

CHILDREN AND YOUNG PERSONS ACT, 1949.

**REMAND HOME (PRIVATE ACCOMMODATION)
RULES, 1961.**

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PRICE : 5d.

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I, SIR RONALD HERBERT GARVEY, K.C.M.G., K.C.V.O., M.B.E., Lieutenant Governor of the Isle of Man, in exercise of the powers conferred on me by subsection (3) of section twenty three of the Children and Young Persons Act, 1949 and of all other powers me in this behalf enabling, DO hereby make the following Rules :—

Wardens

1. (1) The Governor may appoint a male warden and a female warden of a remand home.
- (2) The wardens of a remand home shall be responsible for the care and custody of all children and female young persons committed to the remand home, and the discipline of the remand home shall be maintained by the personal influences of the wardens.
- (3) The wardens shall sleep on the premises when any child or female young person is detained in the remand home, and it will be the especial duty of the female warden to attend to the female children and female young persons.
- (4) The male warden and the female warden shall jointly receive a board and lodging allowance at the rate of ten shillings per day or part of a day in respect of each child or female young person detained in the remand home, and shall also receive jointly a responsibility allowance at the rate of one pound per day or part of a day in respect of each child or female young person who is detained in the remand home.
- (5) Any additional expenditure necessarily incurred on behalf of any child or female young person detained in the remand home shall be first authorised by the Government Secretary, and when incurred shall be certified for payment by the Government Treasurer.

Inspection

2. A remand home shall be open to inspection at all times by the visiting Justices and the Government Secretary. A remand home shall also be open for visits at all reasonable hours by Justices of the Juvenile Court Panel and officers of every Court from which the child or female young person is remanded to the remand Home. The Chief Constable shall notify the Clerk to the Justices for the Isle of Man when any child or female young person is committed to a remand home, and the said Clerk to the Justices shall transmit the information to the visiting Justices.

Male young persons not to be committed to remand home

3. A male young person shall not be committed to a remand home.

Segregation

4. Care shall be taken to keep in separation any child or female young person who may be likely to exercise a bad influence over others. Arrangements shall be made for the separation of boys from girls except while under supervision. The sleeping accommodation for boys shall be separate from that for girls. Each boy or girl shall sleep in a separate bed, and shall be supplied with sufficient and varied food.

5. Each boy or girl shall wear his or her own clothing except that where desirable on sanitary or other grounds suitable clothes and shoes similar to those worn in ordinary life, shall be supplied. Suitable outdoor clothing shall also be provided if the child or female young person is taken out in cold or wet weather. Such clothes or outdoor clothing and shoes shall be provided by the parents or guardian of the child or female young person, or in default, by the wardens, upon receiving the requisite authority from the Government Secretary.

Clothing

6. Each child or female young person shall be thoroughly cleansed on admission; and shall be medically examined by a doctor within twenty-four hours, or in cases of difficulty, within forty-eight hours after his or her admission to the remand home; and also in the case of a boy or girl known to be awaiting removal to an approved school, within a similar period before such removal, and also at any other time or times that may be considered necessary by the medical officer or the wardens. Such examinations shall include any steps necessary to ascertain whether any infectious disease is present in cases where reason exists to suspect its occurrence, and may take place either at the remand home, or, if the medical officer desires it, at a suitable clinic.

Medical examination, etc.

7. Any child or female young person known or suspected to be suffering from an infectious disease in the remand home shall so far as is practicable be isolated from others; and where such infectious disease occurs in a remand home, any child or female young person subsequently admitted shall so far as is practicable be kept separate for the necessary period from those who have been in contact with the disease.

Infectious disease

8. The High Bailiff or Clerk to the Justices shall notify the Government Secretary when any child or young person is committed to a remand home. Arrangements shall then be made by the Government Secretary with the Isle of Man Education Authority for suitable educational instruction to be given to any such child of compulsory school age, and in the event of such a child receiving a school meal the Isle of Man Education Authority shall render the prescribed account for such meal to the Government Treasurer for payment. Practical work of a suitable character shall be provided for a female young person.

Educational instruction

9. A child or female young person may be employed within reasonable limits in work connected with the remand home, but children under twelve shall not be so occupied except in light work such as making their own beds or cleaning their own boots.

