

CHAPTER 436

THE TRAINING SCHOOLS ACT

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TRAINING SCHOOLS

(14th May, 1891.)

4/1891.
2/1897.
S.R.O. 22/1956.
18/1989.

1. This Act may be cited as the Training Schools Act. **Short title.**

2. In this Act— **Interpretation.**

"Court" means the High Court or any Judge thereof whether or not sitting as Judge in a Circuit Court and also any district Magistrate;

"inmate" means any person kept in a Training School under an order of a Court, or of the Governor-General under the provisions of this Act;

"Magistrate" means a District Magistrate;

"superintendent" means the person for the time being in charge of a Training School;

"Training School" means any school established under this Act for the reformation, education and training of persons under the age of eighteen years; they also include the words Reformatory and Industrial School; and also include any ship or vessel which may be used as a Training School and also any place where the inmate of any such Training School is permitted to live outside of such Training School on licence.

3. It shall be lawful for the Cabinet to establish and maintain Training Schools in such parts of Antigua and Barbuda as they may think fit, and the provisions of this Act shall apply to any schools established under any repealed Act. **Cabinet may establish and maintain Training Schools.**

4. The Public Service Commission may appoint such superintendents, matrons, instructors and servants to such Training Schools as aforesaid as may be necessary, provided **Public Service Commission may appoint officers thereto.**

that the total liability thereby incurred shall not exceed such amounts as have been previously voted by Parliament for the purpose aforesaid and every such person may receive such salary as may be provided for the office by Parliament and all such persons as aforesaid shall hold their appointments during pleasure.

Cabinet to make regulations for schools.

5. The Cabinet may make regulations with respect to the following matters:

- (a) The management of a Training School;
- (b) The discipline and punishment of the inmates of a Training School;
- (c) The maintenance, instruction and employment of the inmates of a Training School;
- (d) The conveyance of inmates or persons about to become inmates of a Training School to and from the same;
- (e) The sanitary care of inmates of a Training School;
- (f) The defining of the period during which the inmates of a Training School may be therein kept regard being had to the reformation, education and training of such inmates;
- (g) The allowing of the conditional or unconditional departure from a Training School of the inmates thereof;
- (h) The permitting of inmates to live outside the Training school on licence, and also the form of such licence;
- (i) The enforcing of any regulations made under this section by fine, whipping, imprisonment or other punishment and such regulations when made and published in the Gazette shall until cancelled be deemed to be of the same force in law as if they had been enacted in this Act:

Proviso.

Provided that all regulations made under this Act shall be laid before Parliament for approval after the making of such regulations:

Provided also that no act or thing which has been done under the authority of any such regulations shall be deemed to be unlawful or invalid.

6. Subject to the provisions of any regulations the superintendent may at any time with the sanction of the Governor-General by licence under his hand permit any inmate to live outside a Training School with any trustworthy and respectable person willing to receive and take charge of him. **Inmates may live outside on licence.**

7. such licence as aforesaid may be for any time which the Governor-General may direct, and may be revoked at any time by the superintendent by writing under his hand, and after the expiration or revocation of any such licence as aforesaid the inmate to whom it relates may be required to return to the Training School. **Length of licence and revocation of licence.**

8. Any inmate of a Training School and any inmate of a Training School who is permitted to live outside such school on licence who (i) without leave quits such school or (ii) quits the control of the person with whom he is permitted to live or (iii) refuses to return to such school when a licence has expired or been revoked may be arrested without a warrant and brought back to the Training School and if the superintendent thinks fit such inmate may be charged on complaint before a Magistrate and shall on conviction be liable to be imprisoned for a period not exceeding three months. **Inmates quitting a school without leave.**

9. Any person charged before a Magistrate under the last preceding section shall be returned to the Training School under an order of the Magistrate; forthwith if not convicted, and on the satisfaction of the order made by the Magistrate, if convicted. **Inmate charged before Magistrate to be returned to school.**

10. Any board, authority or person which or whom the Governor-General may appoint for the purpose may institute proceedings against any parent or person having charge of a child apparently under the age of fourteen years who wilfully neglects to provide adequate food, clothing, medical aid or lodging for such child whereby the health of **Who may institute proceedings for neglect of child.**

such child has been or is likely to be seriously injured, and may pay the costs of such proceedings out of the funds voted to such board, authority or person by Parliament.

Magistrate may send neglected child to a school.

11. Where any such board, authority or person as aforesaid has instituted such proceedings as in the last preceding section mentioned and it is proved to the satisfaction of the Magistrate that the parent or person having charge of such child as therein mentioned has been guilty of neglect as therein mentioned whether wilful or otherwise it shall be lawful for the Magistrate to order such child as aforesaid to be taken to a Training School.

Young vagabonds may be sent to a school.

12. Where any person apparently under the age of sixteen years is found wandering about without having any fixed abode or any visible means of support or in the company of rogues, vagabonds, disorderly persons or reputed criminals he may be brought before a Magistrate and the Magistrate may order him to be taken to a Training School.

Persons under 16 convicted and liable to imprisonment may be sent to a school.

13. Whenever any person who in the judgment of the Court before which he is charged is apparently under the age of sixteen years is convicted of an offence punishable with imprisonment or with imprisonment with hard labour either summarily or upon indictment such Court as aforesaid instead of imposing a sentence of imprisonment or imprisonment with hard labour may order him to be taken to a Training School.

Court not to specify period for which a person is to remain at a Training School.

14. Where any Court orders any person to be sent or taken to a Training School, the court shall not specify the period during which such person as aforesaid is to remain in such Training School except so far as relates to the maximum age up to which he may remain an inmate of a Training School as prescribed by this Act.

Form of order.

