

ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. LV.

An Act to promote the Establishment and Extension of Reformatory Schools in *England*.

[25th *August* 1857.]

FOR promoting the Establishment and Extension of Reformatory Schools in *England*, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Justices of a County or Council of Borough Sessions to grant Money in aid of Reformatory Schools.

I. It shall be lawful for the Justices of the Peace of any County, in General or Quarter Sessions, or for the Council of any Borough having a separate Court of Sessions of the Peace, upon the Application of the Directors or Managers of any Reformatory School for youthful Offenders already established, in whole or in part, by voluntary Contributions, or of the Promoters of a Reformatory School intended to be so established, to make an Order for the Payment of Money in aid of such Reformatory School, or of the Establishment thereof, subject to such Conditions as may be agreed upon between such Justices or Council and such Directors, Managers, or Promoters.

Notice of the proposed Grant to be given.

II. Not less than Two Months Notice shall be given by the Clerk of the Peace of such County, in some Newspaper or Newspapers commonly circulated in such County, of the Day on which any

Motion for such Order under this Act is to be considered, and the Clerk of the Peace of the County shall give such Notice on the Requisition of any Five Justices acting for such County; and every Order by the Council of any Borough for the Payment of Money shall be made at a Special Meeting of such Council to be called for that Purpose, and Notice of such intended Resolution shall be given Two Months before the Meeting of the Council by Advertisement in some Newspaper or Newspapers generally circulating within the said Borough.

Money granted to be applied in Purchase of Site, in building, and for like permanent Objects.

III. The Money ordered to be paid under this Act in aid of a Reformatory School shall be applicable to the following Purposes; *viz.*

Towards defraying the Expenses of purchasing the Site of a School on its First Establishment, or the Site of any Extension or new Establishment for the Purposes of a School already established, or the Expenses of building or fitting up a School on its First Establishment, or erecting, altering, or enlarging or fitting up any Buildings for the Extension or Improvement of a School already established; and the Justices or Council, as the Case may be, shall provide for the Application of such Money accordingly.

No Money to be granted to Schools already established, unless certified under 17 & 18 Vict. c. 86.

IV. Provided, That no Money shall be ordered to be paid under this Act in aid of any Reformatory School established at the Time of the Grant, unless the Institution has been certified by the Secretary of State under the Provisions of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-six, to be useful and efficient for its Purpose, nor shall any Money be paid under any such Order in aid of any School which shall have been so certified in case such Certificate shall have been withdrawn; and in every Case where Money is ordered to be paid under this Act the Plan and Particulars of the School intended to be established or of the Extension or new Establishment for the Purposes of a School already established (as the Case may be) shall, before Payment of Money under the Order, be submitted to and approved of by One of Her Majesty's Principal Secretaries of State.

Plans to be approved by Secretary of State.

Justices or Council may contract with the Managers for the Reception of Offenders from their County or Borough.

V. It shall be lawful for the Justices of the Peace of any County in General or Quarter Sessions (Notice having been given as herein provided in the Case of an Order for the Payment of Money), or for the Council of any Borough having a separate Court of Sessions of the Peace, at a Special Meeting of such Council called for the Purpose, to appoint and empower a Committee of such Justices or Council to enter into an Agreement with the Directors or Managers of any Reformatory School, certified as aforesaid for the Reception and

and keeping in such School from Time to Time of Offenders from such County or Borough sentenced to be detained in a Reformatory School, in consideration of such periodical Payments as may be agreed upon with such Managers or Directors; and such Justices or Council may direct the Payment of the Money which may from Time to Time become payable under such Agreement.

Schools may be visited by Clergymen of Religious Persuasion of Offenders.

VI. In every Reformatory School aided by a Grant of Money under this Act, or in relation to which any such Agreement as last aforesaid shall have been entered into, it shall be lawful, upon the Representations of the Parent, or in case of an Orphan then of the Guardian or nearest adult Relative, of any Offender detained in any such School, for a Minister of the Religious Persuasion of such Offender, at certain fixed Hours of the Day, which shall be fixed by the Managers or Directors for the Purpose, to visit such School for the Purpose of affording Religious Assistance to such Offender, and also for the Purpose of instructing such Offender in the Principles of his Religion.

Monies granted under this Act how to be raised.

VII. All Monies ordered to be paid under this Act by any Justices or Council shall be raised and paid in the same Manner and subject to the same Conditions as Monies to be raised by the Justices or Council respectively for building, rebuilding, or enlarging any Gaol under their respective Management; and all Monies directed to be paid from Time to Time by any Justices or Council, in pursuance of any Agreement under this Act, shall be raised and paid in the same Manner as Monies to be raised for the ordinary current Expenditure of their several Gaols.

Contribution by Parents to the Maintenance of Offenders in a Reformatory School how to be enforced.

