

# PRISONS ACT

## PRISONS ACT

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SCHEDULE

*Savings and transitional provisions*

PRISONS ACT

## **An Act to make comprehensive provisions for the administration of prisons in Nigeria and other matters ancillary thereto.**

[1972 No. 9.]

[10th April, 1972]

[Commencement.]

### **1. The Comptroller-General and his staff**

There shall be in the civil service of the Federation a Comptroller-General, who shall have the general charge and superintendence of the prisons system in Nigeria to be known as the "Nigerian Prisons Service", and such officers subordinate to the Comptroller-General as may be necessary for the proper operation of the service.

### **2. Establishment and classification of prisons**

(1) The Minister may, by order in the *Federal Gazette*, declare any building or place in Nigeria to be a prison and by the same or a subsequent order specify the area for which the prison is established.

(2) Every prison shall include-

(a) the grounds and buildings within the prison enclosure, and

(b) any lock-up house for the temporary detention or custody of prisoners newly apprehended or under remand which is declared by the Minister by order in the *Federal Gazette* to be part of the prison.

(3) Subject to subsection (4) of this section, every prison shall be a prison for the imprisonment of prisoners of every description.

(4) The Minister may, for effecting the separation of classes of prisoners or for the training of any class of prisoner or for any other purpose, by order in the *Federal Gazette* appropriate any prison or part of a prison to particular classes of prisoners; and any prisoner of the class to which any prison or part of a prison has been appropriated shall lawfully be conveyed thereto and

imprisoned therein, whether or not the warrant or order for his imprisonment has been issued by a court having jurisdiction in the place where the prison is situated.

### **3. Legal custody of prisoners**

(1) Subject to subsection (2) of this section, every prisoner confined in a prison shall be deemed to be in the legal custody of the superintendent, and shall be subject to prison discipline and regulations made under this Act whether or not he is within the precincts of the prison.

(2) In the case of a prisoner under sentence of death, the superintendent shall, at such time on the day on which the sentence is to be carried out as may be fixed by the sheriff, hand over the legal custody of the prisoner to the sheriff, and from that time until the actual carrying out of the sentence-

(a) the prisoner shall be in the legal custody of the sheriff; and

(b) the sheriff shall have jurisdiction and control over that portion of the prison where the prisoner is confined and the prison officers serving therein so far as may be necessary for the safe custody of the prisoner during that period and for the purpose of carrying out the sentence and for any purpose relating thereto.

(3) Subject to this Act, every superintendent is authorised and required to keep and detain all persons duly committed to his custody by any court, judge, magistrate, justice of the peace or other authority lawfully exercising civil or criminal jurisdiction, according

to the terms of any warrant or order by which any such person has been committed, until that person is discharged by due course of law.

### **4. Hard labour**

(1) Subject to this section, the effect of a sentence of imprisonment with hard labour passed upon a prisoner shall be that the prisoner shall be imprisoned for the period of the sentence and during his imprisonment shall work at such labour as may be directed by the superintendent.

(2) So far as practicable, the labour referred to in subsection (1) of this section shall take place in association or outside cells.

(3) The medical officer may order any prisoner to be excused labour or to perform light labour, and any prisoner ordered to perform light labour shall be required to do work for which he is certified by the medical officer to be fit.

(4) This section is without prejudice to any provision of this Act or regulations made thereunder providing for the remission of sentences.

## 5. Removal of prisoners

(1) The Comptroller-General or, if so authorised in writing by the Comptroller-General, any Assistant Director of the Nigerian Prisons Service, may by order under his hand direct that any person in prison under the sentence of a court for an offence committed by him shall be removed from the prison in which he is confined to another prison; and where a person is removed to a prison other than that named in the warrant or order together with the order of removal (which may be endorsed on or separate from the warrant or order), shall be sufficient authority-

(a) for the removal of the prisoner to the prison named in the order of removal and his detention there; and

(b) for the carrying out of the sentence described in the warrant or order, or for any part of the sentence which remains unexecuted.

(2) Where it appears to the Comptroller-General-

(a) that the number of prisoners in a prison is greater than can conveniently be kept there and that it is not convenient to transfer the excess number of prisoners to another prison; or

(b) that by reason of the outbreak within the prison of disease or for any other reason it is desirable to provide for the temporary shelter and safe custody of any prisoners,

the Comptroller-General may by order under his hand direct that so many of the prisoners as may be indicated in the order shall be kept and detained in a building or place which is outside the prison and is specified in the order; and that building or place shall be deemed to form part of the prison for the purpose of this Act until the order is cancelled.

