

THE JUVENILE JUSTICE DIVISION



Processing documentation in the holding room



Magistrate in case discussion with psychologist and supervision officer



Sentencing a juvenile delinquent



Court officer processing charges



Supervision officer counselling juvenile



Interpreter reviewing statement of facts



Juvenile Court in session

The Juvenile Court not only deals with juvenile offenders who have committed criminal offences. It also deals with children who are Beyond Parental Control (BPC) and those who need care and protection. The Juvenile Justice System upholds the principle of Restorative Justice. Restorative Justice seeks to re-integrate the offending juvenile back into society by the following means:

- Holding the juvenile offender accountable for his offending behaviour and having him take responsibility for the consequences of that offending behaviour by making reparations to society, whether by way of community work, or by way of restitution, compensation and apology to the victim;
- Allowing the victim, where appropriate, to confront the offender to make him aware of the harm caused by his offending act; and
- Requiring parents of the offender to take responsibility for their child's behaviour, and empowering them to play a greater role in the rehabilitation of the offender.

The Restorative Justice model has been adopted by the Subordinate Courts in recognition of the potential for positive change in young offenders. However, the Juvenile Court is also mindful of issues of public protection and personal accountability, as well as the individual strengths and limitations of the offenders who appear before it.

The Juvenile Court therefore incorporates elements of deterrence, incapacitation and rehabilitation in its approach to sentencing. In this regard, the Juvenile Offender Behaviour (JOB) Criteria has been developed.

Juvenile Offender Behaviour (JOB) Criteria

The JOB Criteria is a pre-sentencing risk assessment tool based on developmental psychology and criminology, to identify risk factors of criminality. Through JOB Criteria, offenders are placed along a continuum from "developmental-limited" to "life-course persistent" – which enables the court to assess the propensity of the juvenile offender to re-offend. Depending on where the juvenile offender "scores" along the continuum, a more highly regimented and structured environment, or simply being placed on statutory supervision and sent home to his family, may be the most appropriate sentence for his rehabilitation.

Panel of Advisers and the Juvenile Probation Case Committee

The Juvenile Court is assisted by a Panel of Advisers, composed of court volunteers, who read the Pre-sentence Reports furnished by officers from the Ministry of Community Development and Sports. They will discuss and give their feedback on each case in chambers with the magistrate, and will also be present in open court.

The Juvenile Probation Case Committee meets once every two months to review the cases of juvenile offenders who have been placed on probation. The Committee consists of the police, the Panel of Advisers, and the Chief Probation Officer (from the Ministry of Community Development and Sports). It is chaired by the Juvenile Court Magistrate.

Amendments to the Children and Young Persons Act (Chapter 38)

Major amendments have been made to the Children and Young Persons Act, which came into force on 1 October 2001. The amendments include the introduction of new sentencing options, such



Magistrate May Mesenas,
presiding judge of the Juvenile Court

"A second chance. A fresh start. That is what the Juvenile Court aims to give those youths who appear before us. These are youths who have either committed crimes, or proven so unruly that their parents can no longer control them, or who have been abused or neglected by their own families. Our ultimate goal is to turn these troubled youths from liabilities (or potential liabilities) to society, into responsible and productive citizens.

Young people need a firm guiding hand in order to stay on the right path, and learn the right values. If their own families have failed to provide this, then the Juvenile Court will step in and find a solution. The discipline starts from the moment the juvenile appears before me, the Juvenile Court judge. Those in shorts and slippers will be ordered to come back in their school uniforms, or in long trousers, long-sleeved shirts, and proper shoes. Those with coloured hair will be told to cut it, or dye it black. They are to address every adult in the Court as "Sir or Ma'am". They are told to speak only when they are spoken to. For some, it is the first taste of real discipline which they have had in their short lives.

Sometimes, a few strong and well-chosen words, and the solemn experience of appearing in the Juvenile Court is enough to deter a foolish and headstrong young person from acting before he thinks the next time. At the other extreme, there are others who need the discipline and control that only an institution can give – regular bedtimes and mealtimes, set times for sports and homework and lessons, with every single minute accounted for, and barred windows in each room.

