

1901

Rt. Hon. R. J. Seddon.

YOUNG PERSONS PROTECTION.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Operation of Act.</p> <p>4. Governor may appoint Protection Officers and establish refuges.</p> <p>5. Procedure when young person found loitering without control or for immoral purposes.</p> <p>6. Power to search house where young person harboured for immoral purposes.</p> <p>7. Procedure when young person detained in a refuge.</p> | <p>8. Young person so detained to be brought before Magistrate.</p> <p>9. Penalty on parents and guardians.</p> <p>10. Police Force to assist officers.</p> <p>11. Power to search house frequented by boys for gambling or improper purposes.</p> <p>12. Punishment of parent or guardian inducing girl to act immorally.</p> <p>13. Summary proceedings.</p> <p>14. "The Industrial Schools Act, 1882," to apply.</p> <p>15. Regulations.</p> <p>16. Expenses of administration.</p> |
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A BILL INTITULED

AN ACT to suppress Juvenile Depravity.

Title.

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

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| <p>1. The Short Title of this Act is "The Young Persons Protection Act, 1901."</p> <p>2. In this Act, if not inconsistent with the context,—</p> <p style="padding-left: 20px;">"Young person" means a boy or girl apparently not over the age of fourteen years:</p> <p style="padding-left: 20px;">"Guardian" includes the person having the lawful care or charge of a young person:</p> <p style="padding-left: 20px;">"Magistrate" means any Stipendiary Magistrate:</p> <p style="padding-left: 20px;">"Prescribed" means prescribed by regulations under this Act:</p> <p style="padding-left: 20px;">"Refuge" means a refuge under this Act:</p> <p style="padding-left: 20px;">"Shelter" means a place of temporary shelter or detention under this Act.</p> <p>3. (1.) This Act shall have operation only within such districts (being in every case counties, cities, or boroughs) as the Governor, by Order in Council gazetted, declares to be subject to this Act.</p> <p style="padding-left: 20px;">(2.) Such Order in Council may be made from time to time, and may relate to one or more districts, as the Governor in Council thinks fit.</p> <p style="padding-left: 20px;">(3.) Any such Order in Council may, in like manner, be revoked as to all or any of the districts specified therein, whereupon, and until a fresh Order in Council under the last preceding subsection hereof is gazetted, this Act shall cease to have operation within the districts specified in the revoking Order in Council.</p> | <p>Short Title.</p> <p>Interpretation.</p> <p>Operation of Act.</p> |
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Governor may appoint Protection Officers and establish refuges.

4. For the administration of the provisions of this Act the Governor may from time to time,—

- (1.) Appoint fit persons of either sex to be Protection Officers under this Act :
- (2.) Establish, equip, and maintain shelters and refuges under this Act, and appoint Matrons or Managers thereof, and officers, assistants, and servants therein: 5
- (3.) Appoint to be shelters and refuges under this Act any homes or other institutions established or conducted for the protection or benefit of young persons, and vary or revoke any such appointment : 10
- (4.) Prescribe the duties, functions, and powers of the Managers and Matrons of such shelters and refuges, and of the officers, assistants, and servants therein :
- (5.) Prescribe the duties, functions, and powers of every person appointed under this Act : 15

Procedure when young person found loitering without control or for immoral purposes.

5. Where any Protection Officer finds any young person of either sex habitually loitering in the streets or out-of-the-way places at untimely hours (meaning thereby between *nine* o'clock at night and *five* o'clock in the morning), and has reason to believe that such young person is there without proper control, or for immoral purposes, the following provisions shall apply :— 20

- (1.) The Protection Officer may forthwith question the young person as to his name, abode, parents or guardians, and his reason for being abroad. 25
- (2.) If the answers are satisfactory, the Protection Officer may, in his discretion, either warn the young person to go home or take him to the door of his abode, and there leave him, or take him inside and hand him over to the person in charge thereof, reporting verbally to such person what has occurred. 30
- (3.) If the answers are not satisfactory, or if the young person has been previously dealt with under the *last preceding* subsection, the Protection Officer shall forthwith take such young person to a shelter. 35
- (4.) If both the Protection Officer and the person in charge of the shelter concur as to the expediency of the course, the young person may either be detained there until he can be brought before a Magistrate, as hereinafter provided, or may be dealt with under subsection *two* hereof; and, if they do not concur, then he shall be dealt with under that subsection. 40
- (5.) If such young person is again found by a Protection Officer to be loitering as aforesaid, the Protection Officer shall forthwith take him to a shelter, where he shall be detained as aforesaid until he can be brought before a Magistrate. 45

Power to search house where young person harboured for immoral purposes.

