



Going to Youth Court



About the Authors

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Sarah is a Practice Improvement Officer with CDYOS. Sarah has worked in Youth Justice in a variety of roles since 2000. Sarah is CDYOS Lead for SLCN. Experience has taught her that SLCN is one of the greatest barriers to engagement for young people who offend. Sarah is a passionate advocate for ensuring that the communication needs of young people who offend are met.

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This is inside one court. Each court looks a little bit different.

● What is a court?

A legal court is a building. The person in charge of the court says what happens to people who have done something wrong and against the law.

There are different sorts of legal courts:

1) A Crown Court

The person in charge is called a Judge.

2) A magistrates' court

Sometimes the people in charge are called magistrates. There can be three magistrates working in one courtroom.

Sometimes the person in charge is called a district judge. A district judge is trained to work with children and young people.

3) A youth court

This is a special type of magistrates' court.

Young people under 18 years old who may have done something that is wrong and against the law, may go to a youth court.



● Who goes to a youth court?



● Defendant

The person the court thinks may have done something wrong to hurt and or upset someone or damage something. The defendant tells the court their 'plea'. When the defendant says they did do the crime their plea is 'guilty'. The magistrates then say what will happen to them. When the defendant says they did not do the crime their plea is 'not guilty'. The defendant must then go to a court 'trial'.



● Parent/Carers

It is often helpful for parent/carers to go with the young person to court. This gives the young person some support for court.

When the young person is younger than 16 years old, a parent/carer must go to court with them. All under 18 year olds who live at home and do not have a paid job also need a parent/carer with them at court.



● Victim

This is a person who has been hurt and or upset by someone. Sometimes a victim may share information about what happened to them with the court. A victim may give written or video information about what happened.



● Witness

A person who sometimes goes to court when it is a trial. A witness is someone who tells the court about something that they saw and or heard.

Everyday people are not allowed to sit inside a youth court and watch what happens.

● Who works in a youth court?

Lots of different people work in the court building.



● Magistrates

Are people who listen to what happened. They are often called 'The Bench'. Sometimes a lady magistrate may be called 'Ma'am' or 'Your Worship'. A male magistrate is called 'Your Worship'.

Magistrates are ordinary people who offer to work in a court for free.

They get special training so they understand the laws. Magistrates wear ordinary clothes.

Magistrates listen to what is said in court. In a trial when the magistrates say the defendant did not do anything against the law they will say the defendant is 'not guilty'. When the magistrates say the defendant did do something against the law they will say the defendant is 'guilty'.

Magistrates have the power by law to say what will happen to the defendant.

When the defendant says they are guilty. When there is no trial the magistrates have the power to say what will happen to the defendant.



● District Judge

This is a person paid to listen to what happened. In a trial when the district judge says the defendant did do something against the law they will say the defendant is 'guilty'. District judges have the power by law to say what will happen to the defendant.

When the defendant says they are guilty. When there is no trial the district judge has the power to say what will happen to the defendant.



- **Legal Advisers** (usually a solicitor or a barrister)
The legal advisers help the magistrates know about the law. They also write up what happened in court. They keep a record about what the magistrates say will happen to the young person.



- **Defence** (usually a solicitor or a barrister)
They do three important things:
 - 1) The defence helps the young person think about what to say to the court. A young person may tell the court 'Yes I did this'. This is called 'pleading guilty'. A young person may tell the court 'No, I didn't do this'. This is called 'pleading not guilty.'
 - 2) Sometimes a young person 'pleads guilty'. This means the young person says they did do something wrong, that was against the law. When a young person 'pleads guilty' the defence helps the young person tell their story about what happened. The defence helps the magistrates understand why the young person did the wrong thing. They can pick what information to share with the court.
 - 3) Sometimes a young person pleads 'not guilty'. The defence then helps the young person get ready for a trial.



- **Prosecution** (a solicitor or a barrister)
They get information from the police about what happened. The prosecution shares all the police information about what happened with the court. When the young person says they did not do something wrong and against the law, the prosecution tries to show the young person is guilty.



- **Court Usher**

The court usher tells you when it is your turn to go into the court. They usually wear a black gown. Court ushers can pass information to the magistrates or district judge in court. Sometimes the magistrates or district judge say a fine must be paid. Court ushers can give information about paying fines.



