IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGYC 8

YOUTH COURT APPEAL
YA-0007-2026-01
CASE NO.: YC-900119-2026

Between

Public Prosecutor

And

YLT

GROUNDS OF DECISION

[Criminal Procedure and Sentencing] — [Sentencing] — [Young Offenders] — [Children and Young Persons Act]

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Public Prosecutor
v
YLT

[2026] SGYC 8

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YA-0007-2026-01
Case No.: YC-900119-2026

District Judge Eugene Tay
7 October 2026

29 October 2026

District Judge Eugene Tay:

Introduction

1 This is the appeal by YLT ("the Youth") against an order passed by the Youth Court on 7 October 2026 for him to reside in a Juvenile Rehabilitation Centre ("JRC"), Singapore Boys' Home ("SBH") for a period of 24 months ("the JRC Order").

Background

2 The Youth was first charged in the State Courts on 28 March 2025 when he was about 16 years of age. On 14 April 2026, when he was still below 18 years of age, case was transferred to the Youth Court for his plea to be taken on 13 July 2026. By the time the case was before the Youth Court, the Youth faced a total of 39 charges (as per the Schedule of Offences).

3 On 13 July 2026, the Youth pleaded guilty in the Youth Court to 17 charges (1st, 2nd, 10th, 12th, 18th, 21st, 28th, 30th, and 31st to 39th charges)[1] ("Proceeded Charges") and consented to the remaining 22 charges to be taken into consideration. By this time, he was about 17 years and 4 months of age.

4 After considering the Prosecution's address on orders and mitigation plea by Defence counsel, the Court directed that a Probation Suitability Report ("PSR") be prepared to determine the appropriate dispositional orders for the Youth, and adjourned the case to 25 August 2026.

5 Between 13 July 2026 to 23 July 2026, the Youth was remanded in SBH, until he was bailed out.

6 At the hearing on 25 August 2026, the Prosecution informed the Court that the Youth was involved in fresh investigations by the Central Narcotics Bureau ("CNB") and sought an adjournment for CNB to complete investigations and for the Prosecution to review if there will be any further charges. The case was then adjourned to 5 October 2026.

7 Subsequently, the case was re-scheduled to 16 September 2026 on application by Defence counsel as CNB's investigations have been concluded. There were no further charges brought against the Youth.

8 At the hearing on 16 September 2026, the Prosecution sought an adjournment to file a reply to the further plea-in-mitigation filed by the Defence on 15 September 2026 ("Further Mitigation Plea"). The Court directed the Prosecution to file reply submissions and adjourned the case to 7 October 2026.

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[1] YAC-901188-2026, YAC-901189-2026, YAC-901197-2026, YAC-901199-2026, YAC-901204-2026, YAC-901207-2026, YAC-901215-2026, YAC-901217-2026 and YCN-900031 to YCN-900039-2026.

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9 In the Further Mitigation Plea, the Defence invited the Court to make, in descending order of preference[2]: a. A probation order for 24 months, with hostel residence for the initial phase of the order, and thereafter at home; b. alternatively, a detention order for a period at SBH not exceeding six months, paired with a probation order in the terms above; or c. in the further alternative, a JRC order not exceeding 12 months.

10 In the Prosecution's address on orders dated 4 October 2026 ("Prosecution's Address on Orders"), the Prosecution submitted that a JRC order of 24 months at SBH as recommended by the PO is appropriate, and urged the Court to order accordingly.

11 On 7 October 2026, after considering the PSR, the Further Mitigation Plea and the Prosecution's Address on Orders, I passed the JRC Order. The Youth was about 17 years and 7 months of age when the JRC Order was passed.

12 On 8 October 2026, the Youth, through Defence counsel, filed his Notice of Appeal against the JRC Order.

Issue to be determined

13 Since the Youth had pleaded guilty to the Proceeded Charges and consented to the remaining charges to be taken into consideration, the issue to be determined is the appropriate dispositional orders to pass for him under section 49 of the Children and Young Persons Act 1993 ("CYPA").

