

1960

## c 140 Female Refuges Act

Ontario

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## CHAPTER 140

## The Female Refuges Act

## 1. In this Act,

Interpre-  
tation

- (a) "Deputy Minister" means the Deputy Minister of Reform Institutions;
- (b) "industrial refuge" means an institution for the care of females, designated by the Lieutenant Governor in Council as an institution to which females may be committed under this Act;
- (c) "judge" means a judge of the Supreme Court, a judge of a county or district court, a judge of a juvenile and family court, or a magistrate;
- (d) "Minister" means the Minister of Reform Institutions;
- (e) "superintendent" means the matron or other person in charge of an industrial refuge. R.S.O. 1950, c. 134, s. 1; 1958, c. 28, s. 1 (1).

2.—(1) Any female between the ages of fifteen and thirty-five years who is sentenced or liable to be sentenced to imprisonment in a common jail by a judge may be committed to an industrial refuge for an indefinite period not exceeding two years. R.S.O. 1950, c. 134, s. 2 (1).

Commit-  
ment of  
females to  
industrial  
refuges

(2) An inmate of a training school for girls may be transferred on a warrant signed by the Deputy Minister to an industrial refuge, there to be detained for the unexpired portion of the term of imprisonment to which she was sentenced or committed. R.S.O. 1950, c. 134, s. 2 (2); 1958, c. 28, s. 2.

Commit-  
ment of  
inmates of  
training  
schools

(3) No Protestant female shall be committed or transferred under this Act to a Roman Catholic institution and no Roman Catholic female shall be committed or transferred to a Protestant institution. R.S.O. 1950, c. 134, s. 2 (3).

Religion of  
inmates

3.—(1) The Deputy Minister may at any time order the release on parole of any inmate of an industrial refuge upon such conditions as he deems proper. R.S.O. 1950, c. 134, s. 3 (1); 1958, c. 28, s. 2.

Release of  
inmates  
on parole

Re-taking inmates on breach of conditions of parole

(2) Every parole granted to an inmate is conditional, whether so expressed or not, and a person who fails to observe the conditions of parole may be taken into custody on a warrant signed by the Deputy Minister and may be returned to the industrial refuge. R.S.O. 1950, c. 134, s. 3 (2); 1958, c. 28, s. 2.

Record of conduct

(3) A record of the conduct of the inmates of an industrial refuge shall be kept with a view to permitting any inmate to be released on parole by the Deputy Minister. R.S.O. 1950, c. 134, s. 3 (3); 1958, c. 28, s. 2.

Discharge by order of Lieutenant Governor

4. The Lieutenant Governor may at any time order that any person who has been committed or transferred to an industrial refuge be discharged. R.S.O. 1950, c. 134, s. 4.

Transfer to jail or reformatory

5. The Deputy Minister may direct the removal of any inmate from an industrial refuge to a common jail or a reformatory for females. R.S.O. 1950, c. 134, s. 5; 1958, c. 28, s. 2, *amended*.

Female bailiff to make transfer

6. Any female bailiff to whom a warrant of the judge or the Deputy Minister is directed may convey to the industrial refuge named in the warrant the person named therein and deliver her to the superintendent. R.S.O. 1950, c. 134, s. 6; 1958, c. 28, s. 2.

Recapture of escaped inmates

7. An inmate who escapes from an industrial refuge may be again arrested without a warrant by a constable or other police officer and returned to the refuge. R.S.O. 1950, c. 134, s. 7.

Examination of persons in custody

8.—(1) A legally qualified medical practitioner having the care of the health of the inmates of an industrial refuge shall examine all inmates within three days after their admission to the refuge and every six months thereafter. R.S.O. 1950, c. 134, s. 8 (1).

Certificate to be forwarded to Deputy Minister

(2) The superintendent shall forward to the Deputy Minister the medical practitioner's reports of every inmate within three days after the examination prescribed by subsection 1. R.S.O. 1950, c. 134, s. 8 (2); 1958, c. 28, s. 2.

Appointment of a board

9.—(1) The Lieutenant Governor in Council may appoint a board composed of the Deputy Minister and two legally qualified medical practitioners. R.S.O. 1950, c. 134, s. 9 (1); 1958, c. 28, s. 2.