## 6. Production of prisoners before courts, etc.

(1) Where the presence of a prisoner is required before a court, the court may issue an order addressed to the superintendent requiring the prisoner to be produced before the

court in proper custody at the time and place specified in the order, and may by endorsement on the order require that person to be brought up again at any adjourned hearing.

(2) In subsection (1) of this section, **“proper custody”** means the custody of prison officers. <:»:

(3) If a prisoner charged with an offence is brought before a court under this section, the same procedure shall be followed with respect to the offence as would have been followed if he had been brought before the court on a warrant.

(4) The Comptroller-General, if he is satisfied that it is in the public interest so to do, upon receipt of a request or subpoena that the presence of a prisoner is required at any place in Nigeria, may by writing under his hand order the prisoner to be taken to that place; and a prisoner taken from a prison in pursuance of any such order shall be kept in such custody while outside the prison as the Comptroller-General may by writing under his hand direct and, so long as he is in that custody, shall be deemed to be in lawful custody.

## **7. Insanity of prisoners**

(1) Where it appears to the superintendent of a prison that a prisoner undergoing a sentence of imprisonment or under sentence of death is of unsound mind, he shall forthwith report the matter to the Minister who-

(a) shall appoint two or more qualified medical practitioners (one of whom may be the medical officer of the prison) to inquire into the prisoner's soundness of mind; and

(b) may if he thinks it necessary order the removal of the prisoner from the prison to another prison or to a hospital.

(2) The medical practitioners appointed under subsection (1) of this section shall-

(a) forthwith examine the prisoner and inquire as to his soundness of mind;

(b) give their opinion therein in a written report to the Comptroller-General, who shall forward the report to the Minister; and

(c) if they or a majority of them are of the opinion that the prisoner is of unsound mind, include a certificate to that effect in the report.

(3) Where a prisoner into whose soundness of mind an inquiry has been ordered under subsection (1) of this section is under sentence of death, the following provisions shall apply-

(a) the superintendent shall as soon as possible report the circumstances to the relevant authority who, on receipt of the report, shall order the execution of the sentence to be suspended until the report of the medical practitioners has been received;

(b) if the prisoner is certified to be of unsound mind, the relevant authority shall order execution of the sentence of death to be stayed and may, by order in writing under his hand directed to the superintendent direct that the prisoner shall be removed to a suitable mental hospital;

(c) on the making of a removal order under paragraph (b) of this subsection, the

prisoner shall be removed to the mental hospital in question and, subject to the mental health laws, shall be detained there (or in any other such place to which

he may be transferred) during the relevant authority's pleasure;

(d) if a prisoner so detained is certified by two medical practitioners to be no longer of unsound mind, the relevant authority shall make such order as seems to him to be just or, if he is satisfied that it is proper for him to do so, may by order in writing under his hand direct that the prisoner shall be removed to prison to be dealt with according to law.

(4) Where a person other than a prisoner under sentence of death is certified to be of unsound mind under subsection (2) of this section, the following provisions shall apply-

(a) the Minister shall by order in writing under his hand addressed to the superintendent, direct that the prisoner shall be removed to a suitable mental hospital;

(b) a prisoner removed to a mental hospital pursuant to an order made under paragraph (a) of this subsection shall, subject to the mental health laws, be detained therein (or in any other mental hospital to which he may be transferred) until he is certified by two medical practitioners to be of sound mind or until the sentence of imprisonment to which he is subject determines, whichever first

occurs;

(c) if the prisoner is certified to be of sound mind, he shall by order in writing under the hand of the Minister be removed to prison to serve so much of his sentence as remains;

(d) if the prisoner is still detained in a mental hospital when his sentence of imprisonment is about to determine, it shall be the duty of the officer in charge of the mental hospital to give such information as may be necessary under the mental health laws to secure consideration of the question whether the prisoner should be detained under those laws as a person of unsound mind from the date of the determination of his sentence.

(5) In this section-

**"the mental health laws"** means the laws prescribing the procedure for finding persons to be of unsound mind and providing for the custody and treatment of persons so found;

**"mental hospital"** means a place lawfully appointed for the custody and treatment of persons of unsound mind;

**"the relevant authority"** means the authority in whom is vested the prerogative of mercy.

## 8. Removal of sick prisoners to hospital

(1) In case of the serious illness of a prisoner confined in a prison in which there is not suitable accommodation for him, the Comptroller-General (or, in an emergency, the superintendent) may

on the certificate of the medical officer by order under his hand direct the removal of the prisoner to a hospital specified in the order.