People (both children and adults) often break down and cry in the Juvenile Court – harsh truths are told to them, hard choices stare them in the face, and difficult lessons are learned. But it is all worth it when a youth who used to be the despair of his parents and his school teachers manages to stay out of trouble, and becomes a normal student, passing his exams, and making plans for the future. Or when children who have had to be put into a home because their parents were not capable of caring for them are re-united with their families, their parents having shown that they have turned over a new leaf – kicked their alcohol habits, gotten honest jobs, visited the children regularly, and so on.

The work of the Juvenile Court will only stop on the day when all parents in Singapore become loving, responsible, and mature, and when all children are law-abiding, disciplined and honest.

Sounds like an impossible goal? We at the Juvenile Court will never stop striving to reach it."



(from left to right):

Mr Chng Kair Chuan, Police Officer attached to the Juvenile Court

Ms Victoria Lai, Supervision Officer from Singapore Children's Society

"As a Supervision Officer, I handle BPC (Beyond Parental Control) cases placed on Statutory Supervision, which is generally about 12 months. I enter the family as an authority figure, representing the Court in executing the Order for those who are placed under Supervision. However, the nature of the cases requires me to play multiple roles instead of just 'supervisor'. Thus, I act as a befriender, counsellor, mediator, advocate and teacher. Though the backgrounds of the youths are varied, the most common problem seems to be the strained relationship with their parents. Frustration and disappointment are common when both youths and parents fail to realise their responsibilities. Seeing the BPC youths heading in a positive direction and making an effort in realising their potential are my rewards. We celebrate when parents play a more effective and active role with their children. The road is not easy but the goal is to make a difference in the lives of these youths, so that they can also make a difference in others."

Ms Lucy Wee, Police Inspector, Prosecuting Officer, Ministry of Home Affairs

Mrs Lilian Ng, Court Officer, Juvenile Court

as stand-alone Community Service Orders (CSOs) (previously the court could only impose CSOs as one of the conditions of probation, but now it can impose CSOs alone as a sentencing option), Weekend Detention Orders (WDO) (under the WDO, the juvenile can be detained in a Place of Detention or Approved School for up to 52 weeks during weekends starting at 3 pm on a Saturday and being discharged at 5 pm on Sunday), and Reformatory Training Orders for both boys and girls above the age of 14 years (previously the Reformatory Training Order could only be made for boys and girls who have attained a minimum age of 14 years and who have also been previously dealt with by the Juvenile Court in relation to another offence or boys and girls who have attained the age of 16 years). The new Act also allows the Court to make a Periodic Training Order as part of a probation order, which requires the probationer to report to a social service agency for a fixed number of hours to acquire social or other relevant skills, receive guidance in educational/vocational development, and receive training in employment preparation and work ethics. In addition, the amendments enshrine Family Conferencing (see the section on Programmes, below), which was previously a Juvenile Court programme, as part of the legislation. Finally, the amended Act empowers the Juvenile Court to make orders for the child, the child's parent or guardian to undergo a counselling, psychotherapy or other programme for the rehabilitation of the juvenile offender or for enhancing or protecting the emotional well-being of the child or young person, as the case may be.

Programmes

The Juvenile Court seeks to involve the community, and to tap on community resources, in the re-integration of the juvenile offender back into society. The Juvenile Court has instituted various programmes in this regard.

Restoration and Rehabilitation

Family Conferencing/Magistrates' Conferencing

Family Conferencing involves a confrontation between the juvenile offender and the victim, together with his parents, and members of the community such as representatives from the offender's school

and the police. This is intended to make the offender realise the consequences of his offending act, and to take responsibility and make reparations for the same. The newly amended Children and Young Persons Act 2001 clearly delineates a specific role for Family Conferences in both dealing with the offender and in furthering the process of subsequent rehabilitation, counselling, and psychotherapy.