- **Youth Offending Service staff**

There is usually someone from the Youth Offending Service in court. You may not have met these people. When the Youth Offending Service have already worked with you, they may have written information about:

- your life
- any work you have done with the Youth Offending Service

They may share this written information with the court.



- **Journalists** (people who work for a newspaper, the radio or TV)

Sometimes journalists may sit in the press seats inside the courtroom. They may share general information that they hear or see in the court. Usually people's names are private. Journalists cannot usually tell anyone the young person's name and any contact details that they hear in a courtroom. Journalists can ask the judge or magistrates to let them put a young person's name in the newspaper.



● Getting ready for your court hearing date

1. Make sure you have got a solicitor.
2. Talk to your Youth Offending Service person (if you have one) or think about:



- What to wear for court. Smart, clean and comfortable clothes give a good impression of you to the magistrates. Shoes should be comfortable. Trainers are okay to wear.



- What to take with you for the day: Money for the vending machine. You may need a small bag with your things in - just in case you are not allowed home from court. Most young people do not go to youth custody (prison). Your Youth Offending Service person will tell you if you are at risk of going to youth custody.



- How you will get there.



- When to get there. It is important to get there on time. Being late gives a bad impression of you to the court.
- Any extra things you will need, to help you when you are in the courtroom. Some people need:
 - to doodle to help them concentrate
 - extra time to understand comments or put their thoughts into words
 - to let the court know they find making eye contact uncomfortable

The magistrates or judge must be asked about any of the things you may need first. Your Youth Offending Service person can ask the magistrates or judge for any extra things you need for your future court visit.



3. Get your clothes ready for court.

● When you get to the court building

The name of your court will be on the outside of the building.



You will go through a main door. This is one court entrance. Your court may look different.



Keeping everyone safe



The security guard will ask you to walk through the security scanner a bit like this one. Put your bag and valuables in the bowl next to the scanner.

The security guard may ask 'Can I look in your bag?' This really means 'Please open your bag and show me what is inside.'

The security guard may also ask you if you have anything sharp with you. The security guard makes sure that people only take safe things into the court building.

Sometimes the security guard asks you to stand near them with your arms held out sideways and your feet apart. This is so they can search you.



The security wand

The security guard will then move a small security scanner around your arms and legs. The small scanner is called a wand. The wand at your court may look like this one. This is to check you have nothing dangerous with you.

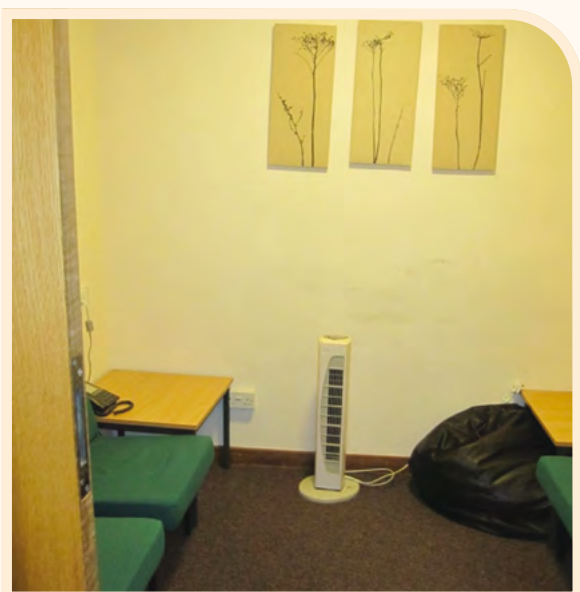


The waiting room

You will sit in a **waiting room**.
Each court waiting room looks a bit different.



There may be a drinks machine or a small cafe.



Some courts have a **contemplation room** a bit like this one. People can pray or have quiet thinking time in this room.