(2) So long as a prisoner removed to a hospital under subsection (1) of this section remains in the hospital, the medical superintendent or other person in charge of the hospital shall certify at the end of every month that it is in his opinion necessary that the prisoner should remain in the hospital and shall transmit this certificate to the superintendent.

(3) The medical superintendent or other person in charge of a hospital to which a prisoner has been removed from a prison under subsection (1) of this section, if in his opinion it is no longer necessary for the prisoner to remain in the hospital, shall forward to the superintendent a certificate to that effect; and the superintendent shall thereupon cause the prisoner forthwith to be returned to the prison if the prisoner is still liable to be confined therein.

(4) If a prisoner escapes while he is in the hospital under this section, no prison officer shall be held answerable unless the prisoner was in his personal custody.

(5) All reasonable precautions shall be taken by the medical officers and other officers of a hospital to prevent the escape of prisoners removed there for treatment, and it shall be lawful for those officers to take such measures for preventing the escape of prisoners as may be necessary:

Provided that nothing shall be done under this subsection which is likely to be prejudicial to the health of a prisoner.

(6) Where in view of the gravity of the offence for which a prisoner is in custody or for any other reason the superintendent considers it to be desirable to take special measures for the security of the prisoner while he is under treatment in a hospital-

(a) the superintendent may give the prisoner into the charge of fit and proper persons (not being less than two in number) one of whom at least shall always be with the prisoner day and night, or he may place the prisoner in the charge of a military guard; and

(b) any person or military guard in whose charge a prisoner has been placed under paragraph (a) of this subsection, shall be vested with full power and authority to do all things necessary to prevent the prisoner from escaping and shall be answerable for his safe custody until he is handed over to the superintendent on his discharge from the hospital or until his sentence expires, whichever first occurs.

(7) So far as any of the foregoing provisions of this section imposes functions upon officers or State Authorities, the functions shall not be exercised except with the consent of the State Authority in question or such other person or authority to whom the power to

exercise such functions has been conferred.

## **9. Discharge of prisoners**

(1) Where it appears to the Comptroller-General to be advisable in the public interest or in the interest of the prisoner that a prisoner undergoing a sentence of imprisonment should on discharge be sent back to the area in which he has his usual place of abode or the area in which the court which passed sentence on him has jurisdiction, the Comptroller-General may, on the expiry of the sentence, direct that the prisoner shall be sent back to either of those areas, and may further direct that all necessary and proper precautions shall be taken to ensure the prisoner's arrival in the area in question.

(2) If a prisoner's sentence expires on a public holiday, he shall be discharged on the immediately preceding day or, if the immediately preceding day is also a public holiday, on the latest preceding day which is not a public holiday.

(3) A prisoner who is under medical treatment when his sentence expires shall not, except at his own request, be discharge unless the medical officer certifies that in his opinion the discharge can be effected without danger to the health of the prisoner.

## **10. Use of weapons**

(1) Subject to subsections (4) and (6) of this section, a prison officer may use weapons against a prisoner escaping or attempting to escape, but resort shall not be had to the use of weapons unless the officer has reasonable grounds to believe that he could not otherwise prevent the escape.

(2) Subject to subsections (5) and (6) of this section, a prison officer may use weapons on any prisoner engaged in any combined outbreak or in any attempt to force or break open the outside door or gate or enclosure wall of a prison, and may continue to use weapons so long as the combined outbreak or attempt is being prosecuted.

(3) Subject to subsection (6) of this section, a prison officer may use weapons against a prisoner using violence to the officer himself or to any other prison officer or person if the officer using the weapons has reasonable grounds to believe that he or that other officer or person, as the case may be, is in danger of life or limb or that other grievous hurt is likely to be caused to him.

(4) Before using firearms against a prisoner under subsection (1) of this section, a prison officer shall give warning to the prisoner that he is about to fire.

(5) No prison officer, if there is a superior officer present, may use weapons of any sort against a prisoner under subsection (2) of this section except under the orders of the superior officer.

(6) The use of weapons under this section shall as far as possible be to disable and not to kill.



(7) Every police officer who is for the time being serving as an escort guard or as guard in or about a prison for the purpose of ensuring the safe custody of any prisoner in the prison shall have all the powers and privileges granted to prison officers under this section.

