

Juvenile Offenders Act 1906

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An Act to make Better Provision for the Hearing of Charges against Juvenile Offenders.

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

1 Short Title.

The Short Title of this Act is “The Juvenile Offenders Act, 1906.”

2 Interpretation.

In this Act, if not inconsistent with the context,—

“Juvenile offender” means any person under, or apparently under, the age of sixteen years:

“Magistrate” includes two Justices.

3 Procedure when juvenile offender charged with offence.

- (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 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 parents of the child, and also, if the Magistrate thinks fit, to any religious or charitable organization or any public institution 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 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 unless his safe custody cannot otherwise be provided for.

4 Magistrate may order Court to be cleared.

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.

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; and any order may be enforced in a summary manner under "The Justices of the Peace Act, 1882."

6 Magistrate to decide if a juvenile offender.

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