

**PART IV**

**DIVISION II**

Children's aid panel must notify child of proceedings.

**33. (1) Where—**

(a) it is alleged that a child is a truant;  
or

(b) a screening panel has certified that a matter is to be heard before a children's aid panel,

the children's aid panel shall forthwith notify the child of the date, time and place at which he must appear before the panel.

**(2) A notice given to a child under subsection (1) of this section—**

(a) must state the allegations made against the child and specify the offence the child is alleged to have committed;

and

(b) must contain a statement to the effect that if the child does not admit the allegations he may notify the children's aid panel accordingly, and that if he does so notify the panel, his case will be brought before the Children's Court.

(3) Where a child notifies the children's aid panel that he does not admit the allegations made against him, a complaint shall thereupon be laid against the child for the alleged offence.

Social background and other reports.

**34. (1) Upon the request of a children's aid panel, the Commissioner of Police or the Director-General, or, in the case of truancy, the Director-General of Education, shall cause to be prepared for the information and guidance of the children's aid panel a report setting out, as far as may be reasonably ascertainable and relevant to the matter under consideration, details of the alleged offence and of the personal circumstances and social background of the child the subject of the proceedings.**

(2) A panel may request the Director-General to obtain any further information or reports that may be necessary or desirable for the purpose of dealing with a child under this Part and the Director-General shall, so far as is reasonably practicable, comply with such a request.

Duties and powers of children's aid panels.

**35. (1) Before a children's aid panel proceeds to deal with a child, the panel—**

(a) must explain to the child the allegations that have been made against him;

(b) must satisfy itself that the child admits the allegations;

(c) must inform the child that he is entitled to request, at any stage of the proceedings, that the matter be referred to the Children's Court for hearing and determination;

and

(d) must explain to the child the implications to the child according to whether he is dealt with by the panel under this Division or his case is brought before the Children's Court.

(2) A children's aid panel shall have the following powers in dealing with a child under this Part:—

(a) the panel may warn or counsel the child and his guardians;

- (b) the panel may request the child to undertake, in writing, to comply with such directions as may be given by the panel, including directions as to any training or rehabilitative programme to be undergone by the child;
- (c) the panel may request a guardian of the child to undertake, in writing, to comply with such directions as may be given by the panel to assist or supervise the child in any training or rehabilitative programme to be undergone by the child;
- (d) the panel may vary the terms of any undertaking on the application of the child or a guardian of the child, but not so as to extend the period of the undertaking;

and

- (e) the panel may, at any time within the period of an undertaking, request the child to give a fresh undertaking in substitution for that existing undertaking, but not so as to extend the period of that undertaking.

(3) A children's aid panel may require that an undertaking be given for such period of time, not exceeding six months, as it thinks fit.

(4) No undertaking shall require a child to change his place of residence.

36. (1) A children's aid panel shall refer a matter before the panel to the Children's Court where—

- (a) the child, at any stage of the proceedings, requests that the matter be heard and determined by the Court;

or

- (b) the offence is not admitted by the child.

(2) A children's aid panel may refer a matter before it to the Children's Court where—

- (a) the child, or a guardian of the child, does not appear before the panel in accordance with a requirement of the panel;

- (b) the child, or a guardian of the child, refuses to give an undertaking requested by the panel;

or

- (c) the child breaches an undertaking within the period of the undertaking.

(3) Where a matter is referred by a children's aid panel to the Court, the panel shall notify the Court in writing of the reason for so referring the matter and shall also cause written notification to be given to the child and a guardian of the child of the decision of the panel to refer the matter.

37. (1) Subject to subsection (2) of this section, where a child is dealt with by a children's aid panel, no criminal proceedings may be brought in any court against the child for the alleged offence.

(2) Where a children's aid panel has referred a matter to the Children's Court, a complaint shall thereupon be laid against the child in respect of the alleged offence, notwithstanding any time limits provided under the Justices Act, 1921-1976, or any other Act.