6. Any Protection Officer, accompanied by any member of the Police Force, may at any time, under warrant signed by a Magistrate, enter and search any house, shop, building, or other premises occupied or frequented by prostitutes, or where there is reason to suspect that any young person is harboured for illegal, improper, or immoral purposes; and every young person there found shall be forth- 50

with taken by such Protection Officer and member of the Police Force to a shelter, where he shall be detained as aforesaid until he can be brought before a Magistrate.

7. In every case where a young person is detained as aforesaid in a shelter the following provisions shall apply :—

Procedure when young person detained in a refuge.

(1.) The young person shall be deemed to be in the lawful custody of the person in charge of the shelter ;

(2.) The person in charge of the shelter shall forthwith record the facts in a book to be kept for the purpose, including therein the young person's name and place of abode, and the names, addresses, and occupations of his parents or guardians, so far as known ;

(3.) The Protection Officer and the person in charge of the shelter shall, in the prescribed manner, forthwith make a joint report of the facts to the officer in charge of the nearest police-station, and also to the parents or guardians of the young person, so far as known.

8. (1.) Every young person detained in a shelter as aforesaid shall, as soon as practicable, be brought before a Magistrate by the Matron or Manager thereof or by the Protection Officer on the charge of being not under proper control, and the parents or guardians of such young person shall be summoned to appear at the same time.

Young person so detained to be brought before Magistrate.

(2.) The Magistrate, after making full inquiry, may either cause such young person to be delivered up to his parents or guardians, or to be committed to a reformatory, or an industrial school, or a refuge, or to be otherwise dealt with as, having regard to all the circumstances, he thinks fit.

9. In every case where the Magistrate finds such young person to be not under proper control, each of his parents or guardians is severally liable to a penalty not exceeding *ten* pounds, or to imprisonment for any period not exceeding *three* months, such imprisonment being in addition to such penalty, or in lieu thereof, or in default of the payment thereof, as the Court thinks fit :

Penalty on parents and guardians.

Provided that no parent or guardian shall be liable under this section who satisfies the Court that he has himself done all that lay in his power to properly control such young person.

10. It shall be the duty of all members of the Police Force to assist Protection Officers, Matrons, Managers, and all other persons appointed under this Act in the performance of their duties and the exercise of their functions and powers under this Act.

Police Force to assist officers.

11. Any member of the Police Force may at any time, under warrant signed by a Magistrate, enter and search any house, shop, building, or other premises occupied or frequented by prostitutes or gamblers, or which he has cause to suspect to be frequented for gambling or other illegal or improper purposes by boys apparently under the age of seventeen years ; and every such boy there found shall be forthwith taken to the nearest police-station, and there detained in custody until he can be brought before the Magistrate by the police on the charge of being not under proper control, whereupon the provisions of sections *seven* and *eight* hereof shall, *mutatis mutandis*, apply.

Power to search house frequented by boys for gambling or improper purposes.

Punishment of
parent or guardian
inducing girl
to act immorally.

12. Every person who, being the parent or guardian of a girl under the age of *eighteen* years,—

Induces or knowingly suffers such girl to visit for any immoral purpose any such premises as are referred to in section *six* hereof, or to have illicit carnal connection with any man, whether any particular man or generally, is liable to imprisonment with hard labour for any term not exceeding two years. 5

Summary
proceedings.

13. All proceedings under this Act shall be taken in a summary way before a Magistrate alone, and may, if the Magistrate thinks fit, and with the consent of the parents or guardians, be heard privately. 10

“The Industrial
Schools Act, 1882,”
to apply

14. The provisions of “The Industrial Schools Act, 1882,” and its amendments, shall apply to refuges and to persons detained in refuges under this Act, so far as such provisions are consistent with the provisions of this Act. 15

Regulations.

15. (1.) The Governor may from time to time make such regulations as he deems necessary for all or any of the following purposes:—

- (a.) The inspection of shelters and refuges, and the custody, control, discipline, and treatment of young persons committed thereto by the Magistrate under this Act; 20
- (b.) Generally giving full effect to the purposes and provisions of this Act.

(2.) All such regulations shall be gazetted, and a copy thereof shall within ten days after the gazetting be laid before Parliament if sitting, or, if not, then within ten days after the commencement of the next ensuing session. 25

Expenses of
administration.

16. All sums expended in the administration of this Act shall be paid out of moneys to be appropriated by Parliament, and all penalties recovered under this Act shall be paid into the Public Account and form part of the Consolidated Fund. 30