

JUVENILE OFFENDERS

I am directed by the Chief Justice to commend to the very careful consideration of all presiding officers of Courts the principles which should be applied in dealing with Juvenile Offenders, who are to be brought before them, charged with offences. For the purposes of this Circular a Juvenile Offender is a person between 7 and 16 years of age.<sup>(1)</sup> The onus of estimating the age is on the Court and the apparent age of the accused should be the criterion.

2. When, therefore, any Court is informed by the Police that a Juvenile Offender is to be brought before it, arrangements should be made to conduct a Juvenile Court. Such Court should sit either in a different building; or room (the Chambers of the Presiding Officer will suffice) from that in which sittings of Criminal Courts are held. There should be no semblance of a dock in the room in which the offenders are dealt with. No person should be present - except

- (a) members and officers of the Court
- (b) parties to the case, their solicitors and counsel, witnesses and other persons, and
- (c) such other persons as the Court may specially authorise to be present(?)

Newspaper representatives may be present, but the name of any Juvenile Offender should not be published in the press.(?)

3. While a Juvenile is detained in a Police Station, or while being conveyed to or from any Juvenile Court, or while waiting before or after attendance in any Juvenile Court, arrangements should be made to prevent such Juvenile from associating with any adult (other than a relative or friend) who is charged with any offence, other than an offence with which the child or young person is jointly charged. In addition to the foregoing, where a Juvenile is a girl she should while so detained, being conveyed or waiting be under the care of a woman. (4)

4. When any Court finds it necessary to remand or commit for trial, a Juvenile who is not released on bail, the Court should commit him or her to the custody of a Remand Home or some such institution in the locality, if one exists, in order to prevent him or her being remanded in prison. (5)

5. The parent or guardian of any Juvenile, should, if possible, be required to attend before the Juvenile Court, unless the Court is of the opinion that such attendance would be unreasonable or undesirable. "Parent" or "guardian" means the person having the actual possession and control of the Juvenile. (6)

6. His Lordship hopes that, until more comprehensive legislation is enacted dealing with Juvenile Offenders, and until proper Remand Homes and other institutions for the care of Juveniles and Young Persons are provided, the courts will make all endeavours in their power to interpret this Circular liberally and to give effect to the spirit in which it has been prepared, the whole idea being to use every endeavour to keep children away from surroundings and atmosphere of criminality before, during, and after they come before the Courts.