Panel to refer matter to Children's Court in certain circumstances.

Procedure on decision of children's aid panel.

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No legal representation at panel hearings, etc.

38. (1) A child appearing before a children's aid panel shall not be represented by any person, but the panel shall hear submissions from the child, or any guardian of the child, and may, at its own discretion, hear submissions from any person who has been counselling, advising or aiding the child.

(2) No person other than the child, any guardian of the child, or any other person authorized by the panel, shall be present at a sitting of a children's aid panel.

(3) A children's aid panel is not empowered to authorize a representative of the news media to be present at a sitting of the panel.

Certain evidence not admissible.

39. Nothing said or done in any proceedings before a children's aid panel shall be admissible as evidence in any subsequent proceedings in respect of the offence the child is alleged to have committed.

Appearance of child before children's aid panel not to be disclosed.

40. Subject to this Act, no appearance of a child before a children's aid panel—

(a) may be alleged in any proceedings before a court other than a court exercising any jurisdiction under this Act;

or

(b) may be disclosed, except with the approval of the Minister, by any body or person exercising any powers under this Act in relation to the child.

Places at which children's aid panels shall not sit.

41. A children's aid panel shall not sit for the purpose of exercising any of its functions under this Act in any place commonly used as a courthouse or office of police.

**DIVISION III****DIVISION III—APPREHENSION AND REMAND**

Apprehension.

42. (1) Where a complaint is laid alleging that a child has committed an offence, any justice may summon the child to appear before the Children's Court at a date, time and place named in the summons or may, instead of issuing a summons, issue a warrant under his hand for the apprehension of the child.

(2) Any member of the police force may, without warrant, apprehend any child who is reasonably suspected of having committed an offence.

(3) A member of the police force may, for the purpose of apprehending a child pursuant to this section, enter or break into any place or premises and use such force as is reasonably necessary.

(4) Any child who is apprehended, whether under this section or any other Act or law, shall, if he is not granted bail under section 43 of this Act, be detained by the Director-General with a person (where practicable), or in a place (other than a prison), approved by the Minister and shall (unless he has been released from detention pursuant to a decision of a screening panel) be brought before the Children's Court for the purpose of remand not later than the next working day following the day on which he was apprehended.

Bail by police or justices.

43. (1) Where a child is apprehended he shall be delivered into the custody of a member of the police force in charge of any police station, and that member may, if he deems it prudent, take bail by recognizance, with or without sureties, without any fee or reward, the condition of the recognizance being that the child shall appear before the Children's Court at a date, place and time specified in the recognizance.

(2) Where a member of the police force does not admit a child to bail under subsection (1) of this section, he shall, upon the request of the child or a guardian of the child, forthwith bring the child before a justice for the hearing and determination by the justice of a further application for bail.

44. (1) Subject to this section, a child may from time to time be remanded by the Court at any stage of any proceedings under this Part, and upon any remand the Court may, by order—

Fowers of  
Court upon  
remand.

- (a) allow the child to go at large;
  - (b) release the child upon bail upon such conditions as the Court thinks fit;
  - (c) release the child into the custody of any suitable person;
- or
- (d) remand the child in custody—

- (i) where the Court has committed the child to an adult court for trial pursuant to any of the provisions of this Part—until the child is released or delivered in due course of law;

or

- (ii) in any other case—for a period not exceeding twenty-eight days,

to be detained in a place (other than a prison) approved by the Minister.

(2) A child shall not be remanded in custody unless in the opinion of the Court—

- (a) the child is likely to abscond;
- or
- (b) it is necessary for the protection of the child, the general public, or any person or property, that the child be remanded in custody.

(3) The Court may revoke any order made under subsection (1) of this section and may substitute therefor any other order it is empowered to make under that subsection.

#### DIVISION IV—TRIAL AND SENTENCING

#### DIVISION IV

45. Where a child is charged with homicide he shall be tried in the Supreme Court.

Homicide to  
be tried in  
Supreme Court.

