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c 273 Penal and Reform Institutions Inspection Act

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CHAPTER 273

The Penal and Reform Institutions Inspection Act

1. In this Act,Interpre-
tation.

- (a) "Department" means Department of Reform Institutions;
- (b) "Minister" means Minister of Reform Institutions;
- (c) "penal and reform institution" means a reformatory under *The Reformatories Act*, The Andrew Mercer Ontario Reformatory under *The Andrew Mercer Reformatory Act*, an industrial refuge under *The Female Refuges Act*, an industrial farm under *The Industrial Farms Act* and a jail or lock-up under *The Municipal Act* or under *The Jails Act*, and includes any other prison, reformatory, industrial farm, jail or other institution or place for confinement or detention of prisoners and other persons charged with or convicted of any offence against the laws of Canada or Ontario, in respect to which by any general or special Act of Canada or Ontario this Act may be made applicable;
- (d) "regulations" means regulations made under this Act. R.S.O. 1937, c. 380, s. 1, *amended*.

Rev. Stat.,
cc. 335, 17,
134, 178,
243, 188.

2. The Lieutenant-Governor in Council may appoint inspectors of penal and reform institutions with such designations or titles as he may deem expedient. R.S.O. 1937, c. 380, s. 3.

Appoint-
ment of
inspectors.

3.—(1) Where an inspector is authorized by the Minister to institute an inquiry into the management or affairs of any penal and reform institution, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the inspector shall have the same power to summon the person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as any court in civil cases. R.S.O. 1937, c. 380, s. 4 (1).

Special
inquiry by
inspector.

(2) An inspector appointed under any other Act may, when authorized by the Minister, exercise the powers conferred by

Powers of
inspector.

subsection 1 with respect to any penal and reform institution. 1942, c. 34, s. 29.

Regulations.

4. The Lieutenant-Governor in Council may make such regulations in respect to penal and reform institutions as may be deemed necessary for,

- (a) the powers and duties of inspectors appointed under this Act;
- (b) their inspection, superintendence, government, management, conduct, operation, maintenance, care and use;
- (c) their superintendents, officers, staffs, servants, and employees, and the powers and duties thereof;
- (d) the admission, care, treatment, maintenance, conduct, discipline, punishment, transfer and discharge of prisoners, inmates and other persons confined or detained therein;
- (e) their records, books, accounting systems, audits, reports and returns to be made and kept;
- (f) generally, all other matters in any way relating thereto. R.S.O. 1937, c. 380, s. 5.

Municipal regulations for jails.

5. No by-law, rule or regulation of a municipality relating to a jail or lock-up established or maintained by it shall have force or take effect until approved by the Minister. R.S.O. 1937, c. 380, s. 6.

Application of certain regulations. Rev. Stat., c. 188.

6. The regulations as to the inspection of penal and reform institutions and *The Jails Act* as to the construction and repair of jails shall, so far as may be, apply to court houses and lock-ups. R.S.O. 1937, c. 380, s. 7.

Limitation of actions, etc.

7. All actions and prosecutions against any person for anything done in pursuance of this Act shall be commenced within six months after the fact committed and not afterwards. R.S.O. 1937, c. 380, s. 8.

Designation of departmental officer.

8. The Minister may from time to time designate the officer or officers of the Department who, subject to his direction, shall exercise the powers and duties conferred by statute or by the Lieutenant-Governor in Council upon the Department or any officer or officers thereof or upon any officer of any other department in respect to any Act the administration of which is for the time being under the charge or assigned to the Minister and the Department. R.S.O. 1937, c. 380, s. 9.

9.—(1) Notwithstanding anything in this or any other Act, the Minister may designate one or more officers of the Department who shall control and direct all admissions to penal and reform institutions and who may, if permitted by law, from time to time remove or transfer any prisoner, inmate or other person confined or detained therein from any such institution to any other such institution.

Powers of designated officer for transfers of prisoners, patients, etc.

(2) Removals or transfers from a penal and reform institution to an institution under *The Mental Hospitals Act*, or *vice versa*, may, if permitted by law, be made in accordance with the regulations. R.S.O. 1937, c. 380, s. 10 (1, 2).

Transfers to other institutions. Rev. Stat., c. 229.

(3) Where the official in charge of a penal and reform institution reports to an officer designated under subsection 1 that any prisoner, inmate or other person confined or detained in any such institution requires hospital treatment which cannot be supplied therein, such officer shall, if otherwise permitted by law, have authority to cause the prisoner, inmate or other such person to be transferred to a public hospital for such treatment. R.S.O. 1937, c. 380, s. 10 (3), *amended*.

Transfers to public hospitals.

(4) The charges for such hospital treatment shall be paid by the prisoner, inmate or other person unless he is an indigent person in which case the charges shall be payable in the same manner as charges for indigent patients are payable under *The Public Hospitals Act*. R.S.O. 1937, c. 380, s. 10 (4).

Charges for public hospital treatment. Rev. Stat., c. 307.

