

Hon. Mr. McGowan.

JUVENILE OFFENDERS.

ANALYSIS.

- |   |   |
|---|---|
| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Procedure when juvenile offender charged with offence.</p> | <p>4. Magistrate to decide if a juvenile offender.</p> <p>5. Magistrate may order Court to be cleared.</p> <p>6. Discretionary power to Magistrate.</p> |
|---|---|

A BILL INTITULED

AN ACT to make Better Provision for the Hearing of Charges Title.  
against Juvenile Offenders.

BE IT ENACTED by the General Assembly of New Zealand  
5 in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Juvenile Offenders Act, Short Title.  
1906."

2. In this Act, if not inconsistent with the context,—  
10 "Juvenile offender" means any person under, or apparently Interpretation.  
under, the age of sixteen years:  
"Magistrate" includes two Justices.

3. (1.) Where a juvenile offender is to be brought before a Court Procedure when  
juvenile offender  
charged with  
offence.  
15 charged with any offence, it shall be the duty of the constable having  
charge of the case to make a special report thereon, either verbal or  
in writing, to the Magistrate.

(2.) The Magistrate shall thereupon fix a special hour for the  
hearing of the charge, and notice thereof shall be given to the  
20 parents of the child and also, if the Magistrate thinks fit, to any  
religious or charitable organization which interests itself in the care  
of children.

(3.) If the offender is under arrest he shall either be at once  
admitted to bail or given into the charge of some person willing to  
receive him and to undertake to produce him when required, as the  
25 Magistrate thinks fit, or the constable having charge of the case may  
arrange for him to be taken care of pending the hearing without  
reference to the Magistrate:

Provided that in no case shall the offender be allowed to remain  
in a gaol or lock-up pending the hearing.

30 4. The question whether any person is a juvenile offender within  
the meaning of this Act shall be decided by the Magistrate. Magistrate to decide  
if a juvenile  
offender.

*New clauses.*

Magistrate may  
order Court to be  
cleared.

5. On the hearing of any charge under this Act the Magistrate may order that all persons may be excluded from the Court; provided that such order shall not operate to exclude any counsel, solicitor, witness, parent or guardian, or accredited newspaper representative, or the representative of any institution or organization interested in the reform of juvenile offenders. 5

Discretionary  
power to  
Magistrate.

6. It shall not be necessary for any Magistrate upon the hearing of any charge against a juvenile offender, even if he considers such charge proved, to record a conviction against such juvenile offender in respect thereof; and such Magistrate may, if he thinks fit, in lieu of convicting such child, admonish him, and also, if he thinks expedient, order him or his parents to pay any costs or damages incurred by or through such offence. 10

Hon. Mr. McGowan.

JUVENILE OFFENDERS.

ANALYSIS.

Title.	
1. Short Title.	4. Magistrate to decide if a juvenile offender.
2. Interpretation.	5. Magistrate may order Court to be cleared.
3. Procedure when juvenile offender charged with offence.	6. Discretionary power to Magistrate.

A BILL INTITULED

AN ACT to make Better Provision for the Hearing of Charges  
against Juvenile Offenders. Title.

BE IT ENACTED by the General Assembly of New Zealand  
5 in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is "The Juvenile Offenders Act, 1906." Short Title.

2. In this Act, if not inconsistent with the context,—  
10 "Juvenile offender" means any person under, or apparently  
under, the age of sixteen years : Interpretation.  
"Magistrate" includes two Justices.

3. (1.) Where a juvenile offender is to be brought before a Court  
charged with any offence, it shall be the duty of the constable having  
15 charge of the case to make a special report thereon, either verbal or  
in writing, to the Magistrate. Procedure when  
juvenile offender  
charged with  
offence.

(2.) The Magistrate shall thereupon fix a special hour for the  
hearing of the charge, and notice thereof shall be given to the  
20 parents of the child and also, if the Magistrate thinks fit, to any  
religious or charitable organization which interests itself in the care  
of children.

(3.) If the offender is under arrest he shall either be at once  
admitted to bail or given into the charge of some person willing to  
receive him and to undertake to produce him when required, as the  
25 Magistrate thinks fit, or the constable having charge of the case may  
arrange for him to be taken care of pending the hearing without  
reference to the Magistrate :

Provided that in no case shall the offender be allowed to remain  
in a gaol or lock-up pending the hearing.

4. The question whether any person is a juvenile offender within  
30 the meaning of this Act shall be decided by the Magistrate. Magistrate to decide  
if a juvenile  
offender.

*New clauses.*

Magistrate may  
order Court to be  
cleared.

5. On the hearing of any charge under this Act the Magistrate may order that all persons may be excluded from the Court; provided that such order shall not operate to exclude any counsel, solicitor, witness, parent or guardian, or accredited newspaper representative, or the representative of any institution or organization interested in the reform of juvenile offenders. 5

Discretionary  
power to  
Magistrate.

6. It shall not be necessary for any Magistrate upon the hearing of any charge against a juvenile offender, even if he considers such charge proved, to record a conviction against such juvenile offender in respect thereof; and such Magistrate may, if he thinks fit, in lieu of convicting such child, admonish him, and also, if he thinks expedient, order him or his parents to pay any costs or damages incurred by or through such offence. 10