

Rules

RULES, DATED 24TH JULY, 1952, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER PARAGRAPH 1 OF THE FOURTH SCHEDULE TO THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND), 1950.

1952. No. 132

The Ministry of Home Affairs by virtue of the powers conferred upon it by paragraph 1 of the Fourth Schedule to the Children and Young Persons Act (Northern Ireland), 1950, and of all other powers enabling it in that behalf, hereby makes the following Rules :—

1. These Rules may be cited as the Training School Rules (Northern Ireland), 1952.

2. These Rules shall come into operation on the 1st day of October, 1952.

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

“ the Act ” means the Children and Young Persons Act (Northern Ireland), 1950 ;

“ the Ministry ” means the Ministry of Home Affairs for Northern Ireland ;

“ Fire Service ” means in the area of the County Borough of Belfast the Belfast Fire Brigade and elsewhere in Northern Ireland the Northern Ireland Fire Authority ;

“ school ” means a training school approved by the Ministry under section one hundred and six of the Children and Young Persons Act (N.I.), 1950 ;

“ Board of Management ”, in relation to a training school established or taken over by a local authority, means the local authority, and, in relation to any other training school, other than those under Government ownership, means the persons for the time being having the management or control thereof ;

“ Manager ” means the person appointed by the Board of Management to take charge of the school ;

“ Inspector ” means any one of the Inspectors appointed by the Ministry of Home Affairs under section one hundred and thirty-six of the Children and Young Persons Act (N.I.), 1950.

Management

4. Two at least of the Board of Management of a boys' school shall be women, and two at least of the Board of Management of a girls' school shall be men.

5. The Board of Management shall appoint a finance committee and such other committees as they think necessary for the efficient management of the school. Any committee so appointed shall have such powers or duties as the Board of Management may determine.

6. The Board of Management shall appoint one of their number to be Chairman.

7. The Board of Management shall notify to the Ministry the names and addresses of their members and shall similarly notify any change due to death, retirement or other cause.

8. The Board of Management shall meet so far as practicable once a month at the school.

9. The Board of Management and any committee appointed by them shall keep minutes of their proceedings and these minutes shall be open to inspection by an Inspector of the Ministry.

10.—(1) The Board of Management shall maintain an efficient standard throughout the school and for this purpose they shall take into consideration any report which may be communicated to them by or on behalf of the Ministry.

(2) It shall be the duty of the Board of Management to ensure that the condition of the school and the training, welfare and education of the boys and girls under their care are satisfactory, and for this purpose they shall pay frequent visits to the school.

(3) The school shall be visited at least once a month by at least one member of the Board of Management, who shall satisfy himself regarding the care of the boys or girls and the state of the school, and shall enter his conclusions in the Log Book or other convenient record kept at the school.

(4) The Board of Management shall exercise an effective control over all expenditure.

11. The name of the school shall be chosen by the Board of Management subject to the approval of the Ministry.

Accommodation

12.—(1) The number of boys or girls resident in a school at any time, whether sent under the provisions of the Act or not, shall not exceed such number as may be fixed for that school from time to time by the Ministry.

(2) Except with the special authority of the Ministry the Board of Management shall not receive or retain in the school any boy or girl otherwise than in accordance with the classification of the school as determined by the Ministry in pursuance of sub-section (1) of section one hundred and nine of the Act.

Stores Accounting and Stocktaking

13.—(1) The Board of Management shall arrange for the introduction of a system of stores accounting to ensure that adequate control is exercised over the various supplies of materials, equipment and other stores purchased for use at the school.

(2) Arrangements shall be made by the Board of Management for a complete stocktaking to be held at the school not later than 31st March each year, and for a copy of the stocktaker's report to be furnished to the Ministry.

Fire Precautions

14. The Board of Management shall —

- (a) obtain the advice of the Fire Service before opening a new Training School or making any structural alterations to an existing school ;
- (b) arrange for the periodic inspection of the school by the Fire Service ;
- (c) ensure that fire drills are carried out at regular intervals so that the staff and the pupils are well versed in the procedure for saving life in case of fire ;
- (d) arrange for a report to be sent to the Ministry forthwith in the event of an outbreak of fire in the school.

Appointment of Staff

15.—(1) The Board of Management shall be responsible for the appointment, suspension or dismissal of the staff of the school : provided that no person shall be appointed to the staff of the school without the Ministry's approval.

(2) Any vacancy for a manager shall be advertised unless the Board of Management obtains the consent of the Ministry to dispense with this requirement.

16. The manager, deputy manager, matron, teachers and instructors shall be employed under a written agreement, or, in the case of a local authority school, under a minute of the local authority.

17. Except with the consent of the Ministry no member of the staff shall be retained after he has reached the age of 65 years.