## **11. Prison visitors**

(1) The following shall be prison visitors *ex officio*-

(a) in relation to all prisons, the Chief Justice of Nigeria and the other Justices of the Supreme Court; and

(b) in relation to prisons in their areas of jurisdiction-

(i) the President (however styled) and the other Justices of the Court of Appeal;

(ii) the Chief Judge and other Judges of the Federal High Court;

(iii) the Chief Judge and other Judges of the High Court of each State;

(iv) the Grand Kadi, the Acting Grand Kadi and other Judges of the Sharia Court of Appeal exercising jurisdiction in a State;

(v) magistrates, district judges, alkali and presidents of area courts; and

(vi) justices of the peace.

(2) The Minister, after consultation with the State Authority, may in respect of any prison appoint such persons as he thinks fit to be visitors or members of a visiting committee.

(3) The Comptroller-General may authorise such persons as he thinks fit to be voluntary visitors in respect of any prison or prisons.

(4) Appointments or authorisations under subsection (2) or (3) of this section may, but need not, be notified in the Federal *Gazette* or of the appropriate State.

(5) Visitors, visiting committees and voluntary visitors shall exercise in respect of the prisons to which their appointments or authorisations relate, such functions as may be prescribed.

## **12. Prison medical officers, etc.**

(1) The functions of the medical officer of a prison shall be performed by such of the medical officers in the public service of the Federation or a State as may be directed by the Minister of Health with the concurrence, in the case of medical officers in the civil service of a State, of the State Authority.

(2) The Minister of Health, with the concurrence of the State Authority, may authorise a health superintendent or health sister (or the holder of any corresponding office) in the civil service of a State to attend to matters pertaining to general sanitation in a prison and otherwise to assist the medical officer thereof.

### **13. Prison Officers Reward Fund**

(1) There shall continue to be a fund called the Prison Officers Reward Fund into which shall be paid all fines and forfeitures of pay inflicted upon prison officers for offences against discipline under regulations or standing orders made under this Act.

(2) The Prison Officers Reward Fund shall be administered by the Comptroller-General in accordance with regulations made under this Act and shall be applied to the purposes of-

(a) rewarding prison officers for extra or special services;

(b) procuring comforts, conveniences and advantages for prison officers which are not chargeable on the general revenue of the Federation; and

(c) paying any compassionate gratuity which may be granted pursuant to regulations made under section 15 of this Act to the widow or the family of a deceased prison officer.

### **14. Offences**

(1) Any person who-

(a) brings, throws or otherwise introduces into or removes from a prison, or gives to or takes from a prisoner, any alcoholic liquor, tobacco, intoxicating or poisonous drug or article prohibited by regulations made under this Act; or

(b) communicates or attempts to communicate with a prisoner without the permission of the superintendent; or

(c) is found in possession of any article which has been supplied to a prison officer for the execution of his duty or of any other prison property and fails to account satisfactorily for his possession of the article, or without due authority purchases or receives any property from a prison officer, or aids or abets a prison officer to conceal or dispose of any property; or

(d) by any means directly or indirectly procures or attempts to procure or persuade a prison officer to desert, or aids, abets or is an accessory to the desertion of a prison officer, or having reason to believe that a person is a deserting prison officer harbours that person or aids in his concealment or rescue; or

(e) directly or indirectly instigates, commands, counsels or solicits any mutiny, sedition or disobedience to a lawful command of a senior officer by a prison officer, or maliciously endeavours to seduce any prison officer from his allegiance or duty; or

(f) knowingly harbours in his house or land or otherwise, or knowingly employs, any person under sentence of imprisonment who is illegally at large; or

(g) interferes with a prisoner working outside a prison, or allows such a prisoner to enter any house, yard or other premises (unless it is at the request of the prison officer or other person in charge of the prisoner), or assists such a prisoner to absent himself or neglect his work,

shall be guilty of an offence and on conviction shall be liable to a fine not exceeding ₦400 or to imprisonment for a period not exceeding twelve months, or to both.

(2) **If** a person reasonably appearing to a prison officer to have committed an offence of the kind specified in subsection (1) (a) or (b) of this section refuses on the prison officer's demand to give his name and residence or gives a name or residence which the prison officer knows or has reason to believe to be false-

(a) the prison officer may arrest that person and hand him over as soon as possible to a police officer; and

(b) the police officer shall thereupon proceed as if the offence had been committed in his presence.

