

1937

c 383 Andrew Mercer Reformatory Act

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CHAPTER 383.

The Andrew Mercer Reformatory Act.

1. In this Act,—
- (a) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act*; Interpretation.
"Inspector."
Rev. Stat.
c. 580.
 - (b) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; "Minister."
 - (c) "Reformatory" shall mean The Andrew Mercer Ontario Reformatory for Females; "Reformatory."
 - (d) "Regulations" shall mean regulations made under *The Public Institutions Inspection Act*, R.S.O. 1927, c. 346, s. 1; 1931, c. 23, s. 23 (1). "Regulations."

2. The Andrew Mercer Ontario Reformatory for Females shall be for the reception, detention and employment of such female offenders as are hereinafter mentioned. R.S.O. 1927, c. 346, s. 2. Object of reformatory.

3. The Lieutenant-Governor in Council may appoint for the reformatory a superintendent, an accountant, a surgeon and such other officers as he may deem necessary. R.S.O. 1927, c. 346, s. 3. Appointment of certain officers.

4. The Lieutenant-Governor in Council may make regulations for the management and discipline of the reformatory and for prescribing the duties and conduct of the superintendent and officers and servants employed therein, which may include as part of the work thereof the visiting from time to time in the Province of paroled and discharged inmates, with a view to continuing and prolonging the work of reformation through friendly and voluntary assistance and as to the diet, clothing, maintenance, employment, classification, instruction, discipline, correction, punishment and reward of persons detained therein. R.S.O. 1927, c. 346, 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 Power of inspector over officers.

such pleasure is intimated to him, cause any such officer so suspended to be removed beyond the precincts of the reformatory.

His duty. (2) It shall be the duty of the inspector to recommend the removal of any officer whom he deems incapable, inefficient or negligent in the execution of his duty, or whose presence in the reformatory he may deem injurious to the interests thereof, and the pay of every officer so suspended shall cease during the period of such suspension. R.S.O. 1927, c. 346, s. 5.

Encouragement of good behaviour. **6.** The inspector may make rules for the keeping of a correct record of the conduct of inmates, with a view to permitting any offender to be paroled upon the recommendation of the superintendent, approved by the inspector and endorsed by the Board of Parole. R.S.O. 1927, c. 346, s. 6.

Transfer from gaol to reformatory. **7.** A female detained 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 conveyed by a female bailiff appointed for that purpose from such common gaol to the reformatory for the unexpired portion of the term of imprisonment to which she was sentenced or committed, and such female shall thereupon be imprisoned in such reformatory for the residue of the term and shall be subject to all the regulations of the reformatory. R.S.O. 1927, c. 346, s. 7.

Female convict may be sentenced to reformatory. **8.—(1)** The court before which any female is convicted under, or under the authority of any Act of this Legislature, of an offence punishable by imprisonment may sentence such female to imprisonment for an indefinite period not exceeding two years in the reformatory instead of the common gaol.

Female bailiff. (2) Such female shall be conveyed to the reformatory by a female bailiff. R.S.O. 1927, c. 346, s. 8.

Re-transfer to gaol may be directed. **9.—(1)** 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 of any female under sentence of imprisonment for an offence against any Act of this Legislature, and such female shall thereupon be conveyed to the common gaol by the female bailiff.

Officer to deliver up prisoners for removal. (2) The superintendent of the reformatory, or the keeper of any common gaol, having the custody of any female ordered to be removed shall, when required so to do, deliver her up to the female bailiff who produces the warrant, together with

a copy certified by the superintendent or gaoler of the sentence and date of conviction as given to him on reception of such female into his custody. R.S.O. 1927, c. 346, s. 9.

10. Any female bailiff may convey to the reformatory any female person sentenced or liable to be imprisoned therein and deliver her to the superintendent without any further warrant than a copy of the minute of the sentence taken from the records of the court before which she was tried and certified by the convicting justice or the clerk of the court, and the superintendent shall receive her into the reformatory and detain her there, subject to all the rules, regulations and discipline thereof, until the expiration of her sentence or until she is otherwise discharged in due course of law. R.S.O. 1927, c. 346, s. 10.

Copy of sentence sufficient warrant.

Superintendent to receive and detain prisoners.

11. The female bailiff shall give a receipt to the superintendent or gaoler for the prisoner, and shall thereupon without delay convey and deliver her with the certified copy into the custody of the superintendent of the reformatory or of the gaoler of the gaol mentioned in the warrant, who shall give to such bailiff a receipt in writing for her, and the prisoner shall be kept in custody in such reformatory or gaol until the expiration of her sentence, or until she is otherwise discharged in due course of law, unless she is in the meantime again removed under competent authority. R.S.O. 1927, c. 346, s. 11.

Officer to give and take receipt for prisoner.

12. The superintendent shall reside within the institution and shall be the chief executive officer of it and as such shall have, under the direction of the inspector, the execution, control and management of its affairs, subject to the regulations, and the superintendent shall be responsible for the faithful and efficient administration of the offices of every department of the institution. R.S.O. 1927, c. 346, s. 12.

Powers and duties of superintendent.

13. The accountant shall give security to the satisfaction of the Minister and for such amount as he shall direct for the faithful performance of the duties of the office. R.S.O. 1927, c. 346, s. 13.

Security by accountant.

14.—(1) The inspector shall not, nor shall the superintendent or other officer or employee of the 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 the 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 contract.

Penalty. (2) Every person who contravenes any of the provisions of this section shall incur a penalty of \$1,000. R.S.O. 1927, c. 346, s. 14.

Officers not to engage in trade, etc., in the reformatory. **15.** The superintendent shall not nor shall any officer or employee buy from or sell to any prisoner 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 prisoner or visitor or any other person, or employ any prisoner in working for him. R.S.O. 1927, c. 346, s. 15; 1937, c. 72, s. 5.

Prohibition of liquors and drugs. Rev. Stat. c. 294. **16.—(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.

Penalty. (2) Every person, other than an officer of the reformatory acting under the regulations, who gives any intoxicating liquors, morphia, cocaine or other narcotic drug, 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. 346, s. 16.

Rev. Stat. c. 136.

Beneficial labour. **17.** The reformatory shall be furnished with all requisite means for enforcing the performance of beneficial labour by the inmates thereof. R.S.O. 1927, c. 346, s. 17.

Reformatory, what to include. **18.** All the land enclosed and used in connection with the reformatory building shall be deemed to be part of the reformatory. R.S.O. 1927, c. 346, s. 18.

Prisoners not to be discharged on Sunday. **19.** When the term of imprisonment of any prisoner expires on a Sunday she shall be discharged on the previous Saturday unless she desires to remain until the following Monday. R.S.O. 1927, c. 346, s. 20.

Detention of prisoners if labouring under certain diseases. **20.** No prisoner shall be discharged at the termination of her sentence or transferred from the reformatory to a gaol if she has syphilitic or other venereal disease, or any contagious or infectious disease, or is suffering from any acute or dangerous illness, but she shall remain in the reformatory until the surgeon certifies to the inspector that she has recovered from the disease or illness, and any prisoner so remaining shall be

under the same discipline and control as if her sentence were still unexpired. R.S.O. 1927, c. 346, s. 21.

21. Where an inmate at any time after admission is reported by the physician of the reformatory as being a mental defective and unable, for this reason, to take care of herself, if discharged from the reformatory, such inmate may be transferred to a suitable institution for care and training, under warrant signed by the inspector. R.S.O. 1927, c. 346, s. 22.
