

CAYMAN ISLANDS



Supplement No. 7 Published with Gazette no. 18 of 1992

**THE JUVENILES (AMENDMENT) LAW, 1992
(LAW 9 OF 1992)**

Law 9 of 1992

I Assent

ALAN SCOTT
Governor

30th August, 1992

A LAW TO AMEND THE JUVENILES LAW, 1990

ENACTED by the Legislature of the Cayman Islands.

Short title.

1. This Law may be cited as the Juveniles (Amendment) Law, 1992.

Interpretation.

2. In this Law the "principal Law" means the Juveniles Law, 1990.

Section 9 amended.

3. Section 9(1) of the principal Law is amended –

(a) by omitting from paragraph (j) "care for him." and substituting "care for him;"

(b) by inserting after paragraph (j) the following paragraph –

"(k) in the case of an offence under the Traffic Law, 1991, disqualifying the juvenile from obtaining a driving licence for such period as the Court thinks just."

Section 12A inserted.

4. The principal Law is amended by inserting the following section in Part III immediately before section 13 –

"Cautions.

12A. (1) Subject to subsection (5), where a juvenile admits to the police to having behaved in a manner that amounts to an offence the juvenile may be cautioned in accordance with this

section instead of being charged and tried for the offence..

(2) For the purpose of subsection (1), a caution shall take the form of a written statement that is read to the juvenile by a uniformed member of the police force of the rank of inspector or above in the presence of a parent or guardian of the juvenile and that is then signed by the juvenile, the police officer and the parent or guardian.

(3) The statement must contain –

- (a) details of the behaviour to which the juvenile admits; and
- (b) detail of the offence constituted by that behaviour; and
- (c) a warning to the juvenile not to behave in that manner again; and
- (d) a warning to the juvenile that if, while still a juvenile, he or she is convicted of any offence the caution will be revealed to the court that convicted the juvenile and may be taken into account by that court when sentencing the juvenile for the offence; and
- (e) an acknowledgment by the juvenile –
 - (i) that the juvenile acted in the manner specified in the statement; and
 - (ii) that the juvenile has been made aware of the results of being convicted of any subsequent offence while still a juvenile.

(4) The original statement shall be retained by the police and a copy shall be given to the juvenile.

(5) A juvenile shall not be cautioned in accordance with this section if –

- (a) the juvenile has previously been convicted of an offence; or

(b) the juvenile has previously received a caution; or

(c) the alleged offence is triable on indictment,

unless the Attorney General gives his approval.

(6) If a juvenile who has received a caution is convicted of an offence the caution statement signed by the juvenile must be produced to the court that convicted the juvenile and the court may take the previous behaviour of the juvenile, as detailed in the statement, into account when sentencing the juvenile for the offence."

Passed by the Legislative Assembly the 13th day of July, 1992.

Sybil McLaughlin
Speaker.

Georgette Myrie
Clerk of the Legislative Assembly.