

1927

## c 361 Prisons and Public Charities Inspection Act

Ontario

© Queen's Printer for Ontario, 1927

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

---

### Bibliographic Citation

*Prisons and Public Charities Inspection Act*, RSO 1927, c 361

### Repository Citation

Ontario (1927) "c 361 Prisons and Public Charities Inspection Act," *Ontario: Revised Statutes*: Vol. 1927: Iss. 3, Article 224.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1927/iss3/224>

## CHAPTER 361.

## The Prisons and Public Charities Inspection Act.

**1.** In this Act,

- (a) "Inspector" shall mean an inspector of Prisons and Public Charities appointed by the Lieutenant-Governor in Council under the authority of this Act; Interpretation. "Inspector."
- (b) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; "Minister."
- (c) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act. R.S.O. 1914, c. 301, s. 2. "Regulations."

**2.** The regulations heretofore made for the government of Ontario Hospitals, private sanatoria for the treatment of mental diseases, sanatoria for consumptives, public and private hospitals, refuges, orphanages and infants' homes, and the common gaols and reformatories and other prisons, are confirmed and shall continue in force until altered or repealed by regulations made in pursuance of this or any other Act of this Legislature. R.S.O. 1914, c. 301, s. 3; 1919, c. 83, s. 3. Regulations and their amendments.

**3.** The Lieutenant-Governor in Council may appoint inspectors of the institutions mentioned in section 2, one of whom shall be designated "Inspector of Feeble-Minded" and each of the others "Inspector of Prisons and Public Charities." 1916, c. 24, s. 47. Appointment of inspectors.

**4.** The Lieutenant-Governor in Council may designate what public and other institutions requiring inspection are to be inspected by each inspector, and may define the duties of the inspectors. R.S.O. 1914, c. 301, s. 5. Duties of inspectors.

**5.**—(1) One of the inspectors shall visit and inspect every gaol, refuge, reformatory and prison or other place in Ontario, kept or used for the confinement of persons, once in each year or more frequently if necessary, or if so directed by the Minister; and the inspector may examine any person holding Inspectors' duties as to visitation.

any office or receiving any salary or emolument in any such place, and call for and inspect all books and papers relating to it, and may inquire into all matters concerning the same.

Report to  
Minister.

(2) Every inspector shall make a separate and distinct report in writing to the Minister of the state of every place of confinement visited by him. R.S.O. 1914, c. 301, s. 8.

Power of  
inspector  
in institut-  
ing inquiries  
into institu-  
tions sub-  
ject to his  
inspection.

**6.** Where an inspector deems it expedient to institute an inquiry into the management of any institution subject to his inspection or into any matter in connection therewith, or into the truth of any return made by any officer of the institution, and deems that any officer of the institution or any other person should give evidence before him on oath, the inspector shall have the same power to summon such officer or other 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. R.S.O. 1914, c. 301, s. 9.

Power of  
Lieutenant-  
Governor  
to make  
regulations.

**7.**—(1) The Lieutenant-Governor in Council may make regulations respecting the common gaols and relating to

- (a) the maintenance of prisoners in regard to diet, clothing, bedding, and other necessaries;
- (b) their employment;
- (c) medical attendance;
- (d) religious instruction;
- (e) the conduct of the prisoners, and the restraint and punishment to which they may be subjected;
- (f) the treatment and custody of the prisoners generally, and the internal economy and management of the gaol; and
- (g) all such other matters connected with the maintenance, government and control of gaols as may be deemed expedient.

Special  
regulations  
by municipal  
councils.

(2) Nothing in this section shall prevent a municipal council from making such special regulations not inconsistent with this Act or the regulations, as the peculiar circumstances of any gaol maintained by it, and the locality in which it is situated may in its opinion require. R.S.O. 1914, c. 301, s. 10.

Inspection  
of public  
hospitals  
for the  
insane and  
epileptics.

