ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

JUVENILE COURTS ACT
R.S.A. c. J25

Showing the Law as at 15 December 2000

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Revised Regulations of Anguilla: J25-1

JUVENILE COURTS ACT (R.S.A. c. J25)

JUVENILE COURT ESTABLISHMENT AND PROCEDURE REGULATIONS

Note: These Regulations are enabled under section 1 of the Juvenile Courts Act, R.S.A. c. J25.

Interpretation

1. In these Regulations—

"Act" means the Juvenile Courts Act;

"Court" means the Juvenile Court established under section 2.

Establishment and constitution of the Court

2. (1) There shall be established a Juvenile Court, which shall be constituted of the Magistrate and of not more than 2 assessors appointed by the Magistrate from a panel of assessors nominated by the Governor.

(2) The Governor may, by notice in the *Gazette*, nominate a panel of assessors consisting of such number of members as the Governor may consider necessary for the purposes of subsection (1).

(3) Subject to subsections (5) and (6), a member of the panel shall hold office for a period of 3 years from the date of his nomination to the panel of assessors.

(4) Any member of the panel other than a member who has been removed from the panel under subsection (6) is eligible for renomination.

(5) Any member of the panel may resign from his office by letter in that behalf addressed to the Governor.

(6) The Governor may, by notice in the *Gazette*, remove a member from the panel without assigning any reason.

Where and when Court to be held

3. The Court shall be held in the same place as the Magistrate's Court on such days and at such times as the Magistrate may arrange.

Procedure in Court

4. (1) Where a child or young person is brought before the Court, the Court shall explain to him in simple language the substance of the alleged offence.

(2) After explaining the substance of the alleged offence, the Court shall ask the child or young person whether he admits the offence.

(3) If the child or young person does not admit the offence, the Court shall then hear the evidence of the witnesses in support thereof. At the close of the evidence in chief of each witness, the Court shall ask the child or young person or, if it sees fit, the child's parent or guardian, whether he wishes to put any questions to the witness. If the child or young person instead of asking questions wishes to make a statement, he shall be allowed to do so. The Court shall put to the witnesses such questions as appear to be necessary. The Court may put to the child or young person such questions as may be necessary to explain anything in the statement of the child or young person.

(4) If it appears to the Court that a *prima facie* case is made out, the evidence of any witnesses for the defence shall be heard, and the child or young person shall be allowed to give evidence or to make any statement.

(5) If the child or young person admits the offence or the Court is satisfied that it is proved, he shall then be asked if he desires to say anything in extenuation or mitigation of the penalty or otherwise. Before deciding how to deal with him, the Court shall obtain such information as to his general conduct, home surroundings, school record and medical history as may enable it to deal with the case in the best interests of the child or young person and may put to him any question arising out of such information. For the purpose of obtaining the information or for special medical examination or observation, the Court may from time to time remand the child or young person on bail or in custody.

(6) If the child or young person admits the offence or the Court is satisfied that it is proved and the Court decides that a remand is necessary for purposes of enquiry or observation, the Court may cause an entry to be made in the Court register that the charge is proved and that the child or young person has been remanded. The Court before which a child or young person remanded is brought may without further proof of the commission of the offence make any order in respect of the child or young person that could have been made by the Court that remanded the child or young person.

Citation

5. These Regulations may be cited as the Juvenile Court Establishment and Procedure Regulations, Revised Regulations of Anguilla J25-1.