

private arrangement parental contributions might be more easily evaded.)

- (b) Amongst those responsible for the admission of children to voluntary homes there is sometimes a belief that only in a home under the auspices of his own church can a child be sure of an adequate religious upbringing.
- (c) Where a private approach is made, for example, to a clergyman who has a working relationship with a particular voluntary home, it may simply not occur to him that there is an alternative to a direct placement in the home.
- (d) Those who administer voluntary homes may in some cases be apprehensive lest too close a working relationship with welfare authorities may in the long run prejudice their independent and voluntary character.

These attitudes betray a lack of confidence in welfare authority services, which we feel is, in general, unjustified. To overcome them will be mainly a matter of goodwill on both sides though some positive gestures would be of real help, e.g., some of the welfare authorities might make a rather more positive effort to ensure that there are sufficient Roman Catholic staff at all levels of seniority in their children's homes to make quite sure that the religious upbringing of Roman Catholic children in their care will be safeguarded.

70. On the welfare authority side co-ordination with some voluntary homes may be limited for the following reasons amongst others:

- (a) Some voluntary homes may admit children too readily and without adequate investigation.
- (b) A rigid segregation of age groups and sexes in some voluntary homes renders them unsuitable for many of the children who come into care.

It will not be easy to overcome the first difficulty until the voluntary homes employ suitable field staff or use the services of welfare authorities' staff as recommended in paragraph 30. The second difficulty will remain insuperable for those voluntary homes which continue to cater for a limited age range and for one sex only.

71. We now think it unlikely that co-operation between voluntary organisations and welfare authorities can be greatly improved by formal or statutory arrangements. The best hopes lie simply in increased mutual understanding and sympathy and in an appreciation of what each has to offer for the other. The voluntary homes we feel will have a great deal to lose by standing aloof from the statutory services; those which do so will tend to move steadily away from current standards and practice in child-care, and may end by being regarded as no more than outdated survivals of a bygone age. By working in co-operation with welfare authorities, on the other hand, in addition to the financial security arising from regular payments for children in care, voluntary homes can ensure that they are participating in what should be a comprehensive service and that they have access on a regular and informal basis to facilities which they would otherwise be unable to provide. As for the gains to welfare authorities, the existence of a number of voluntary homes in different areas, catering for various age groups and religious backgrounds, enables them to

- 2.35 To put the Northern Ireland residential care system in its broadest perspective over the full Inquiry period, the total population in 1960 (including those on private placement in voluntary homes) was over 1300 and by 1983 the comparable figure had declined to less than 700.

Matters of general significance

- 2.36 We received evidence on a number of issues not related specifically to the administration of individual homes but presented as significant in a general way for the residential child care system.

- 2.37 For example, evidence was received from all parties with a responsibility for residential child care that considerable difficulties had been experienced in the recruitment of staff to work in children's homes and hostels. Unsocial working hours, the requirement to live in, the stress of caring for disturbed children, low professional status and low pay were all factors which contributed to this difficulty. The evidence to this effect from Northern Ireland sources was confirmed as reflecting a wider picture by the evidence of national bodies such as the Association of Directors of Social Services. On the question of pay, evidence was presented that the pay of residential social workers in the statutory sector throughout the period of the Inquiry was effectively subject to a parity link with comparable staff employed by local authorities in England and Wales. This applied, of course, within a much broader linkage of public service workers in England, Wales and Northern Ireland for the purpose of determining pay levels.

- 2.38 The evidence received indicated that the problem of recruiting staff was particularly acute in the 1960s but persisted throughout the 1970s despite the increasing professionalisation of social work. One of the effects of the comparative unattractiveness of residential social work, apart from the simple inability to fill posts and the consequent undermanning of individual homes at various times, was that residential social work staff tended to lack professional qualifications or training. Comprehensive information referring to staffing levels and levels of trained staff in residential child care was only available for 1982 onwards, but the written evidence of the Department of Health and Social Services stated that "There were few (and possibly no) professionally qualified people in either the statutory or voluntary residential child care sector in 1960". The major expansion of social work training which took place from the

it was thought necessary in the interests of the child; to confirm some detail of the child's background; if it was found that special treatment for the child was required; to seek approval for foster-homes and adoption proceedings; or to discuss after-care arrangements. Cases in which the majority of the homes consider that contact with the welfare authority would be inappropriate include those where the parents do not wish such contact; where the parents are able to pay for the child's maintenance in the home; or where the child's problems are mainly moral or spiritual.

27. Although this gives the impression that there is little contact or co-operation between the statutory and voluntary organisations, the information received from the homes must be read in conjunction with the fact that 238 (or 29%) of the children in voluntary homes were maintained by welfare authorities, which suggests that in practice there must be rather more contact between the two services than would at first appear to be the case. Of these 238 welfare authority children in voluntary homes 137 were in ten homes provided by religious orders of the Roman Catholic Church, 73 in six homes for Protestant children and 28 in one non-denominational home.

28. The present picture represents a considerable advance on the position before the Children Act of 1950 came into force, when statutory authorities and voluntary organisations in the Province followed completely independent and unco-ordinated policies in the operation of child-care services. In those days each service had in care, and was financially responsible for, about 1,000 children. At the 31st March 1965 voluntary organisations had in their homes 822 children, of whom 238 were paid for by the local authorities. In addition, the local authorities had a further 1,195 children in their own care. In our view, this indicates an increasing acceptance by the statutory bodies of their responsibilities in the field of child care.

29. While it is possible that many more of the children in voluntary homes than the 238 referred to above would have been taken into care by the welfare authorities had application been made to them in the first instance, we feel it would not be right to deny a parent the liberty of selecting the home in which she wishes her child to be placed, provided she and the home accept the consequent financial responsibility.

30. We are left with the impression that in too many of the homes where the services of the welfare authorities are not used decisions to admit do not meet the basic requirements outlined in paragraph 23 above. Too often the decision is left to a secretary or to the person in charge, who must decide on the basis of a limited amount of information which they are not in a position to assess adequately. We therefore recommend that homes should either use the services of welfare authorities or themselves employ qualified field staff for this purpose.

(6) For the purposes of the last preceding subsection :—

- (a) a person shall be deemed to be directly or indirectly interested in a sum of money if he has any share in or any benefit from the payment of that money, notwithstanding that he may not be a person to whom it is legally payable ; and
- (b) a copy of a policy of insurance, certified to be a true copy by an officer or agent of the insurance company granting the policy, shall be evidence that the child or young person therein stated to be insured has in fact been so insured, and that the person in whose favour the policy has been granted is the person to whom the money thereby insured is legally payable.

