

1937

c 380 Public Institutions Inspection Act

Ontario

© Queen's Printer for Ontario, 1937

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

Bibliographic Citation

Public Institutions Inspection Act, RSO 1937, c 380

Repository Citation

Ontario (1937) "c 380 Public Institutions Inspection Act," *Ontario: Revised Statutes*: Vol. 1937: Iss. 3, Article 118.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1937/iss3/118>

SECTION XVII.

PUBLIC INSTITUTIONS.

CHAPTER 380.

The Public Institutions Inspection Act.

Interpreta-
tion.

"Minister."

"Penal and
reformatory
institution."

Rev. Stat.,
c. 382, 383,
384, 387, 266,
388.

"Regula-
tions."

Present
regulations
continued.

Appoint-
ment of
inspectors.

Special
inquiry by
inspector.

1. In this Act,—

(a) "Minister" shall mean the member of the Executive Council for the time being charged with the administration of this Act;

(b) "Penal and reformatory institution" shall mean and include a reformatory established under *The Reformatory Act*, The Andrew Mercer Reformatory established under *The Andrew Mercer Reformatory Act*, an industrial refuge established under *The Female Refuges Act*, an industrial farm established under *The Industrial Farms Act*, a gaol or lock-up established under *The Municipal Act* or under *The Gaols Act* and any other prison, reformatory, industrial farm, gaol, 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;

(c) "Regulations" shall mean regulations made under this Act. 1931, c. 80, s. 2; 1937, c. 72, s. 50.

2. The regulations heretofore made governing or relating to penal and reformatory institutions are confirmed and shall continue in force until altered or repealed by regulations made under this Act or any other Act. 1931, c. 80, s. 3; 1935, c. 39, sched.

3. The Lieutenant-Governor in Council may appoint inspectors of penal and reformatory institutions with such designations or titles as he may deem expedient. 1931, c. 80, s. 4; 1935, c. 39, sched.

4.—(1) Where an inspector is authorized by the Minister to institute an inquiry into the management or affairs of any

penal or reformatory 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 such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as any court has in civil cases.

(2) An inspector appointed under any other Act the administration of which is under the charge of the Provincial Secretary may when authorized by the Provincial Secretary exercise the powers conferred by subsection 1 in respect to any institution subject to such other Act. 1931, c. 80, s. 5; 1935, c. 39, sched.

5. The Lieutenant-Governor in Council may make regulations in respect to penal and reformatory institutions as may be deemed necessary for,— Regulations

- (a) the powers and duties of inspectors appointed under the authority of 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 in penal and reformatory institutions;
- (e) their records, books, accounting systems, audits, reports and returns to be made and kept; and
- (f) generally, all other matters in any way relating to penal and reformatory institutions. 1931, c. 80, s. 6; 1935, c. 39, sched.

6. No by-law, rule or regulation of a municipality relating to a gaol or lock-up established or maintained by it shall have force or take effect until approved by the Minister. 1931, c. 80, s. 7. Municipal regulations for gaols.

7. The provisions of the regulations as to the inspection of penal and reformatory institutions and the provisions of *The Gaols Act* as to the construction and repair of gaols shall, so far as may be, apply to court houses and lock-ups. 1931, c. 80, s. 8. Application of gaol regulations to court houses. Rev. Stat. c. 388.

Limitation
of actions,
etc.

8. 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. 1931, c. 80, s. 9.

Designation
of depart-
mental
officer.

9. The Minister may from time to time designate the officer or officers of his 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 statute the administration of which is for the time being under the charge or assigned to the Minister and his department. 1931, c. 80, s. 10.

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

10.—(1) Notwithstanding anything in this or any other Act contained, the Minister may designate the officer of his department who shall control and direct all admissions to penal and reformatory 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. 1931, c. 80, s. 11 (1).

Transfers
to other
institutions.
Rev. Stat.,
c. 392.

(2) Removals or transfers from a penal or reformatory institution to an institution under *The Mental Hospitals Act*, or *vice versa*, may, if permitted by law, be made in accordance with the regulations. 1931, c. 80, s. 11 (3); 1935, c. 39, sched.

Transfers
to public
hospitals.

(3) Where the Superintendent of a penal or reformatory institution reports to the officer of the said department that any prisoner, inmate or other person confined or detained in any of said institutions requires hospital treatment which cannot be supplied therein, such officer shall, if otherwise permitted by law, have authority to transfer the prisoner, inmate or other such person to a public hospital for treatment, which cannot be supplied in the institution, and the Superintendent or head shall report, in writing if possible, to the officer designated by the Minister who shall have authority to remove, or transfer such prisoner, inmate or other person to any public hospital for treatment. 1931, c. 80, s. 11 (4); 1935, c. 39, sched.

Charges for
public
hospital
treatment.

Rev. Stat.
c. 390.

(4) The charges for such hospital treatment shall be paid by such 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*. 1931, c. 80, s. 11 (5).