

YOUTH JUSTICE

WHAT DOES THE UNCRC SAY?

ARTICLE 3: BEST INTERESTS OF THE CHILD
WHEN ADULTS MAKE DECISIONS, THEY SHOULD THINK ABOUT HOW THEIR DECISIONS WILL AFFECT CHILDREN. ALL ADULTS SHOULD DO WHAT IS BEST FOR CHILDREN.

ARTICLE 37:
CHILDREN WHO ARE ACCUSED OF BREAKING THE LAW SHOULD NOT BE HARMED OR TREATED BADLY. PRISON SHOULD ALWAYS BE THE LAST CHOICE AND ONLY FOR THE SHORTEST POSSIBLE TIME.

ARTICLE 16:
PROTECTION OF PRIVACY IS PARTICULARLY IMPORTANT WHEN THINKING ABOUT STOP AND SEARCH BY POLICE.

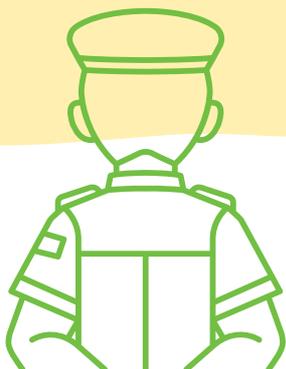
ARTICLE 40:
CHILDREN ACCUSED OF BREAKING THE LAW HAVE THE RIGHT TO LEGAL HELP AND FAIR TREATMENT. THERE SHOULD BE LOTS OF SOLUTIONS TO HELP THESE CHILDREN BECOME GOOD MEMBERS OF THEIR COMMUNITIES.



WHATS GOING ON IN NI?



- The UN Committee on the rights of the child has given more guidance on children's rights in the justice system. This says that the minimum age children can be considered responsible for a crime is 14. NICCY would like to see the **minimum age of criminal responsibility raised to at least 16** in Northern Ireland.
- Despite government creating plans for a **child's rights-compliant criminal justice system** this has still not been achieved. Work has gone on for over 20 years to make sure that the children's well-being is the main focus of the Youth Justice system.
- A child rights approach means the government should to see the whole child, taking a tailored approach to children and young people in a way that responds to their individual needs. All those working with children and young people across the system should be aware of the **impact childhood trauma** can have and this should form the basis of decisions they make.
- **Supporting children and young people** by understanding them as a whole person and not just an offender is a better way of supporting them to reconnect with their communities and reduces the chance of re-offending.
- The absence of the NI Executive between 2017 and 2020 and the COVID-19 pandemic have **held back progress** on developing an effective Youth Justice System.



WHAT SHOULD GOVERNMENT DO NOW?



The **Youth Justice System** must make 'Best Interests' a priority. This must include:

- **Custody as a last resort** and for the least possible time.
- Tracking what has the most **positive impact**.
- **Diversion** to stop children going in to the formal system.
- **120 day time limits** for youth court cases.
- **Participation** of children and young people in design and delivery of services.



The Department of Justice and Youth Justice Agency must **work together** to check how things are improving for young people in contact with the justice system.



Make laws to raise the minimum age of criminal responsibility to at least 16 years.



The PSNI must show the purpose and outcomes of all Stop and Search operations involving children and young people and must also **improve the quality of engagement** with young people. They should also **stop using spit and bite guards** on young people.