

REGISTRAR'S CIRCULAR NO: 1/50.

JUVENILE COURTS ORDINANCE, 1947.

The question has arisen as to the powers of Juvenile Courts to admit representatives of the Press to their ordinary sittings.

2. Section 5 of the Juvenile Courts Ordinance, 1947, reads as follows:-

"A Juvenile Court shall, subject as hereinafter provided, sit either in a different building or room from that in which sittings of Courts other than Juvenile Courts are held, or on different days from those on which sittings of such other Courts are held; and no person shall be present at any sitting of a Juvenile Court except:

- (a) members and officers of the Court;
- (b) parties to the case before the Court, their solicitors and counsel, and witnesses and other persons directly concerned in that case;
- (c) such other persons as may be required by the Ordinance or as the Court may specially authorise to be present."

This section is taken from section 47 of the Children and Young Persons Act, 1933 and is, to a large extent, word for word the same as sub-section (2) of that section. There is, however, one important difference. Paragraphs (a), (b) and (c) in section 5 of the Ordinance are substantially the same as paragraphs (a), (b) and (d) of section 47 (2) of the Act, but the Act contains a paragraph (c) which reads as follows:-

"bona fide representatives of newspapers or news agencies;"

This paragraph was omitted from the Ordinance deliberately.

The absence from the Ordinance of such provisions as are contained in sections 39 and 49 of the Act, which restrict the matters which may be published in the Press in connection with children and young persons, was intentional with the result, as a matter of interpretation, that under the Ordinance the Press can only be admitted when specially authorised by the Court in particular cases.

Registrar's circulars No.30/46 and No.33/46 stated that newspaper representatives could be present on the hearing of a case involving a juvenile offender provided that the name of any such juvenile offender was not published in the Press. This is not now the case. In future, representatives of the Press will not be permitted to be present at the hearing of cases brought under the Juvenile Courts Ordinance except by special leave under section 5 (c) and such special leave should only be granted in very exceptional circumstances - e.g. a case is of general public importance.

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