(7) Nothing in this section shall be construed as affecting the right of any parent, teacher, or other person having the lawful control or charge of a child or young person to administer punishment to him.

Causing or encouraging seduction or prostitution of girl under seventeen.

12.—(1) If any person having the custody, charge, or care of a girl under the age of seventeen causes or encourages the seduction, unlawful carnal knowledge, or prostitution of, or the commission of an indecent assault upon her, he shall be guilty of a misdemeanour and shall be liable to imprisonment for any term not exceeding two years.

(2) For the purposes of this section a person shall be deemed to have caused or encouraged the seduction, unlawful carnal knowledge of, or the commission of an indecent assault upon or prostitution of, a girl who has been seduced, unlawfully carnally known, or indecently assaulted, or who has become a prostitute, if he has knowingly allowed her to consort with, or to enter or continue in the employment of, any prostitute or person of known immoral character.

(3) Nothing in this section shall affect the liability of a person to be indicted under section two, section three or section six of the Criminal Law Amendment Act, 1885 (as amended by this Act) but upon the trial of a person under any of those sections it shall be lawful for the jury, if they are satisfied that he is guilty of an offence under this section, to find him guilty of that offence.

the deposition and add thereto a statement of his reason for taking it and of the day when and place where it was taken, and of the names of the persons (if any) present at the taking thereof.

(2) The justice taking any such deposition shall transmit it with his statement—

- (a) if the deposition relates to an offence for which any accused person is already committed for trial, to the proper officer of the court for trial at which the accused person has been committed; and
- (b) in any other case, to the clerk of the court before which proceedings are pending in respect of the offence.

Admission  
of deposition  
of child or  
young  
person in  
evidence.

45. Where, in any proceedings in respect of any of the offences mentioned in the First Schedule to this Act, the court is satisfied by the evidence of a registered medical practitioner that the attendance before the court of any child or young person in respect of whom the offence is alleged to have been committed would involve serious danger to his life or health, any deposition of the child or young person taken under the Petty Sessions (Ireland) Act, 1851, as amended by the Criminal Justice Act (Northern Ireland), 1945, or this Part of this Act, shall be admissible in evidence either for or against the accused person without further proof thereof if it purports to be signed by the justice by or before whom it purports to have been taken:

Provided that the deposition shall not be admissible in evidence either for or against the accused person unless it is proved that reasonable notice of the intention to take the deposition has been served upon the person (whether prosecutor or accused) against whom it is proposed to be given in evidence and that he or his counsel or solicitor had, or might have had if he had chosen to be present, an opportunity of cross-examining the child or young person making the deposition.

*Principles to be observed by all Courts in dealing  
with Children and Young Persons.*

General  
considera-  
tions.

46.—(1) Every court in dealing with a child or young person who is brought before it, either as being in need of care or protection or as an offender or otherwise,

shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from undesirable surroundings, and for securing that proper provision is made for his education and training.

(2) A court shall not order a child under the age of ten years to be sent to a training school unless for any reason, including the want of a fit person of his own religious persuasion who is willing to undertake the care of him, the court is satisfied that he cannot suitably be dealt with otherwise.

*Juvenile Courts.*

47. Courts of summary jurisdiction constituted in accordance with the provisions of the Second Schedule to this Act and sitting for the purpose of hearing any charge against a child or young person or for the purpose of exercising any other jurisdiction conferred on juvenile courts by or under this or any other Act, shall be known as juvenile courts and in whatever place sitting shall be deemed to be courts of summary jurisdiction.

Constitution  
of juvenile  
courts.

48.—(1) Subject as hereinafter provided, no charge against a child or young person, and no application whereof the hearing is by rules made under this section assigned to juvenile courts, shall be heard by a court of summary jurisdiction which is not a juvenile court :

Assignment  
of certain  
matters to  
juvenile  
courts.

Provided that—

- (a) a charge made jointly against a child or young person and a person who has attained the age of seventeen shall be heard by a court of summary jurisdiction other than a juvenile court ; and
- (b) where a child or young person is charged with an offence, the charge may be heard by a court of summary jurisdiction which is not a juvenile court if a person who has attained the age of seventeen is charged at the same time with aiding, abetting, causing, procuring, allowing or permitting that offence ; and
- (c) where a person who has attained the age of seventeen is charged with an offence, and a child or young person is charged at the same time with aiding, abetting, causing, procuring, allowing or permitting that offence,



singing, playing, performing or offering anything for sale), or is found loitering for the purpose of so begging or receiving alms, shall (without prejudice to the generality of the provisions of paragraph (a) of the last preceding sub-section) be evidence that he is exposed to moral danger.

Powers of  
juvenile  
courts in  
respect of  
children and  
young  
persons in  
need of  
care or  
protection.

63.—(1) If a juvenile court is satisfied that any person brought before the court under this section by a welfare authority, local education authority, constable or authorised person, is a child or young person in need of care or protection, the court may either—

- (a) order him to be sent to a training school ; or
- (b) commit him to the care of any fit person, whether a relative or not, who is willing to undertake the care of him ; or
- (c) order his parent or guardian to enter into a recognizance to exercise proper care and guardianship ; or
- (d) without making any other order, or in addition to making an order under either of the last two preceding paragraphs, make an order, to be known as a "supervision order," placing him for a specified period, not exceeding three years, under the supervision of a probation officer, or of some other person appointed for the purpose by the court.

(2) Any welfare authority, constable or authorised person having reasonable grounds for believing that a child or young person is in need of care or protection may bring him before a juvenile court ; and it shall be the duty of a welfare authority to bring before a juvenile court any child or young person residing or found in their area who appears to them to be in need of care or protection unless they are satisfied that the taking of proceedings is undesirable in his interests, or that proceedings are about to be taken by some other person.

(3) The Summary Jurisdiction Acts (Northern Ireland) shall apply in relation to recognizances under sub-section (1) of this section as they apply in relation to recognizances to be of good behaviour, and where a recognizance under the said sub-section (1) is adjudged

the provisions of sub-sections (3), (4), (5), (7) and (8) of the said section two shall apply in relation to offences authorised to be dealt with or dealt with under this section in like manner as they apply to offences authorised to be dealt with or dealt with under that section.