[2] Pages 2 to 3, paragraph 7 of Further Mitigation Plea

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The Relevant Law

14 When a Court deals with a youthful offender, there are two distinct but related stages (*PP v Mohammad Al-Ansari bin Basri* [2008] 1 SLR(R) 449 at [77] to [78] and *PP v Koh Wen Jie Boaz* [2016] 1 SLR 334 ("*PP v Boaz Koh*") at [28]). The first stage is for the Court to identify and prioritise the primary consideration appropriate to the youth in question having regard to all the circumstances including those of the offence. This will then set the parameters for the second stage of the inquiry, which is to select the appropriate order that would best meet those considerations and the priority that the judge has placed upon the relevant ones.

15 The dominant consideration for youthful offenders will generally be rehabilitation (*PP v Mok Ping Wuen Maurice* [1998] 3 SLR(R) 439 at [21] and *PP v Boaz Koh*") at [29]). However, the focus on rehabilitation can be diminished or even eclipsed by such considerations as deterrence or retribution where the circumstances warrant, and broadly speaking, this happens in cases where (a) the offence is serious, (b) the harm caused is severe, (c) the offender is hardened and recalcitrant, or (d) the conditions do not exist to make rehabilitative sentencing options such as probation or reformative training viable (*PP v Boaz Koh* at [30]).

16 The High Court in *PP v Boaz Koh* also observed at [34] that:

> "34…if rehabilitation remains the primary consideration, then the court can consider one from among the wide range of sentencing options it has at its disposal. These include options such as community-based rehabilitation, probation, placement in a juvenile rehabilitation centre, reformative training, fines, caning and imprisonment. Each of these sentencing options, or a combination of them, vindicates one or more of the classical principles of

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> sentencing (*ie*, retribution, deterrence, prevention and rehabilitation…) to varying degrees and extents within an overarching emphasis on the rehabilitation of the youthful offender."

17 For completeness, I was also guided by the statutory principle set out in section 4(b) of the CYPA which states that in all matters relating to the administration or application of the Act, the welfare and best interests of the child or young person must be the first and paramount consideration.

Decision

Rehabilitation is the dominant consideration

18 Based on the charges, the Youth had committed the offences when he was between 13 years to about 16 years of age. He was about 17 years and 7 months of age at the time the JRC Order was passed.

19 Given the Youth's relatively young age at the time of the commission of the offences, I was of the view that he still has potential for rehabilitation. I accepted that rehabilitation remains the dominant consideration under the first stage of the inquiry in this case.

20 At the same time, I noted the large number of offences (39 in total) over a prolonged period of time, plus the fact that the Youth had admitted to committing one (1) offence of unlawful possession of imitation tobacco product(s) on 2 September 2025[3] (which was *after* he was first charged in the State Courts on 28 March 2025). This indicated a certain level of recalcitrance on the part of the Youth. As such, I took the view an element of specific deterrence must also be considered, albeit a secondary consideration.

[3] YCN-900039-2026

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21 The next step under the second stage of the inquiry is to ascertain the appropriate orders to be passed for the Youth.

The Probation Suitability Report

22 In the PSR, the Probation Officer ("PO") assessed that the Youth is not suitable for probation. The PO recommended that the Youth be sent to SBH under a JRC order for a period of 24 months ("PO's Recommendation")[4].

23 The PO assessed the Youth's risk of re-offending to be "Very High" compared to other male offenders[5]. The PO also identified and set out several risk factors in the PSR[6], including the Youth's involvement in multiple offences, persistent abuse of vaporisers and "K-pods" despite multiple arrests and fines, lack of engagement in structured activities, association with negative and anti-social peers, parents' limited influence, inadequate supervision and tendency to be protective. The PO further noted the Youth's repeated breaches of electronic-monitoring and time restriction imposed by the Court as part of bail conditions.

24 The PO did note a few strengths and protective factors, namely the Youth's good conduct in remand and the parents' keen readiness to work with professionals and openness to improve their parenting and relationship with the Youth[7]. The PO also indicated other needs and special considerations in the PSR, including that the Youth's inconsistent adherence to his Attention-Deficit/Hyperactivity Disorder ("ADHD") medication may contribute to his behavioural disruptions and poor impulse control.

