

Youth DiversiOn



Making Northern Ireland Safer

What is the Youth Diversion Scheme?

The Youth Diversion Scheme provides a restorative framework for police to deal with children and young people under 18 years who come to their attention for:

- ▶ *Non-offence, risk taking behaviour or*
- ▶ *Involved in offending or anti-social behaviour, or*
- ▶ *At risk in terms of their safety or well-being.*

The police service will work in partnership with other key agencies, the business sector and the community, through the use of restorative interventions, to help a child or young person to understand the consequences of their behaviour, the impact on others, and to encourage them to take responsibility for their actions.

Aims

To provide an effective, fair, proportionate and restorative response to those offending, at risk of offending or involved in anti-social behaviour and provide satisfactory outcomes for victims.

- ▶ *To identify those at risk of offending or coming to harm.*
- ▶ *To work with partner agencies to prevent children and young persons from offending/committing anti-social behaviour, using a range of initiatives.*
- ▶ *To promote the needs of victims and community and where possible providing an opportunity for them to have their views heard, by engaging in the restorative process.*

What happens when police become involved with children or young persons in circumstances that do not amount to an offence?

The Police Service has a duty of care to those children and young people with whom they come into contact, who have not committed an offence, yet may be:

- ▶ *At risk of becoming involved in offending or*
- ▶ *At risk in terms of their own personal safety or well-being.*

A police officer will record details, where possible, of such a contact, whereupon parents/guardians will be advised either verbally or in writing.

This information is recorded for a period of 12 months, to assist in identifying children or young persons potentially at risk and in appropriate circumstances to offer them advice and support. In cases such as this information may be shared with partner agencies in the best interests of the child/young person. If during this period the child or young person has no further contact with police giving cause for concern, the record will then be destroyed.

Similarly, details of children who have been victims of crime will also be held, to ensure that police are in a position to respond appropriately and effectively to the needs of those individuals.

Anti-social Behaviour

Some non-offence behaviour may come within the definition of anti-social behaviour ie likely to cause harassment, alarm or distress to other people, for example excessive noise, aggressive or nuisance behaviour. The police, local Council, Northern Ireland Housing Executive and Youth Justice Agency working in partnership, have statutory responsibility to take action to prevent/deal with such behaviour.

At an early stage, a warning letter may be sent to the individual allegedly involved, and their parent/guardian, to draw their attention to the impact of their behaviour, and to offer advice and support with a view to stopping it.

Should the behaviour continue, the individual may be invited to enter into an Acceptable Behaviour Contract, with appropriate supports put in place to help change their behaviour. This is a voluntary agreement between police, the young person and their parent/guardian.

What happens when a child or young person offends?

A recommendation as to how to deal with a child or young person who has offended, is made by the investigating officer and the Youth Diversion Officer. In making recommendations the police will share details of the offence with partner agencies. The purpose is to identify any specific and relevant information those agencies may have, which will lead to a more positive/appropriate outcome for the child/young person.

However the final decision will be made by the Public Prosecution Service (PPS) on the basis of a number of factors, including:

- ▶ *Admission of guilt and cooperation of offender.*
- ▶ *Gravity/seriousness of the offence.*
- ▶ *Previous offending history.*
- ▶ *Vulnerability of victim.*
- ▶ *Likelihood of repetition or recurrence of offending behaviour.*

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The following outcomes may be directed:

- 1. No Prosecution/no further police action.**
- 2. Informed Warning delivered by a trained police facilitator, involving the child or young person and their parent/guardian.**
This is not a conviction.
- 3. Restorative Caution delivered by a trained police facilitator, involving the child or young person, their parent/guardian and the victim.**
This is not a conviction.
- 4. Youth Justice Agency Youth Conference delivered by a trained facilitator, involving the child or young person, their parent/guardian and the victim.**
This is not a conviction.
- 5. Referred for consideration of the Court. This may be considered at any point, even for a first offence, if the circumstances merit this course of action.**

Restorative Interventions

Diversory Disposals, especially Police Restorative Cautions will be delivered in a restorative manner; ie seeking to provide an opportunity for the offender along with their parent/guardian, to meet with the victim and other affected members of the community, to discuss the impact of what has happened and what can be done to repair the harm caused.

The victim and other participants have the chance to tell the offender about the impact the offence has had on them. The young person will then undertake in a formal agreement, to apologise, make reparation to the victim or community, or participate in activities aimed at addressing offending behaviour.

Where any police officer has concern regarding the welfare or protection of a child or young person (to do with their health, safety or exposure to danger), or regarding the control (of that child or young person), a referral **must** be made to Social Services.

Where can you access further information?

Youth Diversion Officers are attached to all police Area Command Units throughout Northern Ireland and have particular responsibility for the Youth Diversion Scheme.

If you would like further information on the Youth Diversion Scheme your local Youth Diversion Officer can be contacted at:



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Headquarters, Lisnasharragh
42 Montgomery Road, Belfast BT6 9LD

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