*Children and Young Persons in need of Care  
or Protection.*

62.—(1) For the purposes of this Act a child or young person in need of care or protection means a person who is—

Definition  
of "in need  
of care or  
protection."

- (a) a child or young person who, having no parent or guardian or a parent or guardian unfit to exercise care and guardianship or not exercising proper care and guardianship, is either falling into bad associations, or exposed to moral danger, or beyond control; or
- (b) a child or young person who requires care or protection being—
  - (i) a person in respect of whom any of the offences mentioned in the First Schedule to this Act has been, is being or is about to be committed; or
  - (ii) a member of the same household as a child or young person in respect of whom such an offence has been, is being or is about to be committed; or
  - (iii) a member of the same household as a person who has been convicted of such an offence in respect of a child or young person; or
  - (iv) a female member of a household whereof a member has committed an offence under the Punishment of Incest Act, 1908, in respect of another female member of that household; or
- (c) a child or young person in respect of whom an offence has been committed under section twenty of this Act.

8 Edw. 7,  
c. 45.

(2) For the purposes of this section, the fact that a child or young person is found destitute, or is found wandering without any settled place of abode and without visible means of subsistence, or is found begging or receiving alms (whether or not there is any pretence of



(4) The person to whose care a child or young person is committed by any such order as aforesaid shall, while the order is in force, have the same rights and powers and be subject to the same liabilities in respect of his maintenance as if he were his parent, and the person so committed shall continue in his care notwithstanding any claim by a parent or any other person.

80.—(1) The appropriate welfare authority shall, for the purposes of the provisions of this Act relating to the making of orders committing a child or young person to the care of a fit person, be deemed to be a fit person willing to undertake the care of him, and accordingly orders may be made committing children and young persons to their care, and they shall undertake the care of children and young persons so committed :

Committal  
to welfare  
authorities  
as "fit  
persons."

Provided that where a probation order or supervision order is in force as respects a child or young person, or the court proposes to make such an order at the same time as an order for committal to the care of the welfare authority, the last-mentioned order shall not be made unless the authority consent to the making thereof.

(2) Before making an order under the last preceding sub-section in any case where the consent of the welfare authority is not required, the court shall, unless so to do would in the opinion of the court cause undue delay, permit the authority to make representations to the court as to the making of the order and shall, before making the order, consider any representations so made.

(3) In this section the expression "the appropriate welfare authority" means the welfare authority in whose area the child or young person was resident, or, if his residence is not known or he was resident outside Northern Ireland, the welfare authority or one of the welfare authorities within whose area the offence was committed or the circumstances arose (as the case may be) rendering him liable to be committed to the care of a fit person :

Provided that in determining for the purposes of this sub-section the place of residence of a child or young person, regard shall not be had to any period during which he resided in any place as an inmate of a school

or other institution, or in accordance with the requirements of a supervision order or probation order or the conditions of a recognizance, or while boarded out by a welfare authority under this Act.

8 & 9 Geo. 5,  
c. 57.

(4) The reference in sub-section (4) of section nine of the War Pensions (Administrative Provisions) Act, 1918, to an order made under section twenty-one or sub-section (7) of section fifty-eight of the Act of 1908 shall be construed as including a reference to an order made under this Act.

#### PART IV.—DUTY OF WELFARE AUTHORITIES TO ASSUME CARE OF CHILDREN.

Duty of welfare authority to provide for orphans, deserted children, etc.

81.—(1) Where it appears to a welfare authority with respect to a child in their area appearing to them to be under the age of seventeen—

- (a) that he has neither parent nor guardian or has been and remains abandoned by his parents or guardian or is lost ; or
- (b) that his parents or guardian are, for the time being or permanently, prevented by reason of mental or bodily disease or infirmity or other incapacity or any other circumstances from providing for his proper accommodation, maintenance and upbringing ; and
- (c) in either case, that the intervention of the welfare authority under this section is necessary in the interests of the welfare of the child,

it shall be the duty of the welfare authority to receive the child into their care under this section.

(2) Where a welfare authority have received a child into their care under this section, it shall, subject to the provisions of this Part of this Act, be their duty to keep the child in their care so long as the welfare of the child appears to them to require it and the child has not attained the age of eighteen.

(3) Nothing in this section shall authorise a welfare authority to keep a child in their care under this section if his parent or guardian desires to take over the care of the child, and the welfare authority shall, in all cases where it appears to them consistent with the welfare of the child so to do, endeavour to secure that the care of the child is taken over either :—

1908.

*Children Act, 1908.*

Ch. 67.

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- (k) by committing the offender to custody in a place of detention provided under this Part of this Act; or
- (l) where the offender is a young person, by sentencing him to imprisonment; or
- (m) by dealing with the case in any other manner in which it may be legally dealt with:

Provided that nothing in this section shall be construed as authorising the court to deal with any case in any manner in which it could not deal with the case apart from this section.

108.—(1) It shall be the duty of every police authority to provide such places of detention for every petty sessional division within their district as may be required for the purposes of this Act, either by arranging with the occupiers of any premises whether within or without their district for the use of those premises for the purpose, or by themselves establishing or joining with another police authority in establishing such places; but nothing shall prevent the same place of detention being provided for two or more petty sessional divisions.

Provision of  
places of de-  
tention.

(2) If more than one place of detention is provided for any petty sessional division, the police authority may determine that any such place shall be used for some only of the purposes for which places of detention are required to be provided and another place for the other purposes.

(3) Before arranging for the use of any premises as aforesaid the police authority shall satisfy themselves of the fitness of the occupier thereof to have the custody and care of children or young persons committed to, or detained in, custody under this Part of this Act, and of the suitability of the accommodation provided by him.

(4) It shall be lawful for the authority or persons responsible for the management of any institution other than a prison, whether supported out of public funds or by voluntary contributions, but subject in the case of an institution supported out of public funds to the consent of the Government department concerned, to agree with the police authority for the use of the institution or any part thereof as a place of detention on such terms as may be agreed upon between them and the police authority.

(5) The police authority shall keep a register of the places of detention provided by them for each petty sessional division, and the register shall contain a description of the premises, the names of the occupiers thereof, and the number of children or young persons who may be detained in custody in the several premises, and no child or young person shall be detained in custody in any place which is not so registered.

(6) A copy of the register shall be kept at every court house and police station within the area to which it relates.