[4] Page 1 of PSR
[5] Page 2 of PSR
[6] *Ibid*.
[7] *Ibid*.

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25 The PO further stated that hostel probation was considered, but due to the Youth's very high risk of re-offending, a more structured and closed environment is needed to ensure he leads a more disciplined lifestyle to desist from substances completely[8].

The appropriate orders

26 In considering the appropriate dispositional orders, I was guided by, and accepted the Prosecution's point based on, the following observation of the High Court in *A Karthik v Public Prosecutor* [2018] SGHC 202 at [79]:

> "79…it makes good sense for the court to give careful consideration to the reports prepared by probation officers. It is the probation officer who is usually best apprised of the offender's circumstances and, hence, of his suitability for the probation regime. Therefore, the court should ordinarily be slow to depart from the recommendations of a probation officer unless: (a) it is clear that the circumstances upon which the probation officer's recommendations were based were factually incorrect or have since changed materially; or (b) there was no proper basis for the probation officer's recommendations."

27 The Defence alleged that the PO's assessment overstates some matters, under-weighs others, and contained errors that ought to be corrected before the Court assesses the appropriate weight to be placed on it[9].

28 The Defence first attempted to raise questions about the PO's account, as well as downplay the seriousness, of the Youth's non-compliance of the trial time restriction. The Defence stated that two of the four events logged by the tagging vendor (i.e. on 30 July 2026 and 8 August 2026) are disputed[10]. The

[8] Page 3 of PSR
[9] Page 8, paragraph 26 of Further Mitigation Plea
[10] Page 8, paragraph 28 of Further Mitigation Plea

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Defence also characterised "two admitted lapses in four weeks (i.e. on 1 August 2026 and 14 August 2026)" as "lapses", and are not the pattern of defiance that the word "repeatedly" (used by the PO) conveys[11].

29 However, apart from the PSR where it can be gleaned that the Youth and his parents had admitted to two out of the four events recorded by the PO between 30 July and 14 August 2026 (i.e. on 1 August 2026 and 14 August 2026)[12], at the Court hearing on 13 July 2026, the Youth admitted to *over 300 incidents* of breaches of electronic tagging, some of which he claimed happened just outside his house, around the condominium area, and others were when he went out with friends. The sheer number of breaches of electronic-tagging and trial time restriction clearly shows that they are not mere "lapses", as characterised by the Defence, but amounted to a deliberate and wilful refusal to comply. I therefore accepted the PO's assessment that continued breaches of trial time restrictions reflects the Youth's limited readiness for change and difficulty complying with rules and authority[13].

30 The Defence next highlighted the parents' efforts and reported "keen readiness to work with professionals" and "openness to improve their parenting"[14], which was what the PO had stated in the PSR.

31 I can accept that the parents have put in efforts to advise the Youth and manage his behaviour. However, the parents' willingness and readiness to work with professionals is one thing; their *effectiveness* and the Youth's *receptivity* and *responsiveness* towards them is another thing.

[11] Page 8, paragraph 29 of Further Mitigation Plea
[12] Page 26 of PSR
[13] Page 2 of PSR
[14] Page 9, paragraph 32 of Further Mitigation Plea

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32 From the PSR, it can be concluded that the Youth has *not* been receptive or responsive to the parents' attempts to advise and manage him. For example, it was reported that they had advised him against risky behaviours such as pilfering, late nights and gambling but to no avail[15]. It was also reported that he was not receptive to their advice when they attempted to address his behavioural issues in school[16].

33 Further, noting reports from the school and the investigating officer ("IO") that the parents were unreceptive to feedback, generally protective of the Youth despite his multiple offences, and uncooperative with professionals (for example, the IO noted the father was slightly difficult during investigations, especially when talking to officers, and the parents also did not inform the PO about the Youth's breaches (of trial time restriction) and/or suspected use of "K-Pod until PO prompted)[17], there is basis for the PO's assessment that the parents had tendency to be protective of the Youth.