## **15. Regulations**

The President may make regulations-

(a) with respect to the organisation and administration of the prisons; and

(b) on the recommendation of the Federal Civil Service Commission, with respect to appointments to offices in the Nigerian Prisons Service.

## **16. Standing orders**

The President may make standing orders for the good order, discipline and welfare of prisons-

(a) with respect to the organisation and administration of prisons; and

(b) after consultation with the Federal Civil Service Commission, with respect to any matter relating to appointments to offices in the Nigerian Prisons Service, promotion, transfer, dismissal and discipline of members of the prisons staff.

## **17. Delegation of functions**

(1) Subject to this section, the Minister may delegate any of his functions under this Act-

(a) to a public officer serving in a Ministry or department for which the Minister is responsible; or

(b) as regards a State or offences committed under the laws of a State, to the State Authority or (with the consent of the State Authority) to an officer in the civil service of the State.

(2) Subsection (1) of this section shall not apply to the power of delegation conferred by that subsection or to any power to make regulations or standing orders.

(3) A delegation under subsection (1) of this section may be made subject to such conditions and limitations, if any, as the Minister thinks fit.

(4) The delegation of a function under subsection (1) of this section shall not prevent the Minister from continuing to exercise the function himself if he sees fit.

## 18. Savings and transitional provisions

The savings and transitional provisions in the Schedule to this Act shall have effect notwithstanding any other provision of this Act.

[Schedule.]

## 19. Interpretation

(1) In this Act, unless the context otherwise requires-

“**Comptroller-General**” means the Comptroller-General of the Nigerian Prisons Service;

“**function**” includes power and duty;

“**medical officer**” in relation to a prison, means a person directed under section 12 of this Act to perform the functions of medical officer in respect of that prison;

“**Minister**” means the Minister of Internal Affairs;

“**prison**” means a prison declared under this Act;

“**prison officer**” means an officer of whatever rank appointed pursuant to section 1 of this Act;

“**prisoner**” means any person lawfully committed to custody;

“**sentence of imprisonment**” means any sentence involving confinement in a prison (whether or not it is combined with labour of any kind) and includes a sentence given by way of commutation as well as an original sentence passed by a court;

“**State**” means a State of the Federation;

“**State Authority**” means the Governor of a State and “the State Authority”, in relation to a particular State or a prison therein, means the appropriate State Authority;

“**superintendent**” in relation to a prison or to a prisoner confined in a prison, means the prison officer or other person for the time being in charge of the prison.

(2) Unless the context otherwise requires, a reference in this Act to a numbered section or Schedule is a reference to the section or Schedule so numbered in this Act.

## 20. Short title

This Act may be cited as the Prisons Act.

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### SCHEDULE

[Section 18.]

#### *Savings and transitional provisions*

**1.** The Comptroller-General of Prisons and the officers subordinate to him holding offices in the civil service of the Federation immediately before the commencement of this Act shall, be deemed to have been transferred on the commencement of this Act to corresponding offices under section 1 of this Act.

**2.** All prisons declared under the repealed Prisons Act 1960 shall, if the declarations were in force immediately before the commencement of this Act, be deemed to have been declared under this Act.

[1960 No.41.]

**3.** Subsidiary legislation made or deemed to have been made under the repealed Prisons Act 1960, if it was in force immediately before the commencement of this Act, shall continue in force with necessary modifications and may be amended or revoked as if it had been made under this Act.

**4.** The rights, assets, obligations and liabilities of the Prison Officers Reward Fund as established by the repealed Prisons Act 1960 shall, if they were subsisting immediately before the commencement of this Act, vest in and devolve upon the Fund as continued by this Act.

[1960 No. 41.]

5. The Minister may by order in the Federal *Gazette* appoint a day (referred to in this Schedule as “vesting day”) for the transfer of local prisons to the Federal Government.

6. Until vesting day, local prisons shall be treated as if the Prisons (Control) Act were still in force, with references to the Comptroller-General and this Act substituted for references to the Federal Director of Prisons and the repealed Prisons Act 1960.

[1966 No. 9.]

7. On vesting day-

(a) every local prison shall be deemed, with effect from that day, to have been declared a prison under this Act; and

(b) the rights and obligations of any native authority or local government in the land, buildings and equipment of every local prison shall devolve upon the Federal Government.