46. (1) Subject to section 47 of this Act, where a child who is charged with an indictable offence requests trial by jury in an adult court, the Children's Court—

Committal  
to adult  
court at  
request of  
child.

- (a) if it is satisfied that the child has received independent legal advice with respect to the implications to him of trial in an adult court, shall conduct a preliminary examination;

and

- (b) if it is then satisfied that there is a case to answer, shall commit the child for trial in the appropriate adult court.

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(2) A child may not make a request under this section—

(a) if determination of an application made by the Attorney-General under section 47 of this Act is pending;

or

(b) if, pursuant to such an application by the Attorney-General, an order has been made that the child be tried in an adult court.

Committal to adult court for trial or sentencing upon application by Attorney-General.

**47.** (1) Where the Attorney-General is of the opinion that a child charged with an indictable offence (other than a minor indictable offence) should, by reason of the gravity of the circumstances of the offence, or the fact that the child has previously been found guilty of more than one serious offence, be tried in the appropriate adult court, the Attorney-General may apply to a Judge of the Supreme Court for an order that the child be so tried.

(2) An application by the Attorney-General for an order that a child be tried in an adult court may be made at any time before any plea is taken from the child by the Children's Court.

(3) Where a member of the police force who has laid a complaint against a child is of the opinion that the child is one in respect of whom the Attorney-General is likely to exercise his powers under this section, that member may notify the Children's Court accordingly and the Children's Court shall not proceed to deal further with the child except by way of remand until the Attorney-General advises the Court that no such application is to be made, or until any such application is determined or withdrawn.

(4) The Attorney-General shall, in any application made by him under this section, set out the facts upon which the application is made and furnish a copy of the statement of any proposed witness for the prosecution.

(5) The Attorney-General shall cause a copy of the application to be served upon the child and each guardian of the child whose whereabouts is known to the Attorney-General, and the application must be endorsed with a notification of the place, date and time for the hearing of the application.

(6) The Judge shall hear any submissions made by the child and by any guardian of the child who is present at the hearing of the application.

Preliminary examination.

**48.** The Children's Court shall conduct a preliminary examination in relation to a child who is, by virtue of any provision of this Act, to be tried in an adult court.

Provisions relating to pleas in the Children's Court.

**49.** (1) Where a child is charged with any offence, he shall, unless he is to be tried in an adult court pursuant to this Act, plead guilty or not guilty to the charge at the commencement of the hearing in the Children's Court, and the Court shall proceed to deal with the matter summarily.

(2) Where a child has pleaded guilty to a charge of an offence, the Court may, at any stage of the proceedings, if it is of the opinion that the child may not be guilty of the offence charged, order that the plea of guilty be withdrawn and a plea of not guilty be entered.

(3) Where the Court has exercised its powers under subsection (2) of this section, the child is not entitled to plead *autrefois convict* by reason of his plea of guilty.

Provisions relating to verdict of Court.

**50.** (1) Where a child charged with an indictable offence is before the Children's Court, the Court has full power to record any alternative verdict that an adult court may record in relation to the offence charged.

(2) In any proceedings before the Children's Court under this Part the Court must deliver its verdict not later than five o'clock in the afternoon of the fifth working day after the day on which the hearing of evidence and addresses by counsel (if any) is concluded.

(3) Nothing in this section renders invalid any verdict given after the expiration of the period referred to in subsection (2) of this section.

(4) Nothing in this section renders unlawful the detention of a child until a verdict is delivered.

(5) Any verdict of the Court in relation to an indictable offence (other than a minor indictable offence) must be accompanied by a statement of the reasons of the Court in reaching that verdict.

**51.** (1) Subject to this Act, where the Children's Court finds a charge (other than a charge of truancy) proved against a child, the Court may, by order—

Powers of  
Court on  
finding child  
guilty.