(7) The registered occupier of any registered place of detention shall be responsible for the custody of the children and young persons detained in that place, and, if at any time he appears to be unfit or refuses to receive any child or young

1950

*Children and Young Persons Act*

Ch. 5

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a welfare authority are references to a child for the time being received into or committed to the care of the authority as aforesaid.

89.—(1) Where a child is in the care of a welfare authority, it shall be the duty of that authority to exercise their powers with respect to him so as to further his best interests, and to afford him opportunity for the proper development of his character and abilities.

General  
duty of  
welfare  
authority.

(2) In providing for a child in their care a welfare authority shall make use of facilities and services available for children in the care of their own parents and, in particular, shall ensure that no child in their care is deprived of the utmost benefits available under the enactments relating to health, education and employment services.

(3) For the purposes of their functions under this Act or under the Adoption of Children Act (Northern Ireland), 1950, a welfare authority shall, in accordance with provisions as to experience, qualifications and conditions of service to be prescribed by the Ministry, appoint an officer to be known as the children's officer.

1950, c. 6.

If the welfare authority propose to appoint a person who, in the opinion of the Ministry, is not a fit person to be the children's officer of the authority, the Minister may give directions prohibiting his appointment.

Where the Ministry is satisfied that the same person can efficiently discharge the functions of children's officer for two or more welfare authorities, the Ministry may approve the appointment of one person as the children's officer by each of the authorities.

The children's officer shall not, except with the approval of the Ministry, be employed by the welfare authority in any other capacity.

90.—(1) Subject to the provisions of this section, a welfare authority shall discharge their duty to provide accommodation and maintenance for a child in their care—

Mode of  
provision of  
accommoda-  
tion and  
mainten-  
ance.

- (a) by boarding him out on such terms (whether as to payment by the authority or otherwise) as the authority may, subject to the provisions of this Act and regulations thereunder, determine; or
- (b) where it is not practicable or desirable for the time being to make arrangements for boarding-

out, by maintaining the child in a home provided under this Part of this Act or by placing him in a voluntary home the managers of which are willing to receive him.

(2) A child who is in the care of a welfare authority and has attained the upper limit of compulsory school age may be accommodated and maintained in any hostel (whether provided by a welfare authority or not) which is wholly or mainly intended for persons who have attained the upper limit of compulsory school age but have not attained the age of twenty-one.

(3) Nothing in this section shall be construed as preventing a welfare authority from making use, for the benefit of any child, of any such facilities and services as are referred to in sub-section (2) of the last preceding section, and for that purpose arranging for his accommodation and maintenance in any suitable manner not specified in the foregoing provisions of this section.

(4) Notwithstanding anything in the foregoing provisions of this section, a welfare authority may, with the approval of the Ministry given either generally or as respects particular premises and subject to such conditions as the Ministry may specify, accommodate and maintain a child in their care in premises under their control or under the control of any other welfare authority other than premises such as are mentioned in the foregoing provisions of this section.

(5) Where under this section a welfare authority provide for a child by maintaining him in a home or hostel not provided by the authority, the terms, whether as to payment by the authority or other matters, upon which the child is so maintained shall be such as may with the approval of the Ministry, be agreed upon between the authority and the persons providing the home or hostel.

Regulations  
as to  
boarding-  
out.

91.—(1) The Ministry may by regulations make provision for the welfare of children boarded out by welfare authorities under paragraph (a) of sub-section (1) of the last preceding section.

(2) Without prejudice to the generality of the preceding sub-section, regulations under this section may provide—

(a) for the recording by welfare authorities of information relating to persons with whom children are boarded out as aforesaid and



93.—(1) Notwithstanding any agreement made in connection with the placing of a child in a voluntary home under this Part of this Act by a welfare authority, a welfare authority may at any time, and if required so to do by the Ministry or the managers of the home shall, remove the child from the home.

Accommodation of children in voluntary homes.

(2) Where possible a child in the care of a welfare authority shall not be placed in a voluntary home unless the person in charge thereof is of the same religious persuasion as the child or gives an undertaking that the child will be brought up in that religious persuasion and, in any event, no child in the care of a welfare authority shall be placed in a voluntary home which does not afford facilities for him to receive instruction in the religious persuasion to which he belongs.

94.—(1) A welfare authority may, with the consent of the Ministry, procure or assist in procuring the emigration of any child in their care.

Power of welfare authorities to arrange for emigration of children.

(2) The provisions of sub-section (5) of section one hundred and eleven of this Act shall apply with respect to children received into the care of a welfare authority under section eighty-one of this Act in like manner as the said provisions apply with respect to children and young persons committed under this Act to the care of a welfare authority as a fit person.

95.—(1) A welfare authority may cause to be buried or cremated the body of any deceased child who immediately before his death was in the care of the authority:

Burial or cremation of deceased children.

Provided that the authority shall not cause the body to be cremated where cremation is not in accordance with the practice of the child's religious persuasion.

(2) Where a welfare authority exercise the powers referred to in the preceding sub-section, they may if at the time of his death the child had not attained the age of sixteen recover as a civil debt due to them from any parent of the child any expenses incurred by them under the said sub-section and not reimbursed under sub-section (5) of section twenty-one of the National Insurance Act (Northern Ireland), 1946, (which enables payments to be made out of the National Insurance Fund in respect of the cost of burial or cremation of certain persons).

1946, c. 23.



- persons who are willing to have children so boarded out with them ;
- (b) for securing that children shall not be boarded out in any household unless that household is for the time being approved by such welfare authority as may be prescribed by the regulations ;
- (c) for securing that where possible the person with whom any child is to be boarded out is either of the same religious persuasion as the child or gives an undertaking that the child will be brought up in that religious persuasion ;
- (d) for securing that children boarded out as aforesaid, and the premises in which they are boarded out, will be supervised and inspected by a welfare authority and that the children will be removed from those premises if their welfare appears to require it.

92.—(1) A welfare authority may, and shall in so far as the Ministry so requires, provide, equip and maintain, either within or without their area, homes for the accommodation of children in their care.

Duty of welfare authorities to provide homes.

(2) Accommodation provided under this section by a welfare authority shall include accommodation for the temporary reception of children with, in particular, the necessary facilities for the observation of their physical and mental condition.

(3) A welfare authority may perform their functions under the foregoing provisions of this section by making arrangements with another welfare authority for the provision in homes provided by that other welfare authority of accommodation for children in the care of the first-mentioned welfare authority ; and arrangements under this sub-section may contain provisions as to payment by the first-mentioned welfare authority and other terms upon which the accommodation is to be provided.