15. Where any Court orders any person to be sent or taken to a Training School whether under the provisions of this or any other Act now or hereafter to be in force in Antigua and Barbuda empowering a Court to send any person to a Training School the order may be in the form set forth in the Schedule, or as near thereto as the circumstances of the case allow or in any other form which may be allowed or prescribed by such other Act as aforesaid.

Schedule.

16. (1) Where any person is ordered to be sent or taken to a Training School whether under the provisions of this Act or under the provisions of any Act now or hereafter to be in force he may be taken to a Training School and shall be subject to the provisions of this Act and shall remain at such Training School until he attains the age of eighteen years unless he be sooner allowed to depart therefrom by order of the Governor-General.

Inmate of school to remain therein till age of 18.

(2) A copy of the order shall be delivered to the superintendent of the Training School to which such person is sent, and shall be full and sufficient authority to any person to convey the person mentioned in the order to the superintendent of a Training School and to the superintendent of any Training School to keep the person so named in the order. A copy of any such order purporting to be signed by a Judge or Magistrate or clerk shall be admitted as *prima facie* evidence in any Court without proof of the signature and without proof that such order has been rightly made.

Copy of order to be delivered to the superintendent and to be evidence.

17. It shall be lawful for the superintendent of a Training School to keep any person ordered to be sent or taken to a Training School until such person shall be known to have attained the age of eighteen years, or for such time as may be prescribed by the regulations made by the Governor-General as hereinbefore mentioned:

Time during which a person may be kept at a school.

Provided that he shall not remain in such school after he is known to have attained the age of eighteen years.

18. The Governor-General may at any time order that any inmate of a Training School be removed to another Training School:

Governor-General may remove inmate from one school to another.

Provided that he shall remain in any such school after he is known to have attained the age of eighteen years.

Proviso.

19. The Governor-General may order that any person apparently under the age of sixteen years who is undergoing a sentence of imprisonment in any prison in Antigua and Barbuda or who is an inmate of any poor-house be removed and taken to a Training School.

Governor-General may transfer prisoner or pauper under 16 years of age to a school.

20. Any person removed from a prison or poor-house to a Training School as in the last preceding section mentioned shall be subject to all the provisions of this Act as

Prisoner or pauper removed to school to be subject to this Act.

though he had been originally sent to a Training School by a Court.

Governor-General's order to be authority in certain cases for keeping person at a school.

21. Any order under the hand of the Governor-General as in sections 18 and 19 mentioned shall be of the same authority to the superintendent of the Training School to whom it is directed for the keeping thereof of the person named therein as if it had been issued by a Court as mentioned in section 14.

Governor-General may permit inmate to leave.

22. It shall be lawful for the Governor-General at any time to permit any inmate of a Training School to leave such school either unconditionally or conditionally.

Orders for maintenance.

23. A Magistrate may on the application of a superintendent or of any person authorized in writing by a superintendent order that any person liable by law to support any inmate shall contribute such sums and at such times as the Magistrate may allow, for the support of such inmate.

How enforced.

24. Every order made on any person to contribute to the maintenance of an inmate of a Training School shall specify the time during which payment of such contribution is to be made and may direct the payment to be made till further order and every such order may be enforced as if it was an order made by a District Magistrate to pay a fine on a summary conviction in the manner and form prescribed by the Magistrate's Code of Procedure Act. The superintendent of any Training School or any person authorized by him in writing may at any time enforce compliance with such order.

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Contributions to maintenance to be paid to Treasury.

25. The payment made in respect of every such contribution shall be paid into the Treasury.

Protection to employees in a school.

26. Every person employed in a Training School shall when acting within the scope of his employment have and enjoy the same privileges and protections as a police or prison officer has and enjoys under any law for the time being in force relating to the Police Force, or to the custody of prisoners.

27. Every person who—

Offences against this Act.

(a) knowingly assists directly or indirectly any inmate of a Training School to quit such school except as provided by this Act; or

(b) directly or indirectly induces any inmate of a Training School to quit such school except as provided by this Act; or

(c) knowingly harbours conceals or prevents from returning to such school as aforesaid any inmate thereof who has quitted the same except as provided by this Act;

may be prosecuted on complaint before a District Magistrate under the Magistrate's Code of Procedure Act, and shall on conviction be liable to be imprisoned with or without hard labour for a period not exceeding four months or to pay a fine not exceeding one thousand dollars.

28. When the exact age of any person subject or likely or alleged to be subject to the provisions of this Act is unascertainable, it shall be sufficient for all the purposes of this Act to ascertain the approximate age of such person. And no person acting *bona fide* under this Act shall be liable in an action for any act done thereunder where the plaintiff claims damages upon the ground that he was either over or under a certain age when the act complained of was done.

As to the ascertaining of a person's age.

SCHEDULE

S.15

In the High (or Magistrate's) Court.

ANTIGUA AND BARBUDA

(DISTRICT)

To X. Y., and to the Superintendent of the Training School at

WHEREAS A. B. of was on this day convicted before the High Court (or the Magistrate for district for that (stating the offence as in

the conviction) and was liable to be sentenced to be imprisoned in the common prison of (and there to be kept to hard labour) [or WHEREAS **A.B.**, of was on this day found by me the Magistrate for district to be subject to the provisions of the section of this Act (or as the case may be) and was ordered to be sent to the Training School.]

THESE ARE THEREFORE to command you the said X. Y., or to take the said **A. B.**, and him safely to convey to the Training School at aforesaid and there to deliver him to the said superintendent thereof together with this order and I do command you the said superintendent to receive the said **A. B.** into your custody in the said school and there to keep him until he shall attain the age of eighteen years, or, until he shall sooner be lawfully allowed to depart from such school.

Given under my hand and the seal }
of this Court this day }
of , 19 at }
in Antigua and Barbuda. }
