

1937

c 382 Reformatory Act

Ontario

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CHAPTER 382.

The Reformatory Act.

1. In this Act,—

(a) "County" shall include district;

Interpre-
tation.

"County."

(b) "Inspector" shall mean an inspector appointed under
The Public Institutions Inspection Act;

"Inspector."
Rev. Stat.
c. 380.

(c) "Minister" shall mean the member of the Executive
Council charged with the administration of this Act.
R.S.O. 1927, c. 345, s 1; 1931, c. 23, s. 22.

"Minister."

2. The Lieutenant-Governor in Council may maintain one
or more reformatories for the Province of Ontario. R.S.O.
1927, c. 345, s. 2.

Maintenance
by Lieut-
Governor in
Council.

3. The Lieutenant-Governor in Council may appoint for
each reformatory a superintendent, a director of industries, a
surgeon, a bursar, an accountant, a storekeeper and such other
officers as may be necessary. R.S.O. 1927, c. 345, s. 3.

Appoint-
ment of
certain
officers.

4. The Lieutenant-Governor in Council may make regula-
tions for the management and discipline of the reformatory
and for prescribing the duties and conduct of the superin-
tendent, director of industries, officers and employees therein,
and as to the diet, clothing, maintenance, employment, classi-
fication, instruction, discipline, correction, punishment and re-
ward of persons detained therein. R.S.O. 1927, c. 345, s. 4.

Regulations.

5.—(1) The inspector may summarily suspend any officer
for misconduct, of which the Minister shall be at once notified,
and the suspension shall continue until the pleasure of the
Lieutenant-Governor is known, and the Inspector may, until
such pleasure has been intimated to him, cause any such
officer so suspended to be removed beyond the precincts of
the prison.

Power of
inspector
over
officers.

(2) It shall be the duty of the inspector to recommend the
removal of any officer or employee whom he deems incapable,
inefficient or negligent in the execution of his duty, or whose
presence in the reformatory he deems injurious to the inter-
ests thereof, and the pay of every officer so suspended shall

Duty of
inspector.

cease during the period of such suspension. R.S.O. 1927, c. 345, s. 5.

Transfer from common gaol to reformatory.

6. A male person confined in a common gaol under sentence of imprisonment for an offence against any Act of this Legislature may by the direction and warrant of the inspector be transferred from such common gaol to the reformatory for the unexpired portion of the term of imprisonment to which he was sentenced or committed, and such person shall thereupon be imprisoned in the reformatory for the residue of the term and shall be subject to all the regulations of the reformatory. R.S.O. 1927, c. 345, s. 6.

Convicts may be sentenced to reformatory instead of common gaol.

7. The court before which any male person is convicted under, or under the authority of any Act of this Legislature, of an offence punishable by imprisonment in the common gaol may sentence such person to imprisonment in the reformatory. R.S.O. 1927, c. 345, s. 7.

Transfer of prisoners.

8. The Minister or such other officer as may be authorized by the Lieutenant-Governor in Council may by warrant direct the removal from the reformatory back to the common gaol, or from an industrial school for boys or an industrial farm to the reformatory, of any person detained therein under the authority of any Act of this Legislature. R.S.O. 1927, c. 345, s. 8.

Officer to deliver up prisoners for removal.

9. The superintendent of the reformatory, or the superintendent of an industrial school for boys, or of an industrial farm, or the keeper of a common gaol, having the custody of any person ordered to be removed shall, when required so to do, deliver him up to the provincial bailiff or other officer or person who produces the warrant, together with a copy certified by the superintendent or gaoler of the sentence or order of committal of such prisoner and the date thereof as given to him on the reception of such person into his custody. R.S.O. 1927, c. 345, s. 9.

Superintendent to receive and detain prisoner.

10. The superintendent shall receive into the reformatory every person certified to him as sentenced to imprisonment therein, or transferred thereto by warrant, and shall there detain him, subject to the rules, regulations and discipline thereof, until the term of his detention is completed or until he is otherwise discharged in due course of law. R.S.O. 1927, c. 345, s. 10.

Administration of reformatory.

11. The administration of the said reformatory shall be divided into the following branches:—

- (a) The Custodial Branch, the chief executive officer of which shall be known as the "superintendent;"
- (b) The Industrial Branch, the chief executive officer of which shall be known as the "director of industries." R.S.O. 1927, c. 345, s 11.

12. The superintendent, the director of industries, the bursar, the accountant, and every storekeeper and steward of the reformatory shall give security to the satisfaction of the Minister and for such amount as he shall direct. R.S.O. 1927, c. 345, s. 12. Security by officers.

13.—(1) The inspector shall not nor shall any officer or employee in such reformatory, either in his own name or in the name of or in connection with or as the agent of any other person, provide, furnish or supply any materials, goods or provisions for the use of such reformatory, or be concerned, directly or indirectly, in furnishing or supplying the same or in any contract relating thereto. Officers not to be interested in any prison contract.

(2) Every person who contravenes any of the provisions of this section shall incur a penalty of \$1,000. R.S.O. 1927, c. 345, s. 13. Penalty.

14. The superintendent or the director of industries shall not nor shall any officer or employee buy from or sell to any inmate in the reformatory anything whatever, or take or receive to his own use or for the use of any other person any fee, gratuity or emolument from any inmate or visitor or any other person, or employ any inmate in working for him. R.S.O. 1927, c. 345, s. 14. Officers not to trade, etc., in the reformatory.