34 In my view, the above raise serious questions and doubts as to how effective and capable the parents have been (and are) at managing the Youth and addressing his risks and behavioural issues, and instead point to the lack of firm and effective parental supervision and influence on their part.

35 The Defence submitted that the remedy for what it termed as "lapse" for discontinuing sessions at [B] Clinic in October 2025 and subsequently medication in early 2026 is a court-ordered condition of treatment and medication compliance monitored by the PO and the treating clinic, and not a closed institution[18].

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[15] Pages 22 to 24 of PSR
[16] Pages 16 to 17 of PSR
[17] Pages 15, 16, 25 and 27 of PSR.
[18] Page 10, paragraph 33 of Further Mitigation Plea

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36 In my view, this argument does not assist the Youth insofar as it attempted to persuade the Court that a closed institution such as a JRC is not appropriate. Suffice to say that it can be inferred from the following paragraphs of the PSR that the cessation of treatment and subsequently medication was not merely a "lapse", but a *deliberate and conscious choice* on the part of the Youth to stop attending sessions and medication:

- "[The Youth] and the parents reported that he stopped attending psychiatric and psychological treatment sessions since Oct 2025 *as he felt it was no longer necessary* (emphasis added), but continued going to the clinic once every 2-3 months to refill his medication.
- He stopped refilling and taking his medication in early 2026, *as he felt it was no longer necessary* (emphasis added).
- Parents attempted to encourage him to return for sessions and to continue consuming medication since then, *but he was unreceptive* (emphasis added)."[19]

37 The above demonstrates the Youth's reluctance and lack of sustained motivation to receive necessary intervention for his impulse control and ADHD. This in turn raises questions over the sincerity and veracity of his claim to the PO of "his willingness to continue attending psychological and psychiatric appointments and to adhere consistently to his medication regimen."[20]

38 The Defence's submitted that probation with hostel residence is appropriate due to "the Youth's ability to comply with structure and authority when motivated, and his parents' readiness to work with professionals"[21]. I did not think these factors by themselves are sufficient reasons to justify probation with hostel residence. With respect, it did not appear that the Defence had

[19] Pages 12 of PSR
[20] Page 27 of PSR
[21] Page 10, paragraph 34 of Further Mitigation Plea

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sufficiently taken into consideration the Youth's very high risk of re-offending, his anti-social attitudes (as can be seen, for example, from his persistent abuse of vaporisers and K-Pods despite multiple arrests and fines) as well as his overall lack of receptiveness towards intervention and authority so far.

39 Overall, I found that the PO's assessment that a more structured and closed environment is needed to ensure that the Youth leads a more disciplined lifestyle to desist from substances completely[22] is justified and sound.

40 It should be noted that the number of charges the Youth faced in this case is significant: 39, out of which 17 were proceeded with. Also, the offences are not minor offences, and included voluntarily causing hurt, possessing a scheduled weapon, using abusive words towards a public servant, property-related offences as well as multiple vape-related offences.

41 In addition, as mentioned earlier, the Youth's risk of re-offending as assessed to be very high, and several risk factors (including persistent use of substances) were identified by the PO. These are cause for considerable concern, given his relatively young age. While the PO did note a few strengths and protective factors, overall, they are insufficient to outweigh the Youth's very high risk of re-offending as well as the several identified risk factors.

42 In *PP v GCB (A Minor)* [2019] SGYC 1 ("*PP v GCB*"), the Court stated at [24] that the level of support the family is able to provide is an important consideration because probationary supervision takes place substantially in the offender's natural setting, and that for probation to be viable, there must be a workable level of support and supervision at home. In *PP v GFC* [2022] SGYC

[22] Page 3 of PSR

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2, the Court noted at [27] that good family support and supervision is vital if a youth is to be placed on probation, and this is especially needed if the youth has significant risk factors. I agreed with these statements.

43 In the present case, I had at [34] above raised doubts as to how effective and capable the parents have been (and are) at managing the Youth and addressing his risks and behavioural issues, and concluded that there was lack of firm and effective parental supervision and influence on their part. In my view, these limited strengths within the family in this aspect is a factor that weighs against rehabilitation in the community at this point in time.