● **What to do when you get inside the court building**

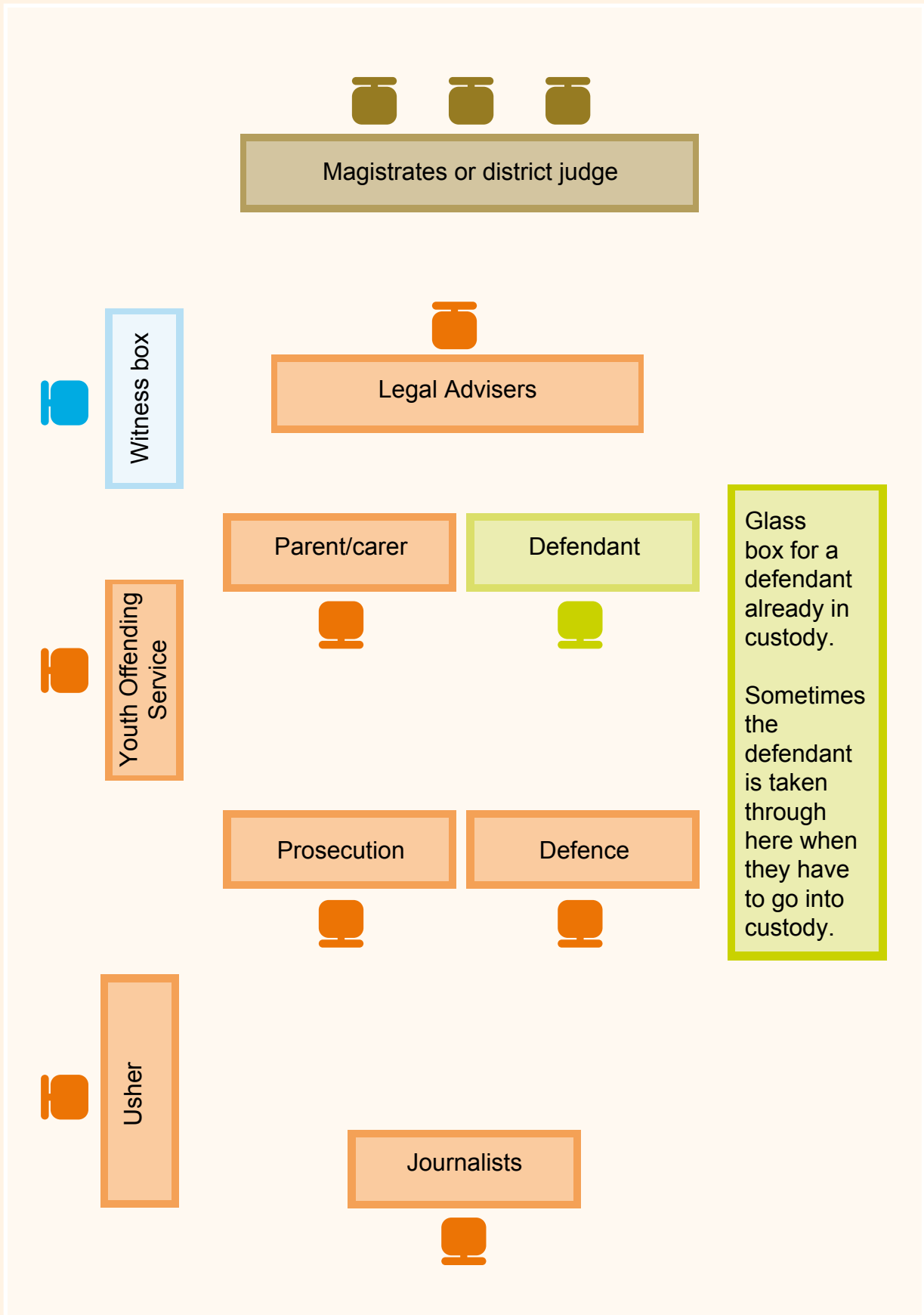
- Let the court usher know your name and they will tell you where to wait.
- You may have a long wait.
- Find your solicitor.
- When you are worried, find someone from the Youth Offending Service.
- The court usher will call out your name when it is your turn to go inside the courtroom.
- When the court usher calls your name, go tell them that you are here.
- Give your keys and phone to your parent/carer to keep them safe. Turn any phones off. Keep your bag with you.
- Make sure you tell your parent or carer any important information first and then go into the courtroom.
- Follow the court usher into the courtroom.