15.—(1) Except under the regulations no morphia, cocaine or other narcotic drug, and no intoxicating liquors within the meaning of, *The Liquor Control Act* shall on any pretence whatever be brought into the reformatory for the use of any officer or employee or person in the institution or for the use of any prisoner therein. Prohibition of liquors and drugs. Rev. Stat. c. 294.

(2) Every person, other than an officer of the reformatory acting under the regulations, who gives any morphia, cocaine or other narcotic drug or intoxicating liquor, and every officer, employee or other person who gives or conveys tobacco in any form to any prisoner shall incur a penalty of \$40, recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 345, s. 15. Penalty. Rev. Stat., c. 136.

16. The reformatory shall be furnished with all requisite means for carrying on beneficial labour by the inmates in Labour.

shops and the various forms of labour, having for their base, clay, sand, gravel, stone, lime, agriculture, horticulture and dairying in all their various branches. R.S.O. 1927, c. 345, s. 16.

Record of
conduct to
be kept.

17. A record of the conduct of the inmates of the reformatory shall be kept. R.S.O. 1927, c. 345, s. 17.

Sentences.

18.—(1) Every person sentenced directly to the reformatory shall be sentenced to imprisonment therein for a period of not less than three months and for an indeterminate period thereafter of not more than two years less one day.

Consideration by
Board of
Parole.

(2) The Board of Parole before paroling any inmate shall take into consideration his history for the purpose of determining whether he should be paroled. R.S.O. 1927, c. 345, s. 18.

Employment
beyond the
precincts.

19.—(1) The Lieutenant-Governor in Council may authorize, direct or sanction the employment of any prisoner upon any specific work or duty beyond the limits of the reformatory.

Conditions
of employ-
ment.

(2) Every such prisoner during such employment shall be subject to all the provisions of this Act and the regulations and discipline of the reformatory, and to such other regulations of the superintendent as may be prescribed by the inspector. R.S.O. 1927, c. 345, s. 19.

Prisoner
not to be
discharged
on a
Sunday.

20. When the term of imprisonment of any prisoner expires on a Sunday he shall be discharged on the previous Saturday unless he desires to remain until the following Monday. R.S.O. 1927, c. 345, s. 20.

Detention
of prisoners
if labouring
under
certain
diseases.

21. No prisoner shall be discharged from the reformatory at the termination of his sentence if then labouring under any contagious or infectious disease or under any acute or dangerous illness, but he shall be permitted to remain in the reformatory until he recovers from such disease or illness, and any convict or prisoner remaining from such cause in the reformatory shall be under the same discipline and control as if his sentence were still unexpired. R.S.O. 1927, c. 345, s. 21.

Property
belonging
to reformatory.
Custody.

22. The reformatory shall be held to include all the land procured for such institution, and all buildings and machinery erected or used thereon and all carriages, waggons, sleighs or other vehicles for land carriage being the property of such reformatory or employed in its service, and the superintendent

shall have the custody and care thereof. R.S.O. 1927, c. 345, s. 22.

23. The Lieutenant-Governor in Council may cause to be procured and provided, adjacent to or surrounding the reformatory, a tract of land fit for agricultural or mechanical purposes, not exceeding two hundred acres, and may cause the same to be securely enclosed. R.S.O. 1927, c. 345, s. 23.

24. All dealings and transactions on account of the reformatory, and all contracts for goods, wares or merchandise necessary for maintaining and carrying it on, or for the sale of goods prepared or manufactured in the reformatory, or for the hire, labour or employment of any of the prisoners either within or without the limits of the reformatory, shall be entered into and carried out by the inspector in his corporate name on behalf of His Majesty. R.S.O. 1927, c. 345, s. 24.

25. For more efficiently carrying on the industries at the reformatory the Minister may cause an account to be opened in any Province of Ontario Savings Office or in any branch in Ontario of a chartered bank of Canada in the name of the "Reformatory Industries," with a credit from year to year to cover what may be required for the year for the purposes of the business in connection with such industries, not exceeding the estimated sales of the year as reported to the Assembly by the Minister. R.S.O. 1927, c. 345, s. 25; 1937, c. 72, s. 55.

26. The account shall be drawn upon in the manner hereinafter provided. R.S.O. 1927, c. 345, s. 26.

27. All money received by the reformatory for and on account of goods sold of whatever kind shall be deposited from day to day in the bank to the credit of the account. R.S.O. 1927, c. 345, s. 27.

28. All cheques drawn upon the account shall be signed by the director of industries and bursar of the reformatory and countersigned by the inspector and the Minister. R.S.O. 1927, c. 345, s. 28.

29. Every cheque drawn upon the account shall, when presented to the several officers required to sign and countersign the same for signature, have attached thereto for the information of such officers the original bill, or a duplicate or certified copy of the original bill, for payment of which the cheque is issued, the bill having been theretofore certified

by the accountant of the reformatory to be correct. R.S.O. 1927, c. 345, s. 29.

Payment of
balance to
Provincial
Treasurer.

30. At the end of each fiscal year there shall be paid over to the Treasurer of Ontario the balance of the money standing at the credit of the account. R.S.O. 1927, c. 345, s. 30.

Audit.

31. The Provincial Auditor shall audit the industrial accounts of the reformatory at least every three months. R.S.O. 1927, c. 345, s. 31.