44 For completeness, even if there are a few minor inaccuracies in the PSR, I did not think they affect the overall weight to be placed on the PO's assessment. Considerable weight would still be placed on the PO's assessment, and I found no good or sufficient reason or justification to depart from or disagree with it.

45 Overall, having considered the significant number of charges, the nature of the offences, the Youth's very high risk of re-offending, the several identified risk factors as well as the limited strengths and protective factors, I agreed with the PO's assessment that probation (even with hostel residence) is not a suitable option for the Youth. I took the view that a JRC order for the Youth to reside in SBH is the appropriate order.

46 At the end of the day, as stated at [19] above, rehabilitation remains the primary consideration in this case in deciding the appropriate dispositional orders (though, as stated at [20] above, an element of specific deterrence should also be considered as a secondary consideration). However, just because rehabilitation retains primacy as the dominant consideration does not

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necessarily mean that the least intrusive or severe option would be ordered, if it is not in the Youth's welfare and best interests. I found the following comments by the Court in *PP v GCB* helpful:

> "3 The Youth Court operates with the welfare and best interests of the juvenile as its first and paramount consideration. Keenly aware that the offenders before the court are still very young and are capable of being moulded, the court's primary concern is not that of calibrating and meting out punishment proportionate to the offence. Neither is deterrence a foremost consideration, especially general deterrence. Instead, the court focuses primarily on finding rehabilitative measures and solutions that are most workable for the juvenile, given the fact and circumstances of the case.
>
> 4 Such an approach cannot mean that a less intrusive or less severe option such as probation is always chosen, as though every juvenile would be entitled to it by virtue of his youthfulness. The court may generally prefer a parsimonious approach, favouring less intrusive and less severe options wherever possible. But it has ultimately to ensure that the order chosen would be one that best serves the interests of the young offender before it. More rigorous orders will have to be imposed where they are needed."

47 It also bears emphasising that while a JRC order is a more restrictive order than a probation order, given that it is usually carried out in a more structured and closed environment, a JRC order is fundamentally *rehabilitative* in nature, where the focus remains on rehabilitating the offender, instead of punishment, incapacitation or deterrence (*PP v GCB* at [36]).

48 As for the appropriate *length* of the JRC order, I did not accept the Defence's submission that 24 months is longer than what the Youth's rehabilitation required, and that a 12-month term is sufficient runway for the

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programmes at SBH to take effect[23]. This submission lacked substantial basis and does not fully take into account his very high risk of re-offending and significant risk factors, which would require sufficient time to properly address.

49 I agreed with the Prosecution that in assessing the length of the JRC order, the PO is in a better position to assess the appropriate duration based on the PO's evaluation of the Youth's needs[24]. I also agreed with the Prosecution that the Defence has not shown that the circumstances upon which the PO's Recommendation were based on were factually incorrect or have changed materially, and that there was proper basis for the PO's Recommendation as detailed in the (30-page) PSR[25].

50 Overall, having considered, I accepted the PO's recommendation of 24 months JRC order in SBH, as I determined such an order to be in the Youth's best interests. Sufficient time in a closed and structured environment would be necessary to allow the Youth to receive sustained and targeted intervention, support and guidance to address his risk of re-offending, his at-risk behaviours and other identified needs and areas of concern, as well as stay clear of negative peers. This would also give the parents time to work on improving their parenting skills so that they will be in a better position to manage and guide him more effectively moving forward.

[23] Pages 14, paragraph 44 of Further Mitigation Plea
[24] Page 11, paragraph 11(c)(iv) of Prosecution's Address on Orders
[25] Page 12, paragraph 12 of Prosecution's Address on Orders

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Conclusion

51 For the above reasons, I passed the JRC Order as set out at [1] above.

52 At the time of the writing of this judgment, there is no stay (or any application for a stay) of the JRC Order.

Eugene Tay
District Judge

Ms Joelle Loy, Deputy Public Prosecutor (Attorney-General's Chambers) /
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