● What happens inside the courtroom?

Inside courtrooms



● Where do you sit in court?



● Court Rules

They are rules about what you can do and say inside a courtroom.

While you are inside the courtroom you are not allowed to:

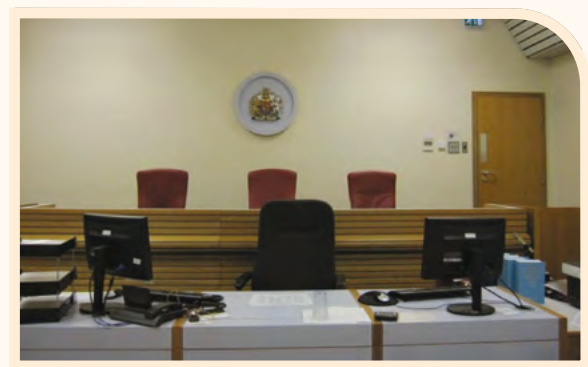
- ✗ chew gum
- ✗ drink alcohol
- ✗ take drugs
- ✗ play on your phone
- ✗ talk when other people are talking

The magistrates or district judge expect young people to 'show them respect'.

This means the young person should:

- ✓ take their hat off
- ✓ try to look towards the magistrates or district judge
- ✓ try to speak clearly so they can be heard
- ✓ use polite words

Looking towards the magistrates' bench in different courts.





● Inside the Courtroom

When you first go into the courtroom you will stand in front of the magistrates.

You must stay standing. The magistrates will tell you when you can sit down.

Your parent/carer can sit on the same row of seats as you. They can sit down straight away. Your parent/carer does not have to wait to be told to sit down.

Try to look towards the three magistrates when they talk to you.

It may seem like the professionals use lots of complicated long words. Most adults find it hard to understand all that is said in court.

When you are asked something and are confused politely ask:
‘Please can you say that again?’

When you still do not understand the question it is best to say:
‘I don’t understand.’

Try to answer any questions as clearly as you can.

The magistrates may leave the room to talk about what they have been told about you. When they stand up you must stand up too. They may say that they will be gone for a few minutes. They are allowed to take a longer time.

You can sit down when they have gone out of the room.

You must stand up again when they come back into the room.

● What happens at the end of court

When the young person said they did not do the wrong thing, the magistrate/judge may think that the defendant is:

- a) **Not guilty and innocent.** This means the young person did not do anything wrong. The young person is free to go home.
- b) **Guilty.** This means the young person did do something wrong and against the law. The magistrates or judge will say what will happen to the guilty young person. This is called '**passing sentence**'.

When a magistrate/judge says someone is guilty of a crime or the young person said they did do the wrong thing they:

- Get an '**absolute discharge**'. This means they will not have a criminal record. There is no further action taken.
- Get a '**conditional discharge**'. This means they will have a criminal record. When the young person stays out of trouble with the police, no more action is taken. When the young person gets into trouble with the police again (in a given time span), a court will think again about what happens to the young person. The court will hear about both of the wrong things the young person did.
- Have to pay a fine.





- Be put on a **court order** and have to work with the Youth Offending Service. A court order has rules on about what you can and cannot do. When you have an order you have to do what it says. The work you do with the Youth Offending Service is to help you stay out of trouble with the police. When you go out of court you will talk with the Youth Offending Service person to find out what you must do.



- Be taken into **custody**. This means you will have to stay in a safe building (like a prison) which is locked. There will be rules about what you can do there and how long you have to stay there. Usually your Youth Offending Service person will let you know before court when they think you may be taken into custody. Only a small number of young people are taken into custody (youth prison).



● When a young person goes into custody



- The court security guards will stand at each end of the young person's row.
- The young person will have to wear handcuffs.
- The young person can ask the court officer to tell their family the address and phone number of where they will be taken.



- The young person will be taken out of the court to a cell downstairs in the court.
- Parent/carers and professionals must tell court staff when they have any worries about the safety of the young person.



- Someone from the Youth Offending Service must see the young person to check that they are ok.
- The young person will be offered food and a drink.
- Later the young person will be taken in a secure van or car to where they will be living.

If you have any questions about going to court ask for help from your Youth Offending Service.

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