



Assessing the system of Parish Hall Enquiries in Jersey in the light of the United Nations Convention on the Rights of the Child



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“They need to be more compassionate and not see us just as teenagers causing trouble but as young people who need help to get to where we should be aiming to be.”

“Tap into the interests of young people, spend time with them, be there for them. Help them to learn and be more interested in the future.”

FOREWORD

Article 40 of the United Nations Convention on the Rights of the Child can, in its simplest terms, be understood as: 'I have the right to get legal help and to be treated fairly if I have been accused of breaking the law.'

Of course, this does not detract from the fact that everyone in society also has the right to be protected from crime – including those committed by children – and that victims of crime should be able to expect meaningful recourse through the law.

But this needs to be balanced with the fact that some children who find themselves in conflict with the law may have experienced difficulties in their childhood – such as poverty, family breakdown or drug and alcohol use. And that these factors have, in all probability, led to their criminal behaviour.

This is not to say that children and young people should be given a 'green light' for antisocial or criminal behaviour. But recognising that children and young people might also sometimes be victims themselves should be second nature to us when applying the practices and processes of the criminal justice system to youth offending.

The law states that children must be punished for any wrongdoing via the criminal justice system but the Government must also factor into this process the vulnerability of children, both as victims and perpetrators of crime.

Youth justice processes and practices should never operate to undermine children's rights. They should seek to empower and uphold them.

It is for this reason that diversion from crime, through a set of measures aimed at preventing child offending, must be at the heart of Jersey's juvenile justice policy.

As a signatory to the UNCRC, the Government of Jersey should seek to promote measures for dealing with children who are in conflict with the law without resorting to court proceedings, whenever appropriate. Not only does this approach produce better results for children, it also works in the interests of public safety and is more cost-effective.

The diversion of matters away from the criminal justice process to a range of appropriate programmes should be the preferred manner of dealing with child offenders. There should also be an extension of the range of offences for which diversion is possible, including serious offences where appropriate.

The Parish Hall Enquiry system in Jersey was not set up purely as a diversionary measure for children, nor indeed was it intended to specifically address Jersey's obligations in respect of the UNCRC. As a result, significant reform of the current system is recommended, to ensure that PHEs comply with the requirements of the UNCRC and acquire the scope that they need in order to truly become a world-class, community-based youth diversion mechanism.



Deborah McMillan,
The Children's Commissioner for Jersey

“Young people may need help; they might have things going on in their lives and this is their way of trying to get help and attention?”

“Give a ‘helping hand’ to follow their aspirations, careers, future hopes.”

CONTENTS

COMMISSIONER'S FOREWORD	3
I. BACKGROUND TO THE REPORT	6
II. DIVERSION AS PER THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD	6
III. METHODOLOGY	7
IV. DIVERSION IN JERSEY: PARISH HALL ENQUIRIES	8
V. APPRAISING THE PARISH HALL ENQUIRY SYSTEM OF JERSEY IN THE LIGHT OF THE REQUIREMENTS OF THE UNCRC	9
(1) Free admission of responsibility	9
(2) Informed and voluntary consent	10
(3) Legal basis	12
(4) Due process guarantees	13
4.1. Fair hearing by an independent and impartial tribunal	13
4.2. Right to an interpreter	15
4.3. Right to privacy	15
4.4. Legal assistance and the right to review	16
(5) Numerous opportunities for diversion throughout the proceedings	18
(6) Expediency	19
(7) No detention	20
(8) No criminal record	20
(9) Turning 18 during diversion	21
(10) Continuous education of all agencies and appraisal of diversion programmes	22
CONCLUSION	24
RECOMMENDATIONS	26
Appendix 1	28
Appendix 2	36

I. BACKGROUND TO THE REPORT

The United Nations Convention on the Rights of the Child (UNCRC) sets out a blueprint for the protection of the rights of the child in every sphere of a child's life, including a prescription on the set-up of the child justice system. The key element of such a child justice system is anchored in the principle of personal liberty, which stems from Article 9 of the Universal Declaration of Human Rights (UDHR) and Article 9 of the International Covenant on Civil and Political Rights (ICCPR), reflected in Article 37 (b) of the UNCRC which requires that the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time. It stems from there that the personal liberty of the child is the principle whilst detention is an exception, which must be justified in each individual case.¹

It is to be recalled that these constitute legal obligations in respect of the Bailiwick of Jersey by virtue of the extension of the United Kingdom's ratification of the UNCRC.

For Youth Crime Statistics in Jersey, see Appendix 1.

II. DIVERSION AS PER THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

Pursuant to Article 40 (3) (b) of the UNCRC, Jersey is required to promote the establishment of measures for dealing with children without resorting to judicial proceedings, whenever appropriate. According to the Committee on the Rights of the Child (CRC), in practice, such measures generally fall into two categories: (a) measures referring children away from the judicial system, any time prior to or during the relevant proceedings (diversion); and (b) measures in the context of judicial proceedings.² However, when implementing either set of measures, Jersey is to exercise utmost care to ensure that the child's human rights and legal safeguards are fully respected and protected.³

In its General Comment No 24, the CRC defines 'diversion' as 'measures for referring children away from the judicial system, at any time prior to or during the relevant proceedings'⁴; it involves the referral of matters away from the formal criminal justice system, usually to programs or activities.⁵ The CRC considers diversion to be the preferred manner of dealing with children in the majority of cases, and therefore