18. In every school, not being a local authority school, the Board of Management shall cause to be given to every member of the staff who is not eligible for superannuation under the Teachers' Superannuation Acts immediately on his or her appointment a copy of the superannuation scheme approved by the Ministry, and shall take such steps as are necessary to allow any eligible member to enter the scheme.

Manager

19.—(1) The manager shall be responsible to the Board of Management for the efficient conduct of the school.

(2) He shall keep a Register of Admissions and Discharges in which shall be recorded all admissions, licences, revocations of licences, recalls, releases and discharges ; a Log Book in which shall be entered every event of importance connected with the school ; a Daily Register of the presence or absence of each boy or girl ; and a Punishment Book. These shall be available for inspection by the Board of Management at all times. The Log Book shall be laid before the Board of Management at each of their meetings and shall be signed by the chairman.

(3) The manager shall not incur any expenditure, other than petty expenditure within a limit approved by the Board of Management, without their previous sanction or that of a member of the Board authorised to act on their behalf.

20. The manager, with the approval of the Board of Management, shall determine the duties of the other members of the staff. These duties may include duties connected with the supervision of the boys or girls in the school, their recreation and their after-care.

21. The manager shall obtain the authority of the Board of Management and shall also notify the Ministry before leaving the school for more than two days.

22.—(1) Where there is no deputy manager the Board of Management shall appoint in writing the principal teacher or other experienced member of the staff to exercise the functions of the manager during the manager's absence and shall communicate to the Ministry the name of the person so appointed.

(2) The deputy manager (or, as the case may be, the person appointed under paragraph (1) of this Rule) shall exercise the functions of the manager during the manager's absence and such of these Rules as relate to the powers and duties of the manager shall apply accordingly.

23. As soon as practicable after the admission of a boy or girl the manager shall inform the parent or guardian of his or her arrival.

Care of Boys and Girls

24. Each pupil shall be provided with a separate bed and shall be kept supplied with suitable clothing similar to that worn in ordinary life.

25.—(1) Sufficient and varied food, based on a dietary scale to be drawn up by the Board of Management after consultation with the manager and medical officer, shall be provided. The dietary scale shall include a list of dishes and a table of quantities to be supplied to each pupil.

(2) The dietary scale shall be subject to the approval of the Ministry, and, except as provided for by Rule 39 (c), no substantial

alteration shall be made in it without the Ministry's approval. A copy shall be kept posted in the school dining-room.

School Routine

26.—(1) The daily routine of the school (including the hours of rising, school-room instruction and practical training, domestic work, meals, recreation and retiring) shall be in accordance with a scheme drawn up by the Board of Management and approved by the Ministry.

(2) A copy of the daily routine shall be kept posted in some conspicuous place in the school.

(3) Any substantial deviation from the daily routine shall be entered in the Log Book and a notification shall be sent forthwith to the Ministry.

Education

27.—(1) The education of the pupils in the school shall be based on the principles of the Education Act (Northern Ireland), 1947, so as to secure efficient full-time primary or secondary education suitable to the age, ability and aptitude of each individual boy or girl while of compulsory school age and his or her further education thereafter as long as he or she remains in the school.

(2) The school-room time-table and syllabus shall be subject to the approval of the Ministry and a copy of the time-table shall be kept posted in the school-room.

28.—(1) The practical training of all pupils shall be in accordance with a scheme drawn up by the Board of Management and approved by the Ministry. Any substantial deviation from the scheme shall be recorded in the Log Book and a notification shall be sent forthwith to the Ministry.

(2) The practical training given to pupils over compulsory school age shall so far as practicable be directed to their preparation for a particular form of employment; regard shall be had to the capacity and preference of each pupil and in all suitable cases the parent or guardian shall be consulted.

29. The attendance of pupils at classes within the school (including classes of practical training) shall be recorded in registers kept for that purpose, and a separate register shall be maintained for each class.

Employment

30. No pupil shall be employed in such a way as to impair his or her capacity for profiting by instruction or to deprive him or her of reasonable recreation and leisure. Children under 12 shall not be employed except in light work such as making their own beds or cleaning their own boots or shoes.

Religious Instruction

31.—(1) Each day shall be begun and ended with prayer. So far as practicable arrangements shall be made for the attendance of the pupils each Sunday at a place of public worship.

(2) Holy days shall be observed in such manner as the Board of Management deem proper.

(3) Where adequate arrangements can be made religious instruction shall be given suited to the age and capacity of the pupils.

(4) Where the manager of a school for boys or girls of a particular religious persuasion has consented to receive a pupil who does not belong to that religious persuasion arrangements shall be made so far as practicable for such pupil to receive religious assistance and instruction from a minister of the religious persuasion to which he or she belongs.

Recreation, Visits and Letters

32.—(1) Adequate provision shall be made for free time and recreation including organised games and walks and visits outside the school boundaries ; and except in bad weather at least one hour daily shall be spent in the open air.

