

Youth Engagement Guidance

A crime has been committed and the police believe that there is enough evidence to link you to this crime. One of the potential outcomes from the Police investigation is for you to attend a Youth Engagement Clinic (YEC); this may help you make decisions about your case. The availability of the Youth Engagement Clinic is dependent on the decision of the Public Prosecution Service.

What is a Youth Engagement Clinic (YEC)?

A YEC is a meeting between you, your parent or whoever looks after you, a worker from the Youth Justice Agency and the PSNI Youth Diversion Officer (YDO). In the meeting you will be told what the Public Prosecution Service (PPS) has decided in your case and what this means. Attending a YEC is voluntary and it is your decision if you wish to attend, if you choose not to attend the case will be dealt with by the PPS through its normal processes

What is the Public Prosecution Service?

In Northern Ireland the PPS has the main job of making decisions about how to deal with crimes which have been investigated by the police. YECs are for crimes the PPS has decided can be dealt with outside of court, this is called a Diversionary Disposal.

What is a Diversionary Disposal?

A Diversionary Disposal keeps your case out of court and it means you will not have a criminal conviction on your criminal record. There are three Diversionary Disposals you can be offered at a YEC, these are:

- **Informed Warning**- a formal warning given by police to you in the presence of your parent or whoever looks after you. It is not a criminal conviction but it stays live on your criminal record for 12 months*.
- **Restorative Caution**- a formal caution given by police to you in the presence of your parent or whoever looks after you. If there is a victim of the crime they may take part to help you understand the impact of what happened has had on them. It is not a criminal conviction but it stays on your criminal record for 2 years*.
- **Diversionary Youth Conference**- a conference is a meeting or a number of meetings involving you, your parent or whoever looks after you and the victim or someone who represents the victim. A conference is organised by the Youth Justice Agency and a Youth Diversion Officer from the Police will also attend. At the conference a plan is agreed to help you repair the harm caused and avoid further offending. The PPS have to agree to this plan, and then YJA staff support you to do the things in it. It is not a criminal conviction but it stays on your criminal record for 2 years*.

If another crime is committed by you in the future, information regarding Diversionary Disposals can be released to the court at any time.

*Police records will retain this information for 100 years from my date of birth.

Who comes with me to a YEC?

There are some people who **must** come to the YEC with you. Your parent or whoever looks after you must come to the YEC. If you have a social worker they can come with you. It is important to bring people to the YEC who are able to support you and help you make decisions.

Can I bring a Solicitor?

At a YEC you will decide if you will admit to and take responsibility for the crime that has happened. A solicitor will be able to help you make your decision and understand the crime you are accused of and what the evidence is. Your solicitor can ask questions and make sure your rights are protected.

If you intend to say you did not commit the crime **it is very important to get advice from and bring your solicitor to the YEC.**

Don't worry if you decide before your YEC that you want to take time to get advice from your solicitor, you will be given time to do this and the YEC will be rearranged.

Do I/my family pay for a Solicitor?

Solicitors are paid for by legal aid so there is no cost to you or your parent/family or whoever looks after you. Advice on how to get a solicitor can be found at **www.lawsoc-ni.org/solicitors-directory/**.

Where will the YEC take place?

The YEC will take place in a Youth Justice Agency office or other suitable venue as arranged by the Youth Diversion Officer. The Youth Diversion Officer will chat to you about this when arranging your appointment.

What happens if I accept a Diversionary Disposal at the YEC?

If you accept a Diversionary Disposal you will be asked to sign either a certificate to accept an Informed Warning/Restorative Caution or an admission and agreement form to accept a Diversionary Youth Conference. The form will be sent to the PPS to let them know what you have decided.

If you have accepted a Diversionary Youth Conference you will have further meetings to attend with Youth Justice Agency staff.

Youth Justice Agency workers will also talk to you about what supports you may need going forward to help you keep out of trouble in the future. With your agreement they may put you in contact with different organisations that can help.

What happens if I decline a Diversionary Disposal at the YEC?

You do not have to accept a Diversionary Disposal or admit responsibility for the crime. If you decide to take your case to court you have the right to a full court hearing and you can challenge the case against you. Your case will be heard by a judge and two Lay Magistrates and they will decide if you are guilty or not guilty after the hearing is over. You will be able to have a legal representative for court hearings and this is paid for by legal aid.

If you are found guilty you could get a criminal conviction and this will stay on your criminal record for a longer period of time.

You must think very carefully if you want to admit responsibility for the crime or not. This is a very important decision. Remember you should not admit responsibility for a crime you did not commit.

What happens if I miss by YEC appointment?

If you need to, you may be able to change your YEC. If you need to change your appointment you must contact the PSNI Youth Diversion Officer who has been dealing with your case as soon as possible. If you do not turn up for your YEC your case may go to court.

Terms and Definitions

Case- when a crime is committed and the police identify the person they think committed the crime it is then called a Case. e.g. 'The case against Joe Bloggs'.

Prosecution- charging someone with a crime in court.

Disposal - how crimes are dealt with.

Lay Magistrate- is a member of the deciding panel at Youth Court Hearings.

Youth Diversion Officer- a police officer in the PSNI who's job it is to oversee and deal with crimes committed by children and young people aged 10-17.