- (a) upon convicting the child, sentence him to a period of detention of not less than two months nor more than two years in a training centre, but no period of detention may be ordered unless the Court has first obtained a report on the child and his circumstances from an assessment panel;
- (b) upon convicting the child, or without convicting the child, discharge the child upon his entering into a recognizance with or without sureties, upon condition that he will be of good behaviour and will appear before the Court for sentence if he fails during the term of the recognizance to observe any of its conditions, and upon any one or more of the following conditions that the Court may think fit to include in the recognizance—
  - (i) that he will be under the supervision of an officer of the Department or other person nominated by the Director-General and will obey the directions of that officer or person;
  - (ii) that he will attend a youth project centre at such times as may be stipulated in the recognizance or required of him by the Director-General and will obey any directions that may be given to him by or on behalf of the person in charge of that centre;
  - (iii) that he will participate in such project or programme as the Director-General may require;
  - (iv) that he will reside with such person, or in such place, as may be stipulated in the recognizance;
  - (v) that he will attend before the Court at such times as may be specified in the recognizance for the purpose of reviewing his progress or circumstances;
- and
- (vi) any other condition that the Court may think necessary or desirable;
- (c) upon convicting the child, or without convicting the child, impose a fine not exceeding—
  - (i) the maximum fine prescribed under the relevant Act or law for the offence;

or

(ii) five hundred dollars,  
whichever is the lesser;

or

(d) without convicting the child, discharge the child without penalty.

(2) The Children's Court is not empowered—

(a) to sentence a child to imprisonment;

or

(b) to fine a child, require a child to enter into a recognizance or disqualify a child from holding or obtaining a licence to drive a motor vehicle, otherwise than in accordance with this Part.

(3) Subject to this Act, the Court may make any other order that is provided for under any Act or law in relation to the offence of which the child has been found guilty.

(4) The Court may exercise its powers under both paragraphs (b) and (c) of subsection (1) of this section in respect of the same offence.

(5) A recognizance under this section—

(a) shall be effective for such period of time, not exceeding two years;  
and

(b) shall bind the child for such sum, not exceeding two hundred dollars in the case of a simple offence or a minor indictable offence,

as may be specified in the recognizance.

(6) Where the Court has convicted a child and sentenced him to a period of detention, the Court may suspend the sentence upon the child entering into a recognizance with or without sureties, upon condition that he will be of good behaviour and upon any one or more of the other conditions referred to in paragraph (b) of subsection (1) of this section.

(7) Where a child whose sentence has been suspended pursuant to subsection (6) of this section complies with the conditions of the recognizance, the sentence of detention shall, upon the expiration of the period of the recognizance, be wholly extinguished.

(8) Where the Court is of the opinion that a child of any age who has been found guilty of an offence is not a fit and proper person to hold or obtain a licence to drive a motor vehicle, or that disqualification is an appropriate penalty for the offence committed, the Court may, in addition to any other orders it may make in relation to the child, with or without convicting the child, make an order disqualifying the child from holding or obtaining such a licence, except for such purposes (if any) as may be specified in the order—

(a) as from a day or time specified in the order;

and

(b) either for a period specified in the order, or until further order.

(9) Upon application by the child, a Judge or special magistrate of the Court may, if he is satisfied that it is just or expedient to do so, vary or revoke any order for disqualification made under subsection (8) of this section.

(10) A child is not entitled to apply to a court of summary jurisdiction for an order removing his disqualification pursuant to section 172 of the Road Traffic Act, 1961-1979, until he has attained the age of eighteen years.

(11) Subject to this Act, the Court shall, before dealing with a child under this section, have regard to all the facts and circumstances relating to the child and the offence that are known to the Court, and the Court may exercise its discretion on the question of penalty as provided by this section without being bound by a minimum penalty (if any) prescribed in any Act for the offence proved against the child.

(12) Where the Court has found a charge of a group I or group II offence proved against a child, the Court shall record a conviction unless there are, in the opinion of the Court, special reasons for not recording a conviction against the child, and the Court states those reasons in its judgment.