(4) The Ministry may make regulations as to the exercise by welfare authorities of their functions under this section and the conduct of homes provided thereunder and for securing the welfare of the children in the homes, and regulations under this sub-section may in particular—

- (a) impose requirements as to the accommodation and equipment to be provided in homes and as to the medical arrangements to be made for protecting the health of the children in the homes ;
- (b) impose requirements as to the facilities which are to be given for the children to receive instruction in the religious persuasion to which they belong ;
- (c) require the approval of the Ministry to the construction acquisition or appropriation of premises with a view to the use thereof for the purposes of homes, to the making of additions, diminutions or alterations to or of, or to or of the grounds of, buildings used for the said purposes or to the bringing of any land into use for the said purposes ;
- (d) require the approval of the Ministry in connection with the appointment, qualifications and training of staff for the homes ;
- (e) contain provisions for limiting the period during which children may be accommodated in the homes ;

and may contain different provisions for different classes of cases and as respects different classes of homes, so, however, that where any such regulations require the approval of the Ministry for the doing of any such thing as is referred to in paragraph (c) of this sub-section, that approval shall not be given without the consent of the Ministry of Finance.

(5) Where it appears to the Ministry that any premises used for the purposes of a home provided under this section are unsuitable therefor, or that the conduct of any such home is not in accordance with regulations made by the Ministry under the last preceding sub-section or is otherwise unsatisfactory, the Ministry may by notice in writing served on the welfare authority direct that as from such date as may be specified in the notice the premises shall not be used for the said purposes, and it shall be the duty of the welfare authority to comply with any such direction.

(6) A direction given under the last preceding sub-section may at any time be revoked by the Ministry.

Education Act (Northern Ireland), 1947, and local education authorities constituted under that Act may co-operate with welfare authorities in that behalf.

97. The Ministry and the Ministry of Education jointly may make regulations for providing, where a welfare authority under this Part of this Act and a local education authority as such have concurrent functions, by which authority the functions are to be exercised, and for determining as respects any functions of a local education authority specified in the regulations whether or not a child in the care of a welfare authority is to be treated as a child of parents without resources.

Welfare  
authorities  
and local  
education  
authorities.

#### PART VI.—VOLUNTARY HOMES.

98. In this Act the expression "voluntary home" means any home or other institution for the boarding, protection, care and maintenance of poor children or children otherwise in need of help, being a home or other institution supported wholly or partly by voluntary contributions or endowments but not being either—

Definition  
of voluntary  
homes.

- (a) a school within the meaning of the Education Act (Northern Ireland), 1947; or
- (b) an institution within the meaning of the Mental Health Act (Northern Ireland), 1948.

1948, c. 17.

99.—(1) After the expiration of three months from the coming into operation of this Part of this Act no voluntary home shall be carried on unless it is for the time being registered in a register to be kept for the purposes of this section by the Ministry.

Registration  
of voluntary  
homes.

(2) Application for registration under this section shall be made by the persons carrying on or intending to carry on the home to which the application relates, and shall be made in such manner and accompanied by such particulars as the Ministry may by regulations prescribe.

(3) On an application duly made under the last preceding sub-section—

- (a) if the home to which the application relates was at the commencement of this Act open for the reception of children, the application shall be granted;
- (b) in any other case, the Ministry may either grant or refuse the application, as it thinks fit, but where the application is refused the

101.—(1) The Ministry may make regulations as to the conduct of voluntary homes and for securing the welfare of the children therein, and regulations under this section may in particular—

Regulations  
as to conduct  
of voluntary  
homes.

- (a) impose requirements as to the accommodation and equipment to be provided in homes, authorise the Ministry to give directions prohibiting the provision for the children in any home of clothing of any description specified in the directions, and impose requirements as to the medical arrangements to be made for protecting the health of the children in the homes;
- (b) require the furnishing to the Ministry of information as to the facilities provided for the parents and guardians of children in the homes to visit and communicate with the children, and authorise the Ministry to give directions as to the provision of such facilities;
- (c) authorise the Ministry to give directions limiting the number of children who may at any one time be accommodated in any particular home;
- (d) provide for consultation with the Ministry as to applicants for appointment to the charge of a home and empower the Ministry to prohibit the appointment of any particular applicant therefor except in the cases (if any) in which the regulations dispense with such consultation by reason that the person to be appointed possesses such qualifications as may be prescribed by the regulations;
- (e) require notice to be given to the Ministry of any change of the person in charge of a home; and
- (f) require the furnishing to the Ministry at such times and in such form as shall be prescribed, such particulars as shall be prescribed with respect to children for the time being in, or admitted or received into homes and to children boarded out or discharged from homes;

and may contain different provisions for different descriptions of cases and as respects different descriptions of homes.

(2) The Ministry may require the person in charge of a voluntary home to hand over any child accommodated in the voluntary home to a welfare authority with a view to the child being boarded out by the welfare authority, and the child shall thereupon be deemed to have come within the care of the welfare authority under section eighty-one of this Act.

(3) Any person who contravenes or fails to comply with any regulation made under this section or any requirement made or direction given under any such regulation shall be liable on summary conviction to a fine not exceeding ten pounds.

Inspection  
of voluntary  
homes.

102.—(1) The Ministry may cause any voluntary home to be inspected from time to time.

(2) Any person appointed by the Ministry to inspect any voluntary home shall have power at all reasonable times to enter the home and to make such examinations into the state and management thereof and the condition and treatment of the children therein as he thinks requisite, and any person who obstructs him in the execution of his duties shall be liable on summary conviction to a fine not exceeding five pounds; and a refusal to allow a person so appointed to enter the home shall, for the purposes of section forty-two of this Act (which relates to search warrants) be deemed to be a reasonable cause to suspect that a child or young person in the home is being neglected in a manner likely to cause him unnecessary suffering or injury to health.

(3) Where a person is acting in the exercise of any of the powers conferred by this section in respect of the inspection of any voluntary home he shall, if so required by the person in charge of the home, produce his authority to inspect the home.

