEDULE

[Regulation 95.]

### *Punishments*

**1.** Summary dismissal, subject to confirmation by the Director; and, in the case of a pensionable officer in certain cases, subject also to confirmation by the Federal Civil Service Commission.

**2.** The issue of a plain warning, subject to confirmation by the Director.

**3.** Reduction in rank, subject to confirmation by the Director; and, in the case of a pensionable officer in certain cases, subject also to confirmation by the Federal Civil Service Commission.

**4.** Stoppage, deferment or forfeiture of any increment of salary for which the officer may be eligible, subject to confirmation by the Director; and, in the case of a pensionable officer in certain cases, subject also to confirmation by the Federal Civil Service Commission.

**5.** Fine not exceeding-

(i) ₦3 in the case of Chief Warder or Chief Trade Instructor;

(ii) ₦2.70 in the case of a Senior Trade Instructor or Assistant Chief Warder;

(iii) ₦2.50 in the case of an Assistant Chief Warder-in- Training;

(iv) ₦2.20 in the case of a Senior Warder or Wardress or Trades Instructor, Grade 1 or 11;

(v) ₦2.00 in the case of First Class Warder or Wardress or Trade Instructor, Grade 1 or 11 ;

(vi) ₦1.50 in the case of a Second Class Warder or Wardress;

(vii) ₦1.00 in the case of a Third Class Warder or Wardress;

(viii) 75k in the case of a recruit Warder or Wardress.

**6.** In case of negligent loss of, or damage to Government property, payment, in addition to any other punishment, of the amount of such loss or damage:

Provided the amount of payment recovered from a stoppage from an offender's pay during anyone month shall be limited to an amount as shall leave him a residue of at least one-half of his monthly pay after any other stoppages.

**7.** Extra duties, not exceeding four hours.

**8.** Reprimand or severe reprimand.



9. Caution.

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**DELEGATION OF POWERS ORDER**

[L.N. 181 of 1962.]

In exercise of powers conferred upon him by subsection (5) of section 8 of the Borstal Institutions and Remand Centres Act, the Minister of Internal Affairs, as the Minister charged with responsibility for matters relating to remand centres and borstal institutions, hereby delegates to the Commissioner in the States in Northern Nigeria charged with the like responsibility the power to appoint visitors and visiting committees in the State.

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**NOTICE OF ASSENT**

[L.N. 183 of 1962.]

WHEREAS the borstal Institutions and Remand Centres Act was brought into operation on the 1st day of April, 1962, save to the extent that the provisions of section 8 thereof (which relate to visitors and visiting committees) should not have effect in a State until the assent of the Governor thereof is signified by the President in the Federal *Gazette*:

AND WHEREAS the Governors of the States in Northern Nigeria and of Eastern Nigeria have respectively assented to the coming into operation of the provisions aforesaid and it is expedient and necessary to signify the same:

NOTICE is accordingly hereby given by the President signifying such assent aforesaid and section 8 of the said Act shall come into operation in the States in Northern and Eastern Nigeria on the date of publication of this notice in the Federal *Gazette*.

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