**52.** Where the Children's Court finds a charge of truancy proved against a child, the Court may in relation to that charge make an order under paragraph (b) or paragraph (d) of subsection (1) of section 51 of this Act.

Sentencing  
for truancy.

**53.** (1) Where the Children's Court imposes a fine upon a child who has been found guilty of an offence, the Court may, after determining the amount that it believes ought properly to be imposed, reduce the amount of the fine to such extent as it thinks fit, having regard to the means of the child, and his ability to pay any fine so imposed.

Court may  
reduce  
fine in  
certain  
circumstances.

(2) The Court may, in imposing a fine upon a child, order that the fine be paid at such time, or in such instalments, as the Court thinks fit.

**54.** (1) Subject to subsection (2) of this section, the following matters shall be dealt with by a Judge of the Children's Court:—

How  
jurisdiction  
under this  
Part is to  
be exercised.

(a) the hearing of a group I or group II offence;

and

(b) the making of any order in relation to a child pursuant to section 77 or 77a of the Criminal Law Consolidation Act, 1935-1976, whether or not the Judge tried that child.

(2) Where it is not reasonably practicable for a Judge of the Court to deal with any matter referred to in paragraph (a) of subsection (1) of this section, the Senior Judge may direct that a special magistrate of the Court deal with the matter.

(3) A Judge or a special magistrate of the Court shall hear any group III offence.

(4) A special justice or justices of the peace may not, in sentencing a child—

(a) sentence him to detention;

(b) impose a fine exceeding one hundred dollars;

or

(c) require the child to enter a recognizance for more than one year, or upon any condition other than that the child be of good behaviour.

(5) A special magistrate of the Court may not, in sentencing a child—

(a) sentence him to detention for more than one year;

or

(b) impose a fine exceeding three hundred dollars.



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(6) Where a special magistrate, a special justice or justices of the peace is, or are, of the opinion that an order should be made in relation to the child before the Court that he is not, or they are not, by virtue of this section, empowered to make, he, or they, shall remand the child for sentence and forthwith refer the matter to the Senior Judge, who shall give such directions as he thinks fit as to which member of the Court shall sentence the child.

How children  
who have  
committed  
murder are to  
be dealt with.

**55. (1)** On conviction of a child for murder the Supreme Court shall, by order, sentence him to be detained during the Governor's pleasure, and if so sentenced, he shall be detained in such place and under such conditions as the Governor may direct.

(2) Where an order is made under subsection (1) of this section, the child shall, until the Governor has given directions as to the detention of the child, be detained by the Director-General in a place (other than a prison) approved by the Minister.

(3) A child detained pursuant to the directions of the Governor under this section shall, while so detained, be deemed to be in lawful custody.

(4) The Governor may, at any time, on the recommendation of the Parole Board or, where the child is detained in a training centre, on the recommendation of the Training Centre Review Board, discharge any child so detained, on licence.

(5) The licence shall be in such form and contain such conditions, as the Governor may, on the recommendation of the Parole Board or the Training Centre Review Board, as the case may be, determine.

(6) The Governor may, from time to time, on the recommendation of the Parole Board or the Training Centre Review Board, as the case may be, vary the conditions of a licence under this section.

(7) The Governor may revoke a licence under this section for breach of any condition.

(8) Where a licence has been revoked—

(a) the child to whom the licence related may be apprehended without warrant and returned to a place determined by the Governor for further detention;

or

(b) a Justice of the Peace may, on the application of the Crown Solicitor or a police officer of or above the rank of Inspector, issue a warrant for the arrest of that child and for his return to a place determined by the Governor for further detention.

**56. Where a child—**

(a) has been found guilty by the Supreme Court of homicide (other than homicide amounting to murder);

or

(b) has been found guilty by an adult court of any other offence pursuant to an application by the Attorney-General that the child be tried in that court,

Sentencing  
of children  
guilty of  
homicide  
or committed  
to adult court  
on application  
of Attorney-  
General.

that court may—

- (c) deal with the child as if he were an adult;
- (d) make any order in relation to the child that could be made by the Children's Court if it were dealing with the child, or were empowered to deal with the child;
- or
- (e) remand the child to the Children's Court for sentencing.