After-care  
of children  
formerly in  
care of  
welfare  
authorities  
or voluntary  
organisa-  
tions,

103.—(1) Where it comes to the knowledge of a welfare authority that there is in their area any child who has attained the upper limit of compulsory school age and who at the time when he attained that age or at any subsequent time was, but is no longer,—

- (a) in the care of a welfare authority under section eighty-one of this Act; or
- (b) in the care of a voluntary organisation;



## Welfare Authorities' Homes

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## SCHEDULE

The records to be kept under the provisions of paragraph (2) of Regulation 5 shall be—

- (1) A register in which shall be entered the date of admission and the date of discharge of every child accommodated in the Home.
- (2) A record book in which shall be recorded events of importance connected with the Home.
- (3) A record of every fire practice or drill conducted in the Home, together with records of all fire precautions agreed upon after consultation with the Fire Service.
- (4) Records of the food provided for the children in the Home in sufficient detail to enable any person inspecting the record to judge whether the dietary was satisfactory.

## Welfare Authorities' Homes

REGULATIONS, DATED 25TH JULY, 1952, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (4) OF SECTION 92 OF THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND), 1950.

1952. No. 130

The Ministry of Home Affairs, in pursuance of the powers conferred upon it by sub-section (4) of Section 92 of the Children and Young Persons Act (Northern Ireland), 1950, and of all other powers enabling it in that behalf hereby makes the following Regulations :—

1. These Regulations may be cited as the Children and Young Persons (Welfare Authorities' Homes) Regulations (Northern Ireland), 1952.

2. These Regulations shall come into force on 1st October, 1952.

3.—(1) In these Regulations 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 ;

"child" means a person under the age of eighteen ;

"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 ;

"Home" means a Children's Home provided or maintained by a welfare authority ;

"the Ministry" means the Ministry of Home Affairs for Northern Ireland.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.



4. The welfare authority shall ensure that each Home in its charge is conducted in such a manner and on such principles as will further the well-being of the children.

5.—(1) The welfare authority shall arrange for each Home in its charge to be visited at least once in each month by a member of the welfare committee or by a member of the children's sub-committee appointed by the welfare committee. The person visiting the Home shall satisfy himself whether the Home is conducted in the interests of the well-being of the children and shall enter his name and the date of his visit in the record book referred to in the Schedule to these Regulations and shall report to the welfare committee or to the children's sub-committee upon his visit, and the report shall be entered in the minutes of the committee or sub-committee to which he reported.

(2) The Children's Officer shall inspect each Home in the area for which he is appointed at least once in each month and shall satisfy himself that the Home is conducted in the interests of the well-being of the children. He shall enter his name and the date of his visit in the record book referred to in the Schedule to these Regulations and shall report to the welfare committee or to the children's sub-committee upon his inspection, and the report shall be entered in the minutes of the committee or sub-committee to which he reported.

6.—(1) The welfare authority shall appoint a person to be in charge of the Home :—

Provided that any person in charge of the Home immediately before these Regulations come into force shall be deemed to have been appointed to be in charge of the Home under this paragraph.

(2) The person in charge of the Home shall compile the records referred to in the Schedule to these Regulations and shall keep them at all times available for inspection by any person visiting the Home under Regulation 5 of these Regulations or by any inspector appointed by the Ministry.

(3) The person in charge of the Home shall be responsible for the custody of the medical records of each child and shall keep them at all times available to the medical officer or to any person specifically authorised by the welfare authority to inspect them, or to any inspector appointed by the Ministry.

7. The welfare authority shall secure that so far as is practicable each child in the Home attends such religious services and receives such religious instructions as are appropriate to the religious persuasion to which he belongs.

8.—(1) The welfare authority shall appoint a medical officer for each Home in its charge.

(2) The duties of the medical officer shall include —

11.—(1) The welfare authority shall obtain the advice of the Fire Service before opening a new Home or making any structural alterations to an existing Home, and shall arrange for the periodic inspection of each Home in its charge by the Fire Service.

(2) The welfare authority shall ensure that periodic fire drills and practice are carried out in each Home in its charge, so that the staff, and so far as possible the children, are well versed in the procedure for saving life in case of fire.

(3) The welfare authority shall report to the Ministry forthwith any outbreaks of fire in any Home in its charge.

12.—(1) The person in charge of a Home shall ensure that generally order is maintained by his personal influence and understanding and that of his staff, and resort to corporal punishment shall be avoided as far as possible.

(2) Where correction is needed for minor acts of misbehaviour, the punishment shall take the form of forfeiture of rewards or privileges (including pocket money) or temporary loss of recreation ; provided that a light tap of the hand may occasionally be applied to the hand of a child with the object of indicating urgent disapproval rather than that of inflicting pain.

(3) Other forms of corporal punishment shall be subject to 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 child over 10 years of age, and 2 strokes in the case of a child over 8 and under 10 years of age. No child under 8 years of age shall be so punished.

(b) It shall not be administered by any person other than the person in charge of the Home 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 child.

(e) Any child known to have a physical or mental disability shall not be subjected to corporal punishment without the sanction of the medical officer.

(4) Particulars of the administration of corporal punishment under paragraph (3) of this Regulation (giving the name and age of the child concerned, the offence and the number of strokes of the cane awarded him) shall be entered in the record book referred to in the Schedule to these Regulations.

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

## Welfare Authorities' Homes.

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13. The approval of the Ministry shall be required to —

- (i) the construction, acquisition or appropriation of premises by a welfare authority for the purposes of a Home ;
- (ii) the making of additions, diminutions or alterations to or of, or to or of the grounds of, buildings used by a welfare authority for the purposes of a Home, and the bringing of any land into use for the said purposes ;
- (iii) the appointment, salaries, qualifications and training of staff in a Home.

14. —(1) The Ministry may give directions limiting the period during which any child may be accommodated in a Home.

(2) The Ministry may direct any child to be removed from a Home and to be placed in another Home or in a Voluntary Home or to be boarded out, or to be otherwise dealt with.

(3) The Ministry may require a welfare authority to furnish returns of the children in a Home in such form as the Ministry may from time to time direct.

15. Where, in the opinion of the welfare authority it is desirable in the special circumstances of any situation that the provisions of one or more of the foregoing Regulations should not apply, a special arrangement may be made with the prior consent of the Ministry.

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

(L.S.) (Sgd.) *J. B. O'Neill*,  
Assistant Secretary.

## SCHEDULE

The records to be kept under the provisions of paragraph (2) of Regulation 6 shall be —

- 1. A register in which shall be entered the date of admission and the date of discharge of every child accommodated in the Home.
- 2. A record book in which shall be recorded events of importance connected with the Home.
- 3. A record of every fire practice or drill conducted in the Home, together with records of all fire precautions agreed upon after consultation with the Fire Service.
- 4. Records of the food provided for the children in the Home in sufficient detail to enable any person inspecting the record to judge whether the dietary was satisfactory.

which the child has attended, or, if the child has not attended a school, from the last teacher of the child ;

- (d) a certificate in such form as the local education authority may require from the school medical officer of the health authority for the area in which the parent of the child resides to the effect that the child may, in his opinion, be employed in the manner proposed without prejudice to his or her physical development and that the employment will not, in his opinion, render the child unfit to obtain proper benefit from his or her education.