(2) If a cadet contingent is maintained at the school, enlistment shall not be compulsory and training or drill shall not be used as a means of enforcing school discipline.

33.—(1) So far as reasonably possible, a holiday away from the school shall be arranged annually.

(2) Home leave shall be granted to each boy or girl each year unless circumstances make it undesirable.

(3) Except with the permission of the Ministry home leave shall not be granted in excess of sixteen days at any one time or twenty-four days in any year.

34. Boys and girls shall be encouraged to write to their parents at least once a month and for this purpose postage stamps shall be provided by the Board of Management.

35. Permission shall be given to receive letters from parents, relatives and friends and, at such reasonable intervals as the Board of Management may determine, visits from them shall be allowed.

36. Arrangements shall be made for the giving of pocket money each week subject to such conditions as may be approved by the Ministry.

37. The Manager may suspend any of the facilities mentioned in Rules 35 and 36 of these Rules if he is satisfied that they interfere with the discipline of the school ; and any such suspension shall be recorded in the Log Book.

Discipline and Punishment

38. The person in charge of the school shall ensure that generally order is maintained by his personal influence and understanding and that of his staff, aided by a system of rewards and privileges which shall be subject to the Ministry's approval, and resort to corporal punishment shall be avoided as far as possible.

39. Where correction is needed for minor acts of misbehaviour one of the following methods shall be adopted :—

- (a) Forfeiture of rewards or privileges (including pocket money).
- (b) Temporary loss of recreation in which case the offender shall be required to perform a useful task.
- (c) Alteration of meals for a period not exceeding three days : provided that any such alteration shall be within the limits of a special dietary scale drawn up by the Board of Management after consultation with the manager and the school medical officer, and approved by the Ministry.
- (d) Separation from other pupils : provided that this punishment shall only be used in exceptional cases and subject to the following conditions :—
 - (i) No boy or girl under the age of twelve shall be kept in separation.
 - (ii) The room used for the purpose shall be light and airy and kept lighted after dark.
 - (iii) Some form of occupation shall be given.
 - (iv) Means of communication with a member of the staff shall be provided.
 - (v) If the separation is to be continued for more than 24 hours, the written consent of a member of the Board of Management shall be obtained and the circumstances shall be reported immediately to the Ministry.

40.—(1) Where corporal punishment is found necessary its application shall be in accordance with the following conditions :—

- (a) It shall be inflicted only on the hands or posterior with a light cane and shall not exceed six strokes in the case of a boy or girl over 10 years of age, and 2 strokes in the case of a boy or girl over 8 and under 10 years of age.
- (b) It shall not be administered by any person other than the person in charge of the school or in his absence his duly authorised deputy.
- (c) A second member of staff shall invariably be present to witness the proceedings.
- (d) No caning shall be administered in the presence of another boy or girl.
- (e) Any boy or girl known to have a physical or mental disability shall not be subjected to corporal punishment without the sanction of the medical officer.

(2) The mental state of boys or girls who render themselves liable to repeated corporal punishment shall be carefully investigated by the medical officer.

41. Notwithstanding the provisions of the preceding Rules 39 and 40 (b), (c) and (d), for minor offences committed in the school-room by boys or girls, the principal teacher may be authorised by the Board of Management to administer with the cane not more than two strokes on each hand.

42. Where the principal teacher is authorised as in Rule 41 to administer corporal punishment, he shall keep a book to be known as the School-room Punishment Book and he shall at once enter therein any corporal punishment inflicted by him under Rule 41.

43.—(1) The manager shall be responsible for the immediate recording of all corporal and other serious punishment in the Punishment Book which he is required to keep under Rule 19, except corporal punishment inflicted by the principal teacher under Rule 41.

(2) The manager shall examine the School-room Punishment Book, if any, at least once a week and shall sign it.

(3) The Punishment Book (and the School-room Punishment Book, if any) shall be examined at each meeting of the Board of Management and shall be signed by the chairman. They shall also be shown to the school medical officer at least once a quarter.

(4) At the commencement of each quarter, the manager shall furnish to the Ministry a return giving particulars of corporal punishment imposed during the preceding three months.

44. Except as provided by these Rules, no member of the staff shall inflict any kind of corporal punishment. The term "corporal punishment" includes striking, cuffing, shaking or any other form of physical violence. Any person who commits a breach of this Rule shall render himself or herself liable to dismissal.

45. No pupil shall be allowed to administer any form of punishment to any other pupil.

Placing-out and After-care

46.—(1) It shall be the duty of the Board of Management to place out on licence each boy or girl as soon as he or she has made sufficient progress in his or her training; and with this object in view they shall review the progress made by each boy or girl and all the circumstances of the case (including home surroundings) towards the end of his or her first year in the school and thereafter as often as may be necessary and at least quarterly.