**57.** Where a child is committed to an adult court for trial at his own request the adult court may—

Sentencing of children who requested trial in an adult court.

- (a) make any order in relation to the child that could be made by the Children's Court if it were dealing with the child;
- or
- (b) remand the child to the Children's Court for sentencing.

**58.** (1) Where an adult court has sentenced a child as an adult and has ordered that he serve a term of imprisonment, such term shall, subject to subsection (2) of this section, be served in a prison.

Detention of child sentenced as adult.

(2) An adult court that has sentenced a child to imprisonment may, by order, direct that the child be detained in a training centre for such period of the sentence as the Court thinks fit, but not extending beyond the time at which the child attains the age of eighteen years.

(3) Where an order has been made in respect of a child pursuant to subsection (2) of this section—

- (a) Part IVA of the Prisons Act, 1936-1976, shall not apply to or in relation to the child;
- and

(b) Division VI of this Part shall apply to and in relation to the child, while he is in the training centre.

#### **DIVISION V—SPECIAL PROVISIONS RELATING TO RECOGNIZANCES**

#### **DIVISION V**

**59.** (1) Where a child has entered into a recognizance under this Part, the court may—

Variation or discharge of recognizance.

- (a) on application by the Minister, the child, or a surety to the recognizance, vary the conditions of the recognizance;
- or
- (b) on application by the Minister, the child, or a guardian of the child, and on being satisfied that the child's conduct has been such that it is unnecessary or undesirable that he should remain subject to the conditions of the recognizance, discharge the recognizance.

(2) Subject to subsection (3) of this section, no order shall be made under subsection (1) of this section on an application by the Minister, unless the child, the Commissioner of Police and any surety to the recognizance have received reasonable notice of the application and have been given a reasonable opportunity of calling such evidence and making such representations to the court as may be relevant to the application.

(3) The court may, by order, dispense with the giving of notice of any application under this section in such circumstances as it thinks fit.

(4) Where the child, a guardian of the child or a surety to the recognizance makes an application under this section, the court shall cause notice of the application to be given to the Minister and the Commissioner of Police.

(5) Where an order is made under this section varying the conditions of a recognizance, the recognizance shall have effect as varied in accordance with the order.

(6) An application may be made under this section for an order varying the conditions of a recognizance, or discharging the recognizance, by a person subject to the recognizance notwithstanding that he has attained the age of eighteen years, and in such a case the court may deal with the application in all respects as if the applicant were a child.

Explanation  
and review of  
recognizances.

60. (1) Where a child enters into a recognizance, or the conditions of a recognizance are varied, under this Part, the court itself shall explain the recognizance to the child and shall cause the child to be furnished with a notice in writing stating in simple language the conditions that the child is required to observe.

(2) The Minister shall cause a review to be made of the progress and circumstances of a child who is under the supervision of a person pursuant to a condition of his recognizance, at least once in each period of six months during the term of the recognizance.

Breach of  
recognizance.

61. (1) Subject to this section, where the Minister or the Commissioner of Police considers that a child who has entered into a recognizance under this Part before the court has failed to observe any of the conditions of the recognizance, he may cause a complaint to be laid in that court.

(2) Upon a complaint being laid under subsection (1) of this section, the court may—

(a) issue a warrant for the apprehension of the child;

or

(b) issue a summons to the child, and serve a notice upon any surety to the recognizance, requiring the child and any such surety to appear before the court at the place, date and time specified in the summons or notice.

(3) Where a child has been apprehended pursuant to this section, he shall be brought before the court as soon as is reasonably practicable, and may be detained by the Director-General in any place (other than a prison) approved by the Minister until he is so brought before the court.