Powers of the board

(2) The board shall review the findings of the medical practitioner as provided for in section 8 and for such purpose may examine inmates and shall have access to all institutional

records pertaining to the inmates brought before them. R.S.O. 1950, c. 134, s. 9 (2).

(3) The board may make such recommendations to the Deputy Minister with respect to all inmates examined as is deemed proper. R.S.O. 1950, c. 134, s. 9 (3); 1958, c. 28, s. 2. Board may make recommendations

(4) Upon recommendation of the board, the Deputy Minister may direct the removal of any feeble-minded inmate to the Ontario Hospital School, Orillia. R.S.O. 1950, c. 134, s. 9 (4); 1958, c. 28, s. 2. Transfer of patient to hospital school

(5) Upon recommendation of the board, the Deputy Minister may direct the removal of any inmate who is suffering from venereal disease to a hospital for proper treatment. R.S.O. 1950, c. 134, s. 9 (5); 1958, c. 28, s. 2. Transfer of patient to hospital

(6) The corporation of the municipality in which an inmate transferred to a hospital receiving aid was resident at the time of commitment is liable for the maintenance of the inmate and the provisions of *The Public Hospitals Act* with respect to maintenance are applicable thereto. R.S.O. 1950, c. 134, s. 9 (6). Maintenance  
R.S.O. 1960, c. 322

**10.**—(1) No inmate shall be discharged from an industrial refuge if she has syphilitic or other venereal disease or is suffering from any contagious or infectious disease or has any acute or dangerous illness, and she shall remain in the industrial refuge until a legally qualified medical practitioner on the staff of the refuge gives a written certificate that she has sufficiently recovered from the disease or illness to be discharged, and any inmate remaining from any such cause in an industrial refuge shall continue to be under its discipline and control. R.S.O. 1950, c. 134, s. 10 (1). Detention of inmates with certain diseases

(2) The superintendent shall forward to the Deputy Minister the medical practitioner's reports of all persons detained as provided for in subsection 1, once very thirty days. R.S.O. 1950, c. 134, s. 10 (2); 1958, c. 28, s. 2. Report to be forwarded to the Deputy Minister

**11.** The superintendent shall forward to the Deputy Minister every warrant providing for the admission of an inmate within three days of such admission. R.S.O. 1950, c. 134, s. 11; 1958, c. 28, s. 2. Warrants to be forwarded to Deputy Minister

**12.** No person shall be admitted to an industrial refuge except on a warrant signed by a judge or on a transfer warrant signed by the Deputy Minister. R.S.O. 1950, c. 134, s. 12; 1958, c. 28, s. 2. No one to be admitted except on warrant

Refuges  
to be  
houses of  
correction  
R.S.C. 1952,  
c. 217

**13.** Every industrial refuge is a house of correction for the purpose of the *Prisons and Reformatories Act* (Canada). R.S.O. 1950, c. 134, s. 13.

Regulations

**14.** All by-laws or regulations of the trustees or other governing body having the control or management of an industrial refuge for the government, management and discipline of the institution or as to maintenance, employment, classification, instruction, correction, punishment and reward of persons detained therein shall be in writing and no such by-law or regulation has force or effect until approved by the Lieutenant Governor in Council upon the report of the Deputy Minister. R.S.O. 1950, c. 134, s. 14; 1958, c. 28, s. 2.

Report and  
investiga-  
tion of cases  
by Parole  
Board

**15.** All commitments made under this Act shall be reported by the judge to the secretary of the Board of Parole within three days from the making of the order and it is the duty of the Board to investigate the case of every person confined under this Act and if deemed proper the Board may recommend to the Deputy Minister the granting of parole to any such person. R.S.O. 1950, c. 134, s. 18; 1958, c. 28, s. 2.

Mainten-  
ance

**16.** The Lieutenant Governor in Council may make regulations providing for the amount payable by a municipality to an industrial refuge for the maintenance of females belonging to the municipality committed to the industrial refuge and providing for the manner of determining to which municipality any female belongs. R.S.O. 1950, c. 134, s. 19.

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