

paramount consideration of the Court is always the best interests of the child or young person.

If the Court is satisfied that the child or young person is in need of care and protection, it may make any of the following orders:

- Order the parents or guardian to enter into a bond for proper care and guardianship of the child or young person;
- Order the child or young person to be committed to the care of a fit person;
- Order the child or young person to be committed to a place of safety or a place of temporary care and protection; or
- Place the child or young person under the supervision of a protector, an approved welfare officer or another person appointed by the Court.

The Court may make further orders requiring the child or young person and/or the parents or guardian to undergo counselling, psychotherapy or other forms of assessment and treatment or to participate in any activity. The aim of such order is to:

- Resolve relationship problems between the child or young person and the parents or guardian;
- Enable the parents or guardian to manage the child or young person; or
- Enhance, promote and protect the well-being and safety of the child or young person.

The Courts may also require the parents or guardian to enter into a bond to comply with such order.

BEYOND PARENTAL CONTROL CASES

Youths who exhibit delinquent traits need to be diverted from further misbehavior and prevented from potentially going on to commit offences.

A parent or guardian of a child or young person who is unable to control the child or young person may make an application to the Youth Courts for a Beyond Parental Control (BPC) Order.

Under the CYP A, a Youth Court may make a BPC Order if satisfied that it is expedient to do so and the parents or guardian consent to the making of such order.

The Court may order for the child or young person to be:

- Placed under Statutory Supervision for a period of not more than 3 years; or
- Sent to a Place of Safety for a period not more than 3 years.

The Court may make further orders requiring the child or young person and/or the parents or guardian to undergo counselling, psychotherapy or other forms of assessment and treatment or to participate in any activity. The aim of such an order is to:

- Resolve relationship problems between the child or young person and the parents or guardian;
- Rehabilitate the child or young person;
- Enable the parents or guardian to manage the child or young person; or
- Enhance, promote and protect the well-being and safety of the child or young person.

The Court may also require the parents or guardian to enter into a bond to comply with such an order.

APPEALS

Decisions of the Youth Courts are appealable to the Family Division of the High Court. Such appeals will be heard by the Judges of the Family Division of the High Court.

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Youth Courts

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YOUTH COURTS

**The Youth Courts -
Protecting The Next Generation**

THE YOUTH COURTS OF THE FAMILY JUSTICE COURTS

The Family Justice Courts, established under the Family Justice Act, came into being on 1 October 2014. The Family Justice Courts comprise:

- The Family Division of the High Court;
- The Family Courts; and
- The Youth Courts.

A key constituent court system within the Family Justice Courts, the Youth Courts, formerly known as the Juvenile Court, will hear all cases under the Children and Young Persons Act (CYPA) involving youths.

JURISDICTION OF THE YOUTH COURTS

The Youth Courts are presided over by a District Judge or Magistrate, who is designated by the Chief Justice as a judge of the Youth Courts, a change from the former regime where the Juvenile Court used to be presided over by a Magistrate.

Under the new regime, a Youth Court has the expanded powers of a District Court in the exercise of its criminal or quasi-criminal jurisdiction, including the power to order Reformatory Training for youths found guilty of committing a criminal offence.

APPROACH OF THE YOUTH COURTS

The Youth Courts adopt an approach that places the best interests of the youth as the paramount consideration. Emphasis is placed on identifying and preventing crime, delinquency and abuse through early intervention, assistance and care. There is also protection for youths facing parental neglect.

To further this end, the Youth Courts will continue to work in close collaboration with various agencies, stakeholders and professionals such as the Ministry of Education, Ministry of Home Affairs, social workers, psychologists and counsellors. The Youth Courts will also issue appropriate orders that will bring about a more sustained change for the betterment of families, including ordering relevant parties in the family of the affected children or youths to undergo appropriate mediation or counselling,

or to participate in family support programmes or activities that have been put in place by relevant organisations such as the Ministry of Social and Family Development (MSF).

TYPES OF CASES

Under the new framework of the Youth Courts, court processes will be strengthened and new and better practices will be put in place to provide for more effective early intervention measures for the following types of cases:

- Cases involving youths who commit offences (Youth Arrest cases);
- Cases involving the protection of children (Child Protection cases); and
- Cases involving youths who are beyond parental control (Beyond Parental Control cases).

(For more information on these different cases, please refer to the separate individual brochures or visit the new Family Justice Courts website at www.FamilyJusticeCourts.gov.sg)

YOUTH ARREST CASES

The primary aim of the Youth Courts in dealing with young offenders is to rehabilitate, reform and reintegrate them back into society, while balancing the need for protection of the public and the right of the victim to see that justice has been done.

Under the CYPA, young offenders below 16 years old are charged in the Youth Courts, unless charged with offences triable only by the High Court or are jointly charged with an adult offender.

Special rules apply so that a young offender charged in the Youth Courts is not labelled a criminal, is not exposed to adult criminals and is shielded from the full glare of publicity. For example, words like 'found guilty' and 'orders' are used instead of 'conviction' or 'sentence'. Young offenders charged in the Youth Courts are also separated from adult accused persons from the point of arrest up to trial. It is also prohibited to publish any information relating to the proceedings that may lead to their identification.

Once a young offender is found guilty of the charge, the

Court may call for a probation report which is prepared by a Probation Officer from MSF. The Court will then sit with two Panel Advisors (who are individuals in the community with vast work experience with children and youths, and who are appointed by the President of Singapore), Court Counsellors and the Probation Officer for a discussion of the case before deciding on the appropriate orders. In appropriate cases, a Family Conference facilitated by a Court Psychologist or Counsellor may be held to sort out relationship issues before the appropriate orders are finally decided upon.

The types of orders that the Youth Courts can make include:

- Granting the offender conditional or absolute discharge;
- Committing the offender to the care of a relative or other fit person;
- Parents or guardian to execute a bond for proper care and guardianship;
- Probation Order requiring the offender to be placed under the supervision of a Probation Officer for between 6 months to 3 years*;

*(*Conditions are often attached to the Probation Order, including performing up to 240 hours of community service, being detained in a place of detention up to 3 months, being detained in a place of detention or an approved institution over weekends, and the parents or guardian executing a bond for proper care and guardianship.)*

- Sending the offender to a Juvenile Rehabilitation Centre for up to 3 years;
- Offender to pay a fine, damages or costs;
- Ordering the offender to undergo reformatory training if the age requirements and other conditions are met; and
- Mandatory counselling orders.

CHILD PROTECTION CASES

Our children and young persons need to be protected from neglect, ill-treatment and abuse.

Under the CYPA, a Youth Court may make a Care and Protection Order for a child or young person if it is shown that the child or young person is in need of care and protection. In deciding the appropriate order to make, the