

Children and Young Persons (Family Conferencing) Regulations 2001

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THE SCHEDULE Procedure for Meeting of Family Conference

No. S 477

CHILDREN AND YOUNG PERSONS ACT (CHAPTER 38)

CHILDREN AND YOUNG PERSONS (FAMILY CONFERENCING) REGULATIONS 2001

In exercise of the powers conferred by section 85 of the Children and Young Persons Act, the Minister for Community Development and Sports hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Children and Young Persons (Family Conferencing) Regulations 2001 and shall come into operation on 1st October 2001.

Definitions

2. In these Regulations, unless the context otherwise requires —

“family conference” means a family conference convened under section 44A of the Act;

“investigating officer” means the police officer who led the investigations into the offence committed by an offender;

“offender” means a child or young person who has been found guilty of an offence by the Juvenile Court;

“probation officer” means a person appointed to be a probation officer under section 3 of the Probation of Offenders Act (Cap. 252);

“prosecuting officer” means the person who conducted the prosecution before the Juvenile Court in respect of the offence committed by an offender;

“Registrar” means the Registrar of the Subordinate Courts.

Convening of family conference

3.—(1) The Juvenile Court may convene a family conference under section 44A of the Act if, having regard to the information obtained by the Court under section 42(8) of the Act in respect of the family background, general conduct, home surroundings, school record, medical history and state of development of the offender, the Court is satisfied that it would be in the best interests of the offender that he be dealt with by a family conference.

(2) Before making the order for the convening of a family conference, the Juvenile Court shall explain to the offender —

(a) the purpose and effect of the order; and

(b) the consequences which may follow under section 44A(3) of the Act should the offender fail to attend at the time and place appointed for the meeting of the family conference or to comply with any requirement of the family conference.

(3) Upon making the order for the convening of the family conference, the Juvenile Court may adjourn the case for such period as the Court thinks necessary and make in respect of the offender such interim order, having effect only during the period of adjournment, as the Court thinks fit.

Composition of family conference

4.—(1) A family conference shall consist of —

- (a) a facilitator; and
- (b) such number of other members as the Juvenile Court thinks fit to appoint.

(2) The persons who may be appointed members of family conference shall include —

- (a) the offender to be dealt with by the family conference;
- (b) the parents or guardian of the offender and any other member of his family as the Juvenile Court thinks fit to appoint;
- (c) the investigating officer;
- (d) the prosecuting officer;
- (e) a probation officer;
- (f) the victim of the offence;
- (g) the parents or guardian of the victim of the offence and any other member of his family as the Juvenile Court thinks fit to appoint;
- (h) a representative from the school of the offender (for example, the principal, vice-principal or disciplinary master of the school);
- (i) any counsellor, approved social worker or registered medical practitioner who has dealt with the offender; and
- (j) such other person as the Juvenile Court thinks necessary or appropriate.

(3) The presiding Magistrate of the Juvenile Court may act as the facilitator of the family conference or may appoint any suitably qualified person to be the facilitator.

Procedure at family conference

5.—(1) All meetings of the family conference shall be convened and chaired by the facilitator.

(2) The facilitator shall cause to be sent to each member of the family conference a notice in writing specifying the date, time and place of the meeting of the family conference and may, in such notice, call upon any member of the family conference to furnish any document for the consideration of the family conference during its meeting.

(3) No member of the family conference shall act as an interpreter during its meetings, and where any member of the family conference requires the assistance of an