(4) Subject to subsection (5) of this section, the court may—

(a) on the hearing of a complaint laid under subsection (1) of this section;

or

(b) on the oral application of the prosecutor in any proceedings before the court for an offence to which the child has pleaded guilty,

upon being satisfied that the child has failed to observe any condition of the recognizance, make an order that the recognizance be forfeited and—

- (c) without further proof, make any order in relation to the child that the court had power to make in dealing originally with the child for the offence to which the recognizance relates;
- or
- (d) make an order for the payment of any amount, or part of any amount, due under the recognizance.
- (5) Where the child has been sentenced to detention for the offence and the sentence has been suspended, the court shall, upon being satisfied that the child has failed to observe any condition of the recognizance, forthwith order that the suspension be revoked and the sentence carried into effect.
- (6) No order shall be made under this section against the child or any surety—
- (a) unless the child, or the surety, as the case may be, is present at the hearing;
- or
- (b) unless a summons was duly served on the child, or a notice was duly served on the surety, at least seven clear days before the date of the hearing.
- (7) An order made under paragraph (d) of subsection (4) of this section may be enforced as if it were an order for the payment of money made upon summary conviction.

**DIVISION VI—SPECIAL PROVISIONS RELATING TO DETENTION****DIVISION VI**

**62.** (1) There shall be a board entitled the "Training Centre Review Board".

**The Training  
Centre  
Review Board.**

(2) The Training Centre Review Board shall consist of the following members:—

- (a) the Judges of the Children's Court;
- (b) two persons with appropriate skills and experience in working with young people, appointed by the Governor upon the recommendation of the Attorney-General;
- and
- (c) two persons with appropriate skills and experience in working with young people, appointed by the Governor upon the recommendation of the Minister.

(3) At least one of the persons appointed under paragraphs (b) and (c) of subsection (2) of this section shall be a woman and at least one such person shall be a man.

(4) An appointed member of the Training Centre Review Board shall hold office for such term, and upon such conditions, as the Governor determines and specifies in the instrument of his appointment and, upon the expiration of his term of office, shall be eligible for re-appointment.

(5) A member of the Training Centre Review Board shall be entitled to receive such allowances and expenses as the Governor may from time to time determine.

(6) The Governor may remove an appointed member of the Training Centre Review Board from office on the grounds of—

- (a) mental or physical incapacity;
- (b) dishonourable conduct;
- or
- (c) neglect of duty.

(7) The office of an appointed member of the Training Centre Review Board shall become vacant if—

- (a) he dies;
- (b) his term of office expires;
- (c) he resigns by notice in writing given to the Attorney-General;
- or
- (d) he is removed from office by the Governor pursuant to subsection (6) of this section.

(8) Upon the office of an appointed member of the Training Centre Review Board becoming vacant, a person shall be appointed to that office in accordance with this section.

(9) Where the office of an appointed member of the Training Centre Review Board becomes vacant before the expiration of the term of office for which he was appointed, the person appointed in his place shall be appointed only for the balance of that term.

(10) When sitting to review any matter under this Act, the Training Centre Review Board shall be constituted of—

- (a) a Judge, who shall be Chairman;
- and
- (b) two of the appointed members.

(11) When sitting to review the progress and circumstances of a child, the Training Centre Review Board shall permit the legal representative, or a guardian, of the child to make submissions to the Board.

Review of  
detention  
by Training  
Centre  
Review  
Board.

63. Where a child has been sentenced to detention in a training centre, the Training Centre Review Board shall review the progress and circumstances of the child whilst he is in the training centre, at intervals of not more than three months, and at any other time upon the request of the Director-General.

Conditional  
release from  
detention by  
Training  
Centre Review  
Board.

64. (1) The Training Centre Review Board may authorize the Director-General to grant a child periods of leave from a training centre during which the child will not be subject to the supervision of the Director-General.

(2) The Training Centre Review Board may at any time order the release of a child who has been sentenced to detention in a training centre, subject to the following conditions:—

- (a) a condition that the child be under the supervision of an officer of the Department and that the child obey the directions of that officer;
- and
- (b) any other condition that the Board thinks fit.