8. The Minister may by order in the Federal *Gazette*-

(a) with the concurrence of the Minister of Finance, provide for the payment of compensation for rights devolving under paragraph 7 (b) of this Schedule; and

(b) make such other provision as he may think necessary to facilitate the operation of the said paragraph 7 of this Schedule.

9. In this Schedule, “**local prison**” means a prison the operational control of which was immediately before the commencement of this Act vested in the Federal Director of Prisons by the repealed Prisons (Control) Act.

[1966 No. 9.] PRISONS ACT

## **SUBSIDIARY LEGISLATION**


### *List of Subsidiary Legislation*

1. Prisons (Appellants) Regulations.
2. Prisons (Kafanchan Prison) Order.
3. Appointment of Prisons Order.
4. Prisons (Appropriation) Declaration.
5. Appointment of Special Prison Camps Order.

6. Prisons Regulations.

7. Kirikiri Prison Appropriation (Female Prisoners) Order.

8. Honours (Prison Services) Warrant.


## **PRISONS (APPELLANTS) REGULATIONS**

[Regulations. I I of 1936. L.N. 47 of 1955.]

under section 15

**1.** These Regulations may be cited as the Prisons (Appellants) Regulations.

**2.** (1) These Regulations shall apply to prisoners who have entered an appeal to the Court of Appeal against a conviction or sentence by a Judge of a High Court in the exercise of the court's original jurisdiction, hereinafter called "appellants".

[L.N. 47 of 1955. Cap. 67.]

(2) Where a Judge of a High Court reserves for the consideration of the Court of Appeal on a case stated by him, any question of law which may arise on the trial by or before such Judge of any person, these Regulations shall apply to the person in relation to whose conviction the question of law is reserved as they apply to an appellant.

[L.N. 47 of 1955.]

(3) Regulations made under the Prisons Act applicable to prisoners generally shall apply to appellants except in so far as they may be inconsistent with these Regulations.

(4) Prisoners appealing to the Court of Appeal against a decision of a High Court in the exercise of that court's appellate jurisdiction shall be subjected to the regulations made under the Prisons Act applicable to prisoners generally.

[L.N. 47 of 1955.]

(5) These Regulations shall not apply to prisoners sentenced to death.

**3.** (1) Any appellant who, when in custody, is to be brought to any place at which he is entitled to be present for the purposes of the appeal, or to any place to which the Court of Appeal or any Judge thereof may order him to be taken for the purposes of any proceedings of that court, shall, while absent from the prison, be kept in the custody of the officer directed by the

superintendent of the prison to convey him to that place or such other person as the Director of Prisons may appoint.

[L.N. 47 of 1955.]

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

**4.** If an appellant is ordered to be released by the Court of Appeal, payments as specified in this regulation may be made to him in respect of his work during the time he has been specially treated under these Regulations-

[L.N. 47 of 1955.J

(a) if employed on skilled hard labour

(b) if employed on unskilled hard labour

(c) if employed on light labour

*per day* 9k 3k 2k

**5.** (1) An appellant shall be allowed to see his legal adviser, or any other person with whom he desires to communicate regarding the prosecution of his appeal, on any week-day at any reasonable hour, in the sight but not in the hearing of a prison officer.

(2) An appellant shall if necessary for the purposes of his appeal be allowed to see a registered medical practitioner appointed by his friends or legal advisers, on any week-day at any reasonable hour, in the sight but not in the hearing of a prison officer.

**6.** (1) Writing materials to such extent as may appear reasonable to the superintendent shall be furnished to any appellant who requires them for the purposes of preparing his appeal.

(2) An appellant shall be permitted to write such letters to his legal adviser or others as may be necessary for the prosecution of his appeal.

(3) Any confidential written communication prepared as instructions for his counsel solicitor may be delivered personally to him or his authorised clerk, without being examined by any officer of the prison, 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 of the prison without being previously inspected by the superintendent.

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[Order. I I of 1938.] under section 2

1. This Order may be cited as the Prisons (Kafanchan Prison) Order.

2. The prison at Kafanchan in the Jemaa Local Government Council of Plateau State is appropriated to the detention of persons sentenced in the said Local Government Area in terms of imprisonment not exceeding seven days.


#### APPOINTMENT OF PRISONS ORDER

[Orders in Council 25 of 1941. 5 of 1942.10 of 1942.10 of 1944. 38 of 1944.25 of 1950.

26 of 1951. 18 of 1953. L.N 129 of 1956. 159 of 1956. 9 of 1957. 33 of 1957. 29 of 1958.

62 of 1958. 125 of 1958.]

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