4.—(1) A licence for the purpose of these Regulations shall be in a form approved by the Ministry and shall specify the name of the person to whom the licence is granted, the name of the child to be employed, the period of employment and such reasonable restrictions and conditions as to the employment of the child as the authority considers desirable ;

(2) a local education authority shall not grant a licence for a period in excess of six months.

5. The holder of a licence shall, at least seven days before the child takes part in any entertainment, notify the local education authority within whose area the entertainment is to take place of the forthcoming employment of the child and where the licence was not granted by that local education authority shall present the licence to that local education authority for inspection.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 6th day of November, 1952, in the presence of

(L.S.)

*R. S. Brownell,*  
Secretary.

### Voluntary Homes

REGULATIONS, DATED 25TH JULY, 1952, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (1) OF SECTION 101 OF THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND), 1950.

1952. No. 131

The Ministry of Home Affairs, in pursuance of the powers conferred upon it by sub-section (1) of Section 101 of the Children and Young Persons Act (Northern Ireland), 1950, and of all other powers enabling it in that behalf, hereby makes the following Regulations :—

1. These Regulations may be cited as the Children and Young Persons (Voluntary Homes) Regulations (Northern Ireland), 1952.
2. These Regulations shall come into force on 1st October, 1952.

## Voluntary Homes

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3.—(1) In these Regulations 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 ;

“ administering authority ” means the person or persons carrying on the voluntary home ;

“ child ” means a person under the age of eighteen ;

“ 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 ;

“ home ” means a voluntary home as defined by Section 98 of the Act ;

“ primary school ” has the same meaning as in the Education Act (Northern Ireland), 1947 ;

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

“ training school ” has the same meaning as in the Act.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

4.—(1) The administering authority shall ensure that each home in its charge is conducted in such a manner and on such principles as will further the well-being of the children in the home.

(2) The administering authority shall make arrangements for the home to be visited at least once in every month by a person who shall satisfy himself whether the home is conducted in the interests of the well-being of the children, and shall report to the administering authority upon his visit and shall enter in the record book referred to in the Schedule hereto his name and the date of his visit.

5.—(1) The administering authority shall appoint a person to be in charge of the home :—

Provided that any person in charge of the home immediately before these Regulations come into force shall be deemed to have been appointed to be in charge of the home under this paragraph.

(2) The person in charge of the home shall compile the records referred to in the Schedule to these Regulations and shall keep them at all times available for inspection by any inspector appointed by the Ministry.

(3) The person in charge of the home shall be responsible for the custody of the medical records of each child and shall keep them at all times available to the medical officer or to any inspector appointed by the Ministry.

## Welfare Authorities' Homes

43

## SCHEDULE

The records to be kept under the provisions of paragraph (2) of Regulation 5 shall be—

- (1) A register in which shall be entered the date of admission and the date of discharge of every child accommodated in the Home.
- (2) A record book in which shall be recorded events of importance connected with the Home.
- (3) A record of every fire practice or drill conducted in the Home, together with records of all fire precautions agreed upon after consultation with the Fire Service.
- (4) Records of the food provided for the children in the Home in sufficient detail to enable any person inspecting the record to judge whether the dietary was satisfactory.

## Welfare Authorities' Homes

REGULATIONS, DATED 25TH JULY, 1952, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (4) OF SECTION 92 OF THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND), 1950.

1952. No. 130

The Ministry of Home Affairs, in pursuance of the powers conferred upon it by sub-section (4) of Section 92 of the Children and Young Persons Act (Northern Ireland), 1950, and of all other powers enabling it in that behalf hereby makes the following Regulations :—

1. These Regulations may be cited as the Children and Young Persons (Welfare Authorities' Homes) Regulations (Northern Ireland), 1952.

2. These Regulations shall come into force on 1st October, 1952.

3.—(1) In these Regulations 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 ;

"child" means a person under the age of eighteen ;

"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 ;

"Home" means a Children's Home provided or maintained by a welfare authority ;

"the Ministry" means the Ministry of Home Affairs for Northern Ireland.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.



3.—(1) In these Regulations 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 ;

“ administering authority ” means the person or persons carrying on the voluntary home ;

“ child ” means a person under the age of eighteen ;

“ 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 ;

“ home ” means a voluntary home as defined by Section 98 of the Act ;

“ primary school ” has the same meaning as in the Education Act (Northern Ireland), 1947 ;

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

“ training school ” has the same meaning as in the Act.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

4.—(1) The administering authority shall ensure that each home in its charge is conducted in such a manner and on such principles as will further the well-being of the children in the home.

(2) The administering authority shall make arrangements for the home to be visited at least once in every month by a person who shall satisfy himself whether the home is conducted in the interests of the well-being of the children, and shall report to the administering authority upon his visit and shall enter in the record book referred to in the Schedule hereto his name and the date of his visit.

5.—(1) The administering authority shall appoint a person to be in charge of the home :—

Provided that any person in charge of the home immediately before these Regulations come into force shall be deemed to have been appointed to be in charge of the home under this paragraph.

(2) The person in charge of the home shall compile the records referred to in the Schedule to these Regulations and shall keep them at all times available for inspection by any inspector appointed by the Ministry.

(3) The person in charge of the home shall be responsible for the custody of the medical records of each child and shall keep them at all times available to the medical officer or to any inspector appointed by the Ministry.



## Memorandum by the Home Office on the Conduct of Children's Homes

### INTRODUCTION

1. This memorandum on the conduct of children's homes has been prepared for the guidance of local authorities and voluntary organisations, and is intended to be read with the Administration of Children's Homes Regulations, 1951. The contents are based on experience gained by Home Office inspectors in visiting children's homes and on advice tendered to the Secretary of State by the Advisory Council on Child Care. It deals with the needs of children who, for one reason or another, cannot be boarded out and are brought up in children's homes; and it is written in the main with direct reference to children living as members of small groups of mixed ages and both sexes who are in care for an indefinite period and who look to the local authority or voluntary organisation for their upbringing. But most of what is said is applicable to all children's homes; and recommendations relating specifically to large homes are contained in Appendix I.