Employment in remand home

10. A child or female young person shall be allowed not less than two hours daily for recreation and exercise of which not less than one hour shall be spent in exercise in the open air except in inclement weather. A sufficient supply of reading books and games shall be provided and renewed when necessary.

Recreation

11. Arrangements shall be made for the attendance of the child or female young person each Sunday at a religious service at a place of worship. He or she may be visited at convenient times by a minister of the religious persuasion to which he or she belongs.

Religious observance

12. When punishment is necessary for the maintenance of discipline, one of the following methods shall be adopted:—

Maintenance of discipline

- (i) temporary loss of recreation or privileges ;
- (ii) separation from other children or female young persons for a period not exceeding forty-eight hours, subject to the following conditions:—
 - (a) no child under the age of twelve shall be kept in separation ;
 - (b) the room used for the purpose shall be light and airy and kept lighted after dark ;
 - (c) some form of occupation shall be given ;
 - (d) means of communication with a member of the staff shall be provided ;
- (iii) after consultation with the Visiting Justices return to the remand home established under the Remand Home Rules, 1956.

No corporal punishment

13. Corporal punishment shall not be administered.

Medical Officer

14. A doctor shall be appointed as medical officer at every remand home ; and the necessary medical treatment shall be given. The duties of a medical officer shall include regular attendance at the remand home, general supervision of the hygienic conditions of the said premises and of the health of the persons in custody, and the suitable provision of medical attention. If it becomes necessary to remove a person from the remand home to a hospital, clinic, or other place of safety for medical treatment or examination, or if the medical officer is of opinion that on medical grounds a child or female young person should not be further detained in the remand home, the warden shall inform the parent of the child or female young person, the Clerk of the committing Court, and also the Government Secretary.

Operative treatment

15. No operative treatment shall be carried out on a child or female young person without the previous consent of his or her parent or guardian unless either the parent or guardian cannot be found or the condition of the child or female young person is such that any delay would involve unnecessary suffering or injury to health.

Notice of death, illness or disease

16. Should any child or female young person suffer death and any serious illness, infections, disease or accident the wardens shall at once inform the parent or guardian of such child or female young person and shall also notify the Government Secretary. Should any death be violent or sudden it shall be immediately notified additionally by the wardens to the Coroner of Inquests.

Visits by relatives or friends

17. Reasonable facilities shall be given for a child or female young person to receive visits from his or her relatives and friends under a written authority of the Government Secretary and without such authority to send or receive letters.

Register of admissions and discharges, etc.

18. The wardens shall keep a Register of admissions and discharges in which shall be recorded all admissions and discharges, a daily register in such form as may be required by the Government Secretary showing the presence or absence of each child or female young person remanded, and a log book in which shall be entered every event of importance connected with the remand home and all punishments. These books shall be open to inspection by the persons entitled under Rule 2 to inspect or visit the premises.

Absconding

19. Any absconding shall be entered in the log book and in the daily register and a report of each absconding shall be made to the Chief Constable and the Government Secretary.

20. A child or female young person detained in a remand home as a place of safety under the powers conferred by any statute shall be subject to these Rules in the same way as if he had been committed to custody in the remand home established under the Remand Home Rules, 1956 as amended.

**Detention in
remand home as a
place of safety**

21. Each of the wardens shall be entitled to communicate freely with the Government Secretary on matters connected with the remand home.

**Wardens to
communicate
with Government
Secretary**

22. (1) In these Rules the following expressions have the meanings hereby respectively assigned to them, that is to say :—

Interpretation

“remand home” means a remand home provided by the Governor by arrangement with the occupiers of a dwelling house in terms of subsection (1) of section 22 of the Children and Young Persons Act, 1949 ;

“child” means a person who is of compulsory school age ;

“compulsory school age” has the meaning assigned to it by the Education Act, 1949 ;

“young person” means a person who has attained compulsory school age but is under the age of seventeen years ;

“Visiting Justices” means any visiting Justices within the meaning of section 5 of the Prison Act, 1890.

(2) The Interpretation Act, 1949, shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Tynwald.

23. These Rules may be cited as the Remand Home (Private Accommodation) Rules, 1961.

Citation

Given under my hand this 18th day of May, 1961.

R. H. GARVEY,

Lieutenant Governor.