

Mr. G. W. Russell.

LUNATIC ASYLUMS BOARD OF INQUIRY.

ANALYSIS.

Title.	3. Appeal to the Board. Procedure.
1. Short Title.	4. Powers of the Board.
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A BILL INTITULED

AN ACT to Create Boards of Inquiry in connection with the Lunatic Asylums. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is "The Lunatic Asylums Board of Inquiry Act, 1896," and it shall form part of and be read with "The Lunatics Act, 1892," which is hereby amended so far as this Act alters and amends the provisions of the said Act. Short Title.

2. In connection with each public lunatic asylum there shall be a Board of Inquiry, consisting of three persons, as follow: The senior Stipendiary Magistrate of the district in which the asylum is situated, who shall be Chairman of the Board; one of the Visiting Justices, who shall be appointed by the Governor in Council; and such other person (who may be, but shall not necessarily be, an employé at the asylum) as may be elected by the employés at the asylum. The mode of election of the last-named member of the Board shall be prescribed by the Governor in Council by regulation made in that behalf. Board of Inquiry.

3. Any person employed at an asylum who considers himself or herself aggrieved by dismissal, fine, reduction of status, or by any other punishment shall be entitled to appeal by sending notice to the medical officer in charge, who shall, within twenty-four hours of the receipt of such appeal, transmit the same to the Chairman. On receipt of the appeal the Chairman shall notify the other members of the Board, the appellant, and the medical officer in charge, of the date and hour when the appeal will be heard. The date of hearing the appeal shall be not longer than ten days from the date of the receipt of such appeal by the medical officer in charge. At such hearing the Board shall hear the parties, and take such evidence as may be offered. Either party may appear by counsel, and the proceedings shall be open to the Press. The appeal shall be heard in a suitable room at the asylum. Appeal to the Board.

4. If at the hearing the Board finds that the punishment inflicted was undeserved, or was excessive, the Board shall have power to order that the appellant, if dismissed, shall be reinstated, or to award such other judgment as the circumstances may in its opinion have demanded. If the Board finds that the punishment inflicted was justified, or that the appellant was neglectful or incompetent, or that the appeal is frivolous, the appeal shall be dismissed. Procedure.

Powers of the Board.