**8.** One of the inspectors shall at least three times in every year visit and inspect every Ontario Hospital and the Hospital for Epileptics and

- (a) examine into the manner in which it is conducted;
- (b) examine the reports made to him by the medical superintendent and bursar;

(c) inquire as to the observance of the regulations therein; and

(d) ascertain if the clinical records of all patients are properly kept. R.S.O. 1914, c. 301, s. 11; 1919, c. 83, s. 3.

**9.** The inspector shall make an annual report to the Minister upon the manner in which any training school for nurses in any such hospital is conducted. R.S.O. 1914, c. 301, s. 12. Inspector's annual report.

**10.** The Lieutenant-Governor in Council may make regulations respecting Ontario Hospitals as to Regulations respecting provincial hospitals.

(a) the government and management thereof;

(b) the duties of the officers, servants, and employees; and

(c) the establishment, management and control of any school for nurses therein. R.S.O. 1914, c. 301, s. 13; 1919, c. 83, s. 3.

**11.**—(1) An inspector, at least once in every year and oftener if required by the Minister, shall visit, examine and report to him upon the state, management and condition of every hospital or other charitable institution supported, in whole or in part, by grant of public money, provincial or municipal, and of every private hospital, and make such suggestions as he may deem necessary or proper for the better government and management thereof. Report of the management, etc.

(2) If the inspector is refused admission into any such hospital or other institution he shall forthwith report such refusal to the Minister with the circumstances attending the same. R.S.O. 1914, c. 301, s. 14. In case admission refused.

**12.** An inspector, at least once in every year and oftener if required by the Minister, shall visit, examine and report to him upon the state and management of every private sanitarium for the treatment of mental diseases, licensed under the provisions of *The Private Sanitarium Act*, and upon the condition of its inmates; and the Minister after the receipt of such report may suspend or revoke any license granted under that Act. R.S.O. 1914, c. 301, s. 15. Report on private sanitarium.  
Rev. Stat. c. 355.  
Revocation of license.

**13.** If upon the inspection of an Ontario Hospital the inspector finds that, according to the report of the superintendent, any patient has sufficiently recovered to be cared for by his friends, or that his mental condition is due to senility, and his conduct is recorded as quiet and harmless, and that he is a proper subject for care in a house of refuge, the inspector may order such patient to be removed Removal to house of refuge.

to a house of refuge in the county from which he was originally admitted; and the board of management and superintendent of such house of refuge shall admit such patient to the house of refuge and maintain him therein. R.S.O. 1914, c. 301, s. 16; 1919, c. 83, s. 3.

Inspector's report.

**14.**—(1) Every inspector shall make to the Minister a written report of every inspection of any institution visited by him.

Copy for superintendent, etc.

(2) A copy of the report shall be transmitted by the inspector to the superintendent or other head of the institution to which it relates. R.S.O. 1914, c. 301, s. 17.

General Annual Report.

**15.** Every inspector shall, as soon as may be after the 31st day of October in every year, make to the Minister a full and accurate report on every institution inspected by him during the preceding year, together with such suggestions for the improvement of the same as he may deem necessary or expedient, and such report shall include the following particulars:—

Suggestions for improvements.

Prison or reformatory.

(a) as to a prison or reformatory,—

- i. a copy of the warden's or superintendent's report to the inspector;
- ii. copies of the chaplain's reports to the inspector,
- iii. a copy of the surgeon's annual report;
- iv. a return of the names, ages, country, calling and offences of the prisoners received during the year, and the county or district from which each came;
- v. a return of the names, ages, callings and offences of the prisoners who died in the prison or reformatory during the year, and the county or district from which each came;
- vi. a similar return of the prisoners liberated during the year on parole or upon the expiration of the term for which they were sentenced;
- vii. a similar return of the prisoners who were pardoned during the year;
- viii. a tabular statement showing the number of prisoners at the date to which the last previous annual report was made up, the number received during the year, the number discharged, the number then in confinement and the average number during the year;
- ix. a balance sheet of the financial affairs of the institution on the 31st day of October of the year reported upon;