(2) At each review the Board of Management shall consider the date at which the boy or girl is likely to be fit to be placed out on licence

and for this purpose they shall receive and consider a report from the manager made after consultation with the staff.

(3) Where there is reason to believe that a boy or girl can be placed out on licence during the first twelve months of detention, the case shall be reported by the Board of Management to the Ministry with a view to its consent being obtained.

(4) The Board of Management shall maintain a Licensing Register showing the date and result of their review of each case and the reason for their decision.

47. The Board of Management shall see that every effort is made to obtain suitable employment for each boy or girl who is fit for release on licence and for this purpose they shall avail themselves where necessary of any help that can be obtained, whether from public organisations or private individuals. Where the home is unsatisfactory they shall place the boy or girl in a hostel or other suitable lodging.

48. The Board of Management shall provide every pupil on leaving with a sufficient outfit, and, if necessary, with a reasonable sum for travelling and subsistence, and they shall communicate with the parent or guardian and the local authority, if any, responsible for his or her maintenance.

49. It shall be the duty of the Board of Management to ensure that adequate arrangements are made for the after-care of every pupil released from the school until the statutory period of supervision expires and, subject to the approval of the Ministry, they shall appoint for each pupil a suitable person to carry out his or her after-care.

Medical Officer

50. The Board of Management shall appoint a Medical Officer whose duties shall include :—

- (a) a thorough examination of each boy or girl on admission and shortly before leaving the school ;
- (b) a quarterly inspection of each boy or girl ;
- (c) a quarterly general inspection of the school from the hygiene point of view and advice as to dietary and general hygiene ;
- (d) the examination and treatment of all sick and ailing boys or girls ;
- (e) the keeping of medical records in a form approved by the Ministry ;
- (f) the furnishing of such reports and certificates as the Board of Management may require.

Dental Treatment

51.—(1) Adequate arrangements shall be made by the Board of Management to enable each boy or girl to receive dental examination

and such treatment as may be necessary from a dentist shortly after admission to the school and thereafter at least once in every six months.

(2) For each boy or girl who normally attends a Primary School outside the Training School, the fullest possible use shall be made of the dental services provided by the Health Authority.

(3) A dentist specially appointed for duty at a Training School shall keep a record of his work in a form approved by the Ministry.

Notification of Illness, etc.

52.—(1) Any occurrence of death, infectious disease or accident shall at once be reported by the manager to —

(a) the Ministry, and

(b) the parent or guardian of each boy or girl concerned.

The manager shall also furnish a report to the Ministry if any member of staff is involved.

(2) Each notification to the Ministry in regard to an accident shall be accompanied by a full explanation of the circumstances in which it occurred, together with a report from the Medical Officer as to the extent of the injury or injuries sustained.

Records

53. The Board of Management shall arrange for the keeping of all registers and records required by the Ministry and shall cause to be sent to the Ministry such returns, statements and other information as may be required from time to time.

Promulgation of Rules

54. The manager shall cause a copy of these Rules to be given to each member of the staff, including the Medical Officer and the dentist.

Inspection

55. The Board of Management shall arrange that the school shall be open at all times to inspection by or on behalf of the Ministry and they shall give all facilities for the examination of the books and records of the school.

General

56. Where, in the opinion of the Board of Management, it is desirable in the special circumstances of any case that the provisions of one or more of the foregoing Rules should not apply, a special arrangement may be made with the prior consent of the Ministry.

57. These Rules are in substitution for those in force hitherto and, where appropriate, shall apply to Government-owned training schools.

58. The Interpretation Act, 1889, shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 24th day of July, Nineteen Hundred and Fifty-two in the presence of

(L.S.)

J. B. O'Neill,

Assistant Secretary.

COUNTY COURT RULES

Business Tenancies, p. 59

| *Rent Restriction Law, p. 73*

**BUSINESS TENANCIES (TEMPORARY PROVISIONS) ACT
(NORTHERN IRELAND), 1952**

County Court Rules (Northern Ireland), 1952

1952. No. 45

WE, the undersigned members of the County Court Rules Committee, appointed by the Lord Chief Justice of Northern Ireland under sub-section (3) of section two of the County Courts (Salaries and Rules) Act (Northern Ireland), 1947, by virtue of the powers vested in us in this behalf, do hereby make the Rules hereinafter set forth as Rules to be in force in proceedings in the County Courts under the Business Tenancies (Temporary Provisions) Act (Northern Ireland), 1952, and do hereby certify the same under our hands and submit them to the Lord Chief Justice of Northern Ireland accordingly.

(Signed) *Bernard J. Fox*
Isaac Copeland
Charles Stewart
Samuel Cumming
G. H. Pollock

I approve of these Rules which shall come into force on the 2nd day of April, 1952.

Dated the 2nd day of April, 1952.

MacDermott,
Lord Chief Justice of Northern Ireland.