

SAINT CHRISTOPHER AND NEVIS  

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STATUTORY RULES AND ORDERS  

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No. 20 of 2019  

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CHILD JUSTICE REGULATIONS  

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In exercise of the power conferred by section 75 of the Child Justice Act,  
No. 19 of 2013, the Minister makes the following Regulations:

*[Published 16<sup>th</sup> May 2019 – Official Gazette No. 25 of 2019]*

**1. Citation.**

These Regulations may be cited as the Child Justice Regulations, 2019.

**2. Interpretation.**

In these Regulations, the expression, “Act” means the Child Justice Act, No. 19 of 2013.

**3. Forms.**

(1) A police officer shall issue a notice of apprehension of a child to a probation officer, pursuant to section 11(5) of the Act, in the form set out as Form 1 in the Schedule.

(2) A probation officer shall issue a notice of assessment of a child to a parent or guardian of the child officer pursuant to section 25(1) of the Act, in the form set out as Form 2 in the Schedule.

(3) A probation officer may make a request of a police officer to provide assistance pursuant to section 25(4) of the Act, in the form set out as Form No. 3 in the Schedule.

(4) A person may apply for permission to be absent or excluded from an assessment of a child pursuant to section 25(3) of the Act, in the form set out as Form No. 4 in the Schedule.

(5) A police officer may issue a notice of an initial inquiry in respect of an offence committed by a child, pursuant to section 13 of the Act, in the form set out as Form No. 5 in the Schedule.

(6) A police officer may issue a notice releasing a child who is in detention from police custody, pursuant to sections 15, 16 and 17 of the Act, in the form set out as Form No. 6 in the Schedule

(7) The Director of Public Prosecutions shall issue a certificate of the intention to prosecute a child pursuant to section 5(3) of the Act, in the form set out as Form No. 6 in the Schedule.

4. **Reports.**

Where a report is required to be provided in respect of any of the proceedings in the Act, that report shall be produced in a written form specifying the name of the child in the question, the date of the particular proceedings, the outcome of the proceedings and any other notable facts or findings that would be relevant to the case in question.

**SCHEDULE**

*Form 1*

**SAINT CHRISTOPHER AND NEVIS  
CHILD JUSTICE ACT, No. 19 of 2013  
NOTICE OF APPREHENSION OF CHILD (SECTION 11(5))**

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF CHILD.....D.O.B.....

RESIDING AT.....

NAME OF PARENT/ GUARDIAN RESIDING AT

TO THE DIRECTOR OF THE PROBATION AND CHILD PROTECTION SERVICES DEPARTMENT

THIS NOTICE is issued in accordance with Section 11 (5) of the Child Justice Act and serves to inform that (.....NAME OF CHILD....) was apprehended by the Royal St Christopher and Nevis Police on the ..... day of ..... 20.... (Date of apprehension) on allegations of having committed the following offence(s) pursuant to Section ..... Schedule I/II/III of the Child Justice Act.

- 1.....
- 2.....
- 3.....

The said (.....NAME OF CHILD....) is in police custody/remanded/released in the care of (name of person or facility whose care the child has been released into) and is being held at (ADDRESS where the child is being kept)

Please contact investigating officer at 869

Dated this .....day ..... of 20

NAME AND RANK OF AUTHORISED OFFICER

Form 2

**SAINT CHRISTOPHER AND NEVIS  
CHILD JUSTICE ACT, No. 19 of 2013  
NOTICE OF ASSESSMENT OF CHILD** (SECTIONS 23, 25(1))

IN THE MATTER OF THE COMMISSIONER OF POLICE  
AND  
NAME OF  
CHILD.....D.O.B.....  
RESIDING AT.....

TO:

Name of Parent/Guardian residing at.....

Name of Parent/Guardian residing at.....

The Commissioner of Police, acting in accordance with Section 11 (5) of the Child Justice Act, has informed the Probation and Child Protection Services Department of the apprehension of your child/ward (NAME.....) on allegations of having committed the offence of (NATURE OF OFFENCE.....) under Section ..... (...) of the Child Justice Act.

TAKE NOTICE THAT the Probation and Child Protection Services Department requires that you accompany your child to an ASSESSMENT of the said child (.....NAME OF CHILD.....) which will be conducted in accordance with Section 23 of the Child Justice Act on the day of 20..... commencing at 9.00 am at the ASSESSMENT CENTRE located at.....

THE ASSESSMENT will allow for the full involvement and participation of your child and will be conducted to determine

- (a)
- (b)
- (c)

You the said (.....) parent / guardian of (.....) are informed of your right to secure Legal Representation on behalf of the said child.

TAKE FURTHER NOTICE THAT you may make Application to the Probation and Child Protection Services Department for permission to be absent or excluded from attendance at the assessment within twelve hours of the commencement of proceedings

Dated this day of  
Director of Probation and Child Protection Services Department

Form 3

**SAINT CHRISTOPHER AND NEVIS  
CHILD JUSTICE ACT, No. 19 of 2013  
REQUEST TO THE COMMISSIONER OF POLICE (SECTION 25 (4))**

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF  
CHILD.....D.O.B.....

RESIDING AT.....

