

11hb Disember, 1978.

All Presidents, Sessions Courts, West Malaysia;

All Magistrates, Magistrate's Court, West Malaysia

REGISTRAR'S CIRCULAR NO: 10 OF 1978

Juvenile Courts Act, 1947 (Revised-1972)

I am directed by the Hon'ble the Chief Justice to direct your attention to the practice in some Courts whereby juveniles who escape from approved schools are charged in Court after they are re-arrested. His Lordship would like to make it clear that such practice is not in accordance with the provisions of section 32 of the Juvenile Courts Act, 1947, which reads as follows:

- "32.(1) Any juvenile who has been ordered to be sent to an approved school and who -
- (a) escapes from the approved school in which he is detained, or from any hospital, home or place in which he is receiving medical attention;
 - (b) being absent from the approved school on temporary leave of absence or on licence, runs away from the person in whose charge he is, or fails to return to the approved school upon the expiration of his leave, or upon the revocation of his licence; or
 - (c) being absent from the approved school under supervision, fails to return to the approved school upon being recalled,

may be arrested without warrant and may be brought before the Juvenile Court having jurisdiction where he is found, or where the approved school is situated, and the Court may order him -

- (i) if he is under the age of fourteen years, to be brought back and to have the period of his detention in the approved school increased by such period not exceeding six months as the Court may direct or be sent to another approved school for a period not exceeding three years; or
- (ii) if he has attained the age of fourteen years, to be brought back and to have the period of his detention so increased, or to be sent to a Henry Gurney School for the period for which he was ordered to be detained in the approved school or for a period of three years, whichever is the longer.

4. For this purpose, the Court should open and keep a register of "Applications under Section 32, Juvenile Courts Act" in which applications of this nature should be recorded.

Sgd:

(Haji Wan Mohamed bin Haji Wan Mustapha)
CHIEF REGISTRAR

c.c.

Hon'ble Lord President.

Hon'ble Chief Justices

All Hon'ble Judges.

Hon'ble Attorney-General.

All S.A.Rs/A.Rs High Court.

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