Youth Family Care Programme

The Youth Family Care Programme (YFC) involves a collaboration between the Juvenile Justice Centre and TOUCH Community Services. In the YFC, volunteer couples are enlisted to act as positive role models, mentors and "big brothers and sisters" to juvenile delinquents and their families. The Juvenile Justice Division provides training for such volunteers. The Singapore Children's Society has been enlisted to help in the recruitment and training of volunteers for this programme. In addition, Pertapis and other Muslim agencies are joining with the Juvenile Justice Centre and TOUCH in order to provide a multi-religious alternative in the programme.

Community Service Orders

The court may make community service orders in respect of a juvenile offender. Under this programme, the offender is made to perform community service with a view to ensuring that he makes amends to the community in respect of his offending act, and to inculcate respect in the offender towards people and property.

Public Outreach

Book on Juvenile Justice

The Juvenile Justice Division is presently collaborating with the Ministry of Community Development and Sports to publish a book on juvenile justice issues to be titled "Rebuilding Lives: Restoring Troubled Youths to the Community". We are obtaining contributions to the book from external agencies, in particular, the Attorney-General's Chambers, the Ministry of Education, and Voluntary Welfare Organisations. The book is expected to be published in 2002.



(from left):

Mr Lee Tiong Peng, Principal Consultant with the Centre for Effective Leadership (Asia) Pte Ltd., Chairman of the Panel of Advisers
Mr Abdul Halim, Director (Social and Cultural Affairs), Yayasan Mendaki, Member of the Panel of Advisers

Mr Lee Tiong Peng, Principal Consultant with the Centre for Effective Leadership (Asia) Pte Ltd., Chairman of the Panel of Advisers

"It has been my privilege to be a member of the Panel of Advisers since 20 October 1984, and chairman of the Panel from the year 2000. In addition, I am also involved in the work of the Juvenile Probation Case Committee. We try to balance the need for accountability for the offending behaviour against the welfare of the juvenile. My satisfaction in working with the Juvenile Court is being able to work alongside many highly competent people whose hearts are in the right place."

Mr Abdul Halim, Director (Social and Cultural Affairs), Yayasan Mendaki, Member of the Panel of Advisers

"I have found my work in the Subordinate Courts very fulfilling and satisfying as it is directly related to the work which I am doing in Yayasan Mendaki and its affiliated Family Service Centres. Basically, my work as a full time Director (Social and Cultural Affairs) in Yayasan Mendaki requires me to plan, monitor, execute and evaluate various strategies and intervention programmes, targeted at parents, students, youths, children and families, and which are intended to strengthen the fabric of society. Reading through the numerous detailed pre-sentence and social reports prepared by MCDS probation officers and child protection officers has given me new insights on the relationship between delinquent behaviour and dysfunctional families. It has emphasized the importance of having a positive peer and home environment, and the availability of external resources to be tapped on for the protection of juveniles from irresponsible and/or abusive parents and guardians."



Peer Mediation Programme

The Peer Mediation programme was initiated by the Subordinate Courts in 1996. The philosophy behind introducing Peer Mediation in schools is to nip disciplinary problems in the bud before they escalate into behaviour which requires intervention by the schools, police or the courts. This is done by imparting practical skills to students in the management and resolution of conflicts. Selected students receive special training to enable them to act as third party mediators between two or more of their peers in the same school who are involved in petty quarrels and who are willing to have their disputes resolved constructively.

In this year's Peer Mediation Training workshop, the Juvenile Justice Division collaborated with Sembawang-Hong Kah Community Development Council, the Ministry of Law, as well as the Ministry of Education. The Peer Mediation workshop was held in October 2001, and was attended by 80 students from four schools.

In addition, the Juvenile Justice Division, together with the Ministry of Law, has also collaborated with the Girls' and Boys' Brigades, for members of these uniformed groups to be trained in peer mediation.