The Probation and Child Protection Services Department in accordance with Section 25(4) (a)(b)(c) of the Child Justice Act requests the assistance of the Commissioner of Police in

- (a) securing criminal record, history of arrests of (..... NAME OF CHILD.....)
- (b) locating the parent/ guardian/appropriate adult of (.....NAME OF CHILD.....)
- (c) providing transport in order to secure the attendance of the parent/guardian of (... NAME OF CHILD...) for the purpose of the Assessment of (... NAME OF CHILD...) to be conducted on the ..... day of ..... 20....., at the Assessment Center located at (address of Assessment Center)

Dated this    day of            20

.....  
Director of Probation and Child Protection Services Department

Form 4

**SAINT CHRISTOPHER AND NEVIS  
CHILD JUSTICE ACT, No. 19 of 2013  
NOTICE OF PERMISSION TO BE ABSENT OR EXCLUDED FROM  
ASSESSMENT PROCEEDINGS (SECTION 25(3))**

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF  
CHILD.....D.O.B.....

RESIDING AT.....

TO

Name of Parent/Guardian residing at.....

Name of Parent/Guardian residing at.....

WHEREAS you the parent/guardian of a child were served with a Notice on the ..... day of ..... 20 to attend Assessment Proceedings of the said (...NAME OF CHILD.....) to be held on the ..... Day of..... 20..., at ( ...location....)

AND WHEREAS you the said ..... (name of parent/guardian) by Application, sought permission from the Probation Services to be absent and excluded from the proceedings in accordance with Section 25 (3) of the Child Justice Act

TAKE NOTICE THAT the Director of Probation and Child Protection Services Department hereby grants permission for your absence and exclusion from Assessment Proceedings scheduled to be held on the ..... day of ....., 20... You are hereby informed that the conduct of the Assessment will proceed in your absence based on your having elected not to attend or participate on the date scheduled for the Assessment

Dated this day of 20

.....  
Director of Probation and Child Protection Services Department

Form 5

**SAINT CHRISTOPHER AND NEVIS**

**CHILD JUSTICE ACT, No. 19 of 2013**

**NOTICE TO APPEAR AT INITIAL INQUIRY (SECTION 13 )**

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF CHILD.....D.O.B.....

RESIDING AT.....

NAME OF PARENT/ GUARDIAN

RESIDING AT

TO (.....NAME OF PARENT/GUARDIAN OF (.....NAME OF CHILD.....)

THIS NOTICE is issued in accordance with Section 13 of the Child Justice Act and serves to direct that (.....NAME OF CHILD.....) is required to appear at an Initial Inquiry at .....am/pm on the ..... day of ..... 20..... (Date of initial inquiry) at (.....name of place where the initial inquiry is to be held) on allegations of having committed the following offence(s) pursuant to Section ..... Schedule I/II/III of the Child Justice Act.

- 1.....
- 2.....
- 3.....

You the said ..... (NAME OF PARENT/GUARDIAN) are directed to bring/cause to be brought (..... NAME OF CHILD.....) to attend at the initial inquiry

Dated this .....day ..... of 20

NAME AND RANK OF AUTHORISED OFFICER

*Form 6*

**SAINT CHRISTOPHER AND NEVIS**  
**CHILD JUSTICE ACT, No. 19 of 2013**  
**RELEASE OF CHILD FROM DETENTION** (SECTION 15, 16, 17)

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF CHILD.....D.O.B.....

RESIDING AT.....

NAME OF PARENT/ GUARDIAN

RESIDING AT

TO (.....NAME OF PARENT/GUARDIAN.....) OF (.....NAME OF CHILD.....)

THIS NOTICE is issued in accordance with section 15/16/17 of the Child Justice Act and serves to direct that (.....NAME OF CHILD.....) is released from detention in police custody into the care and control of (.....NAME OF PARENT/GUARDIAN.....) on the condition that the child

- (a) shall appear at a specified time and place for assessment whenever required to do so.
- (b) shall appear at a specified time and place for an initial inquiry.
- (c) does not interfere with a witness, tamper with evidence or associate with a person or group of specified people.
- (d) be required to reside at a particular address.
- (e) must comply with any terms or conditions that the Court or Director of Public Prosecutions may order.

You the said ..... (NAME OF PARENT/GUARDIAN) are directed to bring/cause to be brought (..... NAME OF CHILD.....) to attend at the initial inquiry

Dated this .....day ..... of 20

NAME AND RANK OF AUTHORISED OFFICER

*Form 7*

**SAINT CHRISTOPHER AND NEVIS.**  
**CHILD JUSTICE Act, No. 19 of 2013**  
**CERTIFICATE OF DIRECTOR OF PUBLIC PROSECUTIONS**  
**OF INTENTION TO PROSECUTE** (SECTION 5 (3))

IN THE MATTER OF THE COMMISSIONER OF POLICE

AND

NAME OF  
CHILD.....D.O.B.....

RESIDING AT.....

TAKE NOTE THAT the Director of Public Prosecutions intends to prosecute (...NAME OF CHILD....) for the charge of

- (a)
- (b)
- (c)

Committed on the .....day of ..... contrary to section .....

Dated the ..... day of ....., 20

Director of Public Prosecutions

Made this 15<sup>th</sup> day of April, 2019.

WENDY PHIPPS  
*Minister responsible for Social Services*