VIII. In every Case in which any juvenile Offender shall be sentenced to be detained in a Reformatory School under the said Act of the Seventeenth and Eighteenth Years of Her Majesty, or any of the Acts amending the same, by any Justices of the Peace in Petty Sessions or by any Stipendiary or Police Magistrate in *England* and *Wales*, such Justices or Magistrate, at the Time of passing such Sentence, or within Fourteen Days thereof, may issue a Summons calling upon the Parent or Step-Parent of such Offender to appear before them or him, and on the Hearing of such Summons, whether the Party summoned shall appear or not, may examine into the Ability of such Parent or Step-Parent to contribute to such Offender's Support and Maintenance, and may make an Order upon him or her for the Payment of such weekly Sum (not exceeding Five Shillings) as shall seem reasonable during the whole or any Part of the Detention of such Offender in such Reformatory School; and in every Case in which such Sentence of Detention shall be passed by any Court of Assize

Assize or Quarter Sessions in *England* and *Wales*, such Court shall direct any Officer of the same to certify the said Sentence to the next Meeting of Justices in Petty Sessions for the District or Town from which such Offender shall have been committed (or to any Police or Stipendiary Magistrate of the said District, as the Case may be), and such Justices or Magistrate may proceed to summon the Parent or Step-Parent of such Offender, and to make an Order upon him or her in manner herein-before provided, as if the Sentence had been passed by themselves or himself in due Course of Law.

Proceedings for enforcing Contribution may be taken at any Time during the Detention of the Offender.

IX. In any Case wherein no such Order shall have been made as herein-before provided, it shall be lawful, at any Time during the Detention of such juvenile Offender, for any Two Justices of the Peace or any Police or Stipendiary Magistrate in *England* or *Wales* acting for the County or Borough or other Jurisdiction within which the Parent or Step-Parent of such Offender shall be residing, on the Complaint of any Person authorized by One of Her Majesty's Principal Secretaries of State to take Proceedings under the said Acts or any of them, to summon such Parent or Step-Parent before them, and to examine into his or her Ability, and to make such Order for a Sum not exceeding Five Shillings *per* Week to be paid by him or her as aforesaid.

Power to remit, reduce, or increase the weekly Payments, but not to exceed Five Shillings weekly.

X. Provided also, That it shall be lawful for any Two Justices of the Peace or for any Police or Stipendiary Magistrate in *England* or *Wales* from Time to Time, on the Representation of such Parent or Step-Parent, or any Person authorized by the Secretary of State to take Proceedings as aforesaid, at any Time while the First Order continues in force, to make further Inquiry into the Parent's or Step-Parent's Ability, and to remit or lessen the Amount of the weekly Payment that shall have been previously assessed upon him or her, or to increase the same, if they see Cause so to do, so that the Amount shall not in any Case exceed Five Shillings weekly.

Payments how to be made.

XI. All such Payments shall be directed by the Order to be made to some Person to be appointed by One of Her Majesty's Principal Secretaries of State to receive such Payments within the Jurisdiction of the Court or Justices or Police or Stipendiary Magistrate making the Order, or to his Agent duly authorized in that Behalf, by him to be accounted for and paid over as the Commissioners of Her Majesty's Treasury may direct.

Provisions of 18 & 19 Vict. c. 87. in case

XII. All the Provisions of the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighty-seven,

seven, which have Reference to the Case of Default being made in the Payment of any Sum of Money which may have become payable by any Parent or Step-Parent under an Order made by virtue of that Act, shall be applicable in every respect to every Case of Default in the Payment of any Sums directed to be paid by any Order made under and by virtue of the present Act; and so much of Section Two of the said Act of the Eighteenth and Nineteenth Years of Her Majesty as is inconsistent with the Provisions herein-before contained shall be repealed.

of Default in Payment by Parents to be applicable to the Purposes of this Act.

XIII. Whereas it is expedient to make further Provision for the due Care and Protection of juvenile Offenders discharged from Reformatory Schools: It shall be lawful for the Managers of any Reformatory School, previous to making Application for the Discharge of any juvenile Offender committed to such School, to place such Offender on Trial with some Person, to be named in the Licence herein-after, most willing to receive and take charge of him, and to grant to such Offender a Licence under their Hands or the Hand of any One of them to reside with such Person for any Term not exceeding Thirty Days, unless sooner called upon by the said Managers to return to the said School, and to require such Offender to return to the said School at any Time during the same; and such Managers shall bring back such Offender to the said School at the Expiration of the said Term, provided that such Offender shall not have been previously discharged from the School by Order of the Secretary of State; and any Offender who shall abscond from such Person during such Term, or shall refuse to return to the Reformatory School at the End of such Term, or before the End of the Time, when so required, shall be held to have absconded from the School, and shall be liable to the Penalties in that Case made and provided: Provided always, that no such Offender shall be so placed out before the Expiration of One Half of the Term of Detention to which he was originally sentenced.

Provision for Care of juvenile Offenders when discharged from Reformatory Schools.

XIV. Any Person who, knowing any young Person to have been withdrawn or to have absconded from any such School or Institution as aforesaid, shall harbour or conceal or assist in concealing such young Person, or prevent him or her from returning to such School or Institution, shall be liable to the Penalty imposed by an Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter One hundred and nine, on any one wilfully withdrawing or inducing any young Person to abscond from any such School, to be recovered and applied in manner therein mentioned, and failing Payment thereof shall be liable to be imprisoned, as in the said Enactment mentioned.

Penalty for harbouring any young Person absconding from a Reformatory.

XV. In this Act the Word "County" shall mean and include every Riding, Part, or Division of a County, and every Liberty having

Interpretation of Terms.

a separate Commission of the Peace; and the Word "Borough" shall include every City or other Place mentioned in the Schedules to the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, (to provide for the Regulation of Municipal Corporations in *England* and *Wales*,) or to which a Charter of Incorporation has since been granted.

Act to extend only to England.

XVI. This Act shall extend only to *England*.

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