2. In paragraph 427 of their Report the Curtis Committee stated the main requirements for the substitute home in the following words:—"If the substitute home is to give the child what he gets from a good normal home it must supply:—

- (i) Affection and personal interest; understanding of his defects; care for his future; respect for his personality and regard for his self-esteem.
- (ii) Stability; the feeling that he can expect to remain with those who will continue to care for him till he goes out into the world on his own feet.
- (iii) Opportunity of making the best of his ability and aptitudes, whatever they may be, as such opportunity is made available to the child in the normal home.
- (iv) A share in the common life of a small group of people in a homely environment."

### TYPE AND SIZE OF CHILDREN'S HOMES

3. The aim when providing new homes for children in long-term care is to enable each child to live as a member of a small group. The number of children in a home of this kind (referred to in this memorandum as a family group home) may vary from eight to twelve. If the home is a house in a street (perhaps a villa type house or two semi-detached houses, suitably adapted) the children gain by living as members of the local community and by taking a full part in its social activities as do children living with their own parents. Many local authorities are setting up small homes of this kind. Rather larger homes, taking up to about twenty children, are also being established. It is important that homes should be so situated that the children will be able, out of school hours, to mix with their school friends. While every children's home should have a garden, the children should be encouraged to join with others in outside play.

4. In the family group home, the age range should be wide, say from three to fifteen years, with boys and girls growing up together. It will be desirable sometimes to include children under the age of three in the group (for example, where they have older brothers or sisters in the home), or on occasion to keep

22. Care should be taken to see that children are warm in bed at all seasons of the year; underblankets should always be provided. A feeling of warmth and comfort will play a part in preventing such happenings as night terrors and bed wetting.

23. Bed wetting cannot be attributed to any one cause; if effective help is to be given, the child must be studied as an individual. The trouble may be due to an organic cause, to delay in learning bladder control, or to emotional disturbance due to loneliness, a sense of being left in strange surroundings, or of not being wanted. A feeling of hopelessness about the habit may cause it to persist. A child who persistently wets the bed should be seen by the medical officer so that he can advise on treatment or, if necessary, refer the case to a hospital or child guidance clinic.

24. Understanding and consideration on the part of the staff are of the first importance. Bed wetters should not be separated from other children, and members of the staff dealing with the child or with the wet bed should proceed in a matter of fact way, and should never exhibit impatience, disgust or anxiety. Mackintosh sheets should be used only when necessary; when they have to be used, a thin blanket should be placed between the mackintosh and the bed sheet. Sheets should always be changed after being wet. Bed wetters should not be required to wash their sheets. There is nothing to be gained by restricting drinks unreasonably, but it is undesirable that any child should drink large quantities late in the evening. There should be easy and lighted access at night to a lavatory, and where necessary the children should have their own chamber pots.

#### RECREATION

25. Play is as necessary to children as food and sleep; through it they develop in mind, body and personality. Play should not be thought of only in terms of organised activities. The children should be given ample opportunity to play and amuse themselves in their own way, and should be encouraged in initiative, resource and self-reliance. They should be taught to use the facilities of the neighbourhood, for instance, the public library, and allowed a reasonable choice of their own books.

26. Indoors, the children should have a varied supply of play material, including materials for dressing up; hobbies should be encouraged, and opportunity given to look at picture books, to read newspapers and periodicals suited to their age, and to listen to the gramophone and wireless. Children should be encouraged to choose their programmes, and not have the wireless on continuously. There should be small tables at which the children may play games or pursue hobbies, and arrangements should be made, if possible, for a child to have some place where a half-finished model or other cherished piece of work can be left with safety.

27. Fresh air, sunshine and activity are essential to the health and the full physical and mental development of children. Much of their time should be spent out-of-doors. Where the garden is large enough, part of it should be set aside for the free use of the children. Sand-pits in suitable conditions and if properly looked after, provide happy occupation for small children. The keeping of pets gives children the experience of caring for living things and develops a sense of responsibility. Bicycles, besides being popular, provide training for the older children in independence and road sense. The children should be taught to look after the bicycles as well as to enjoy their use. Outings and treats should be arranged. As opportunity offers, the children should be helped in the observation of growing and living things and in the life of the countryside.

#### PERSONAL HYGIENE

28. Children need training in how to use and look after their toilet articles, which they should regard as their own property and be able to identify easily. Individual towels, face cloths, tooth brushes (with individual tooth paste or powder) and brushes and combs should be provided and clearly marked by name or initials, or, in the case of children too young to read, by symbols which they can

to the court as to the making of the order and shall, before making the order, consider any representations so made. PART IV  
—cont.

(3) In this section the expression “the appropriate welfare authority” means the welfare authority in whose area the child or young person was resident, or, if his residence is not known or he was resident outside Northern Ireland, the welfare authority or one of the welfare authorities within whose area the offence was committed or the circumstances arose (as the case may be) rendering him liable to be committed to the care of a fit person.

(4) In determining for the purposes of subsection (3) the place of residence of a child or young person, regard shall not be had to any period during which he resided in any place as an inmate of a school or other institution, or in accordance with the requirements of a supervision order or probation order or the conditions of a recognizance, or while boarded out by a welfare authority under this Act.

(5) The reference *Act of Parliament of Northern Ireland*  
 administrative Provisions) *Children and Young* Sections 92(5) and 109.  
 or section 58 (7) of t *Persons Act (North-*  
 including a reference *ern Ireland) 1968.* *Repealed by*  
 this Act. *Repeals Act 1981*

#### PART V

##### CHILDREN AND YOUNG PERSONS IN NEED OF CARE, PROTECTION OR CONTROL

93.—(1) A child or young person is in need of care, protection or control within the meaning of this Act if— Definition  
of “in  
need of  
care,  
protection  
or control”.

(a) any of the conditions mentioned in subsection (2) is satisfied with respect to him, and he is not receiving such care, protection and guidance as a good parent may reasonably be expected to give; or

(b) he is beyond the control of his parent or guardian.

(2) The conditions referred to in subsection (1) (a) are that—

(a) he is falling into bad associations or is exposed to moral danger; or

(b) the lack of care, protection or guidance is likely to cause him unnecessary suffering or seriously to affect his health or proper development; or

(c) any of the offences mentioned in Schedule 1 has been committed in respect of him or in respect of a child or young person who is a member of the same household; or