- x. a balance sheet for the past year, showing the sum on hand on the 31st day of October, the money received during the year from the Province towards the maintenance of the prison or reformatory, the amount received for prison labour, and also on all other accounts during the year, showing separately the sums paid for food, bedding, clothing and hospital stores for the prisoners, salaries of officers, fuel and light, the erection of new buildings and repairs, the support of the stable, and all other items of expenditure, and the cash on hand at the close of the year;
  - xi. a statement of all debts due by the institution, showing the names of the persons to whom each sum is due, also showing the debts, if any, due to the institution with the amount and nature of each debt;
  - xii. an inventory of all the property, estate and effects of the institution;
  - xiii. an estimate of the receipts and expenditures for the current year;
  - xiv. a statement showing in what manner the prisoners were employed on the 31st day of October of the year reported on, and the average number at each trade or occupation during the year;
  - xv. such other particulars as may be required by the regulations or by the Minister;
  - xvi. a tabulated statement from each gaol showing the number of persons committed, the crimes and offences for which they were committed and such particulars in regard to gaol expenditures and other matters relating to the gaol as the Minister may require;
- (b) as to the Ontario Hospitals and the Ontario Hospital, Insane and epileptics.  
Woodstock;
- i. the superintendent's report to the inspector;
  - ii. statistical tables indicating the number of patients under treatment, together with such other particulars as may furnish information regarding the care and treatment of patients, or as the Minister may require;
- (c) as to every public and private hospital, refuge, orphanage and infants' home, Public and private hospital, refuge, orphanage, infants' home.
- i. the last annual return for each institution made under *The Hospitals and Charitable Institutions Act*; Rev. Stat. c. 359.

- ii. statistical tables indicating for comparison the expenditures under the different headings for maintenance, and indicating the daily per capita cost;
- iii. tables showing the amount contributed towards the support of each institution by
  - (a) private benefactors,
  - (b) municipal corporations,
  - (c) the Government. R.S.O. 1914, c. 301, s. 18; 1919, c. 83, ss. 3, 5.

Court  
houses.

Rev. Stat.  
c. 351.

**16.** The provisions of this Act as to the inspection of gaols and the provisions of *The Gaols Act* as to their construction and repair shall, so far as may be, apply to court houses and lock-ups. R.S.O. 1914, c. 301, s. 19; 1925, c. 81, s. 2.

Assistance  
to inspectors.

**17.** The Minister may authorize such person as he thinks fit to perform, under the supervision of an inspector or otherwise as the Minister may direct, any of the duties of an inspector; and in the performance of the duties such person may exercise the like powers and authorities as are possessed by the inspector. R.S.O. 1914, c. 301, s. 20.

Limitations  
of actions.

**18.** 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. 1914, c. 301, s. 21.

Control of  
admissions  
to institu-  
tions by  
inspectors.

**19.**—(1) Notwithstanding anything in this or any other Act contained, any inspector designated pursuant to section 4 shall control or direct all admissions to the Reformatory for Ontario, the Andrew Mercer Reformatory for Females, any industrial farm, industrial refuge, common or district gaol, or to any Ontario Hospital, and may from time to time remove or transfer any inmate from any said institution to any other said institution.

Hospital  
treatment of  
inmates.

(2) (a) Where the physician or surgeon of any of the said institutions reports to the superintendent or head thereof that any inmate or prisoner requires hospital treatment which cannot be supplied in the said institution, such superintendent or head shall report, in writing if possible, to the said inspector, and the said inspector shall have authority to remove or transfer such inmate or prisoner to any general hospital for treatment.

Expenses of  
treatment.

(b) The charges for such treatment shall be paid by said inmate or prisoner, except where such inmate or prisoner is an indigent and then in the manner provided by section 21 of *The Hospitals and Charitable Institutions Act*. 1925, c. 81, s. 3.

Rev. Stat.  
c. 359.