Peer Group Advisers Programme – "Mock Trial"

The Peer Group Advisers programme affords students the opportunity to experience the workings of the Juvenile Court, as they are given a chance to sit in court proceedings and take part in discussions with the Juvenile Court magistrate in chambers. The programme was initiated by the Subordinate Courts in 1996.

The programme is now in its 6th year. The Juvenile Court has targeted this year's programme at students from the 'gifted' programme as well as those from the neighbourhood schools. (For more details, see the section on Corporate Services.)

To enhance the programme, this year the participating students (a total of 47 students from 10 secondary schools) were asked to role-play prosecutors, defence counsel as well as the panel of advisers in the premises of the Juvenile Court, thereby giving them the opportunity to participate in a 'mock trial'.

Teenquest 2001

Teenquest is an event for teenagers between the ages of 10 and 16 which has the objective of enhancing familial relationships, promoting and inculcating moral and societal values, and disseminating information on the juvenile justice process. Participants take part in a series of educational activities such as quizzes and games. Teenquest was held in September 2001. A total of 70 people participated.

Research and Studies

The Psychological Services Unit is constantly engaged in research on juvenile justice issues, with the aim of discovering the most effective solutions for the prevention of offending behaviour and for the rehabilitation of offenders. Studies done in the past year, and which have been completed, or are currently on-going, include:

- A study done by the Psychological Services Unit on 155 female juvenile cases. Profiles of the offenders were analysed to assess the common crimes committed, the common motivations for the crimes, and the extent of parental supervision of the juvenile offenders.
- A study on restorative justice to be done in conjunction with the National University of Singapore's Public Policy Programme. The study will examine restorative traditions in other nations. It will also explore the unique Asian perspective inherent in the Singaporean model of juvenile justice, and the potential avenues for evaluating and broadening the principle and practice of restorative justice within Singapore.
- A research project regarding bullying. Bullying is an area of concern in the profiles of Juvenile Arrest Cases, in the behaviour of residents of juvenile homes/institutions and in the nation's schools. Currently, a literature review is being conducted by the Psychological Services Unit to examine theories of bullying, the nature of bullying, and successful bullying intervention programmes in other countries.



Ms Lim Soo Hoon, Permanent Secretary, Ministry of Community Development and Sports (MCDS)

"MCDS and the Courts indeed have been working very closely in various projects and I am very pleased with the collaboration we have had so far. We have regular dialogues with the Courts at various levels which ensure we maintain close working relations. One significant collaborative event we had was the first international Youth Justice Conference in September 2000.

The recent amendments to the Children and Young Persons Act are yet another opportunity for both the Courts and MCDS to collaborate further. The amended Act will provide us with more options to deal with juvenile offenders. It will also provide the Courts and MCDS the opportunity to move into a new area of child protection, namely protection of children from psychological and emotional abuse."



(from left to right):

Tay Kae Sian, Secondary 3 student, Peer Group Adviser

"To help my peers who get into fights or get into trouble with the teachers, I can probably talk to them, as it is more likely they will listen to friends, rather than adults."

Wong Voon Chew, Secondary 3 student, Peer Group Adviser

"I got to know what the juvenile court judge looks into before she makes the sentence. She has to look into the aggravating and mitigating factors of the cases. This reminds us not to look at the surface when analysing problems."

Muhammad Faizal, Secondary 3 student, Peer Group Adviser

"An unforgettable moment for me was to see boys and girls my age being handcuffed and led by the policemen/women to the court for the

sentencing order. It was a traumatic experience for me as it could have been me if I had broken the law."

Mytle Lee, Secondary 3 student, Peer Group Adviser

"...getting a chance to be involved in a court hearing was a great experience for me...It was heartening to see the victim's remorse and regret. On the other hand, it was disheartening to see the parents feeling sad and depressed."

Uma Ramakrishnan, Secondary 3 student, Peer Group Adviser

"Being a peer adviser, I certainly have been given a golden opportunity to go through the experience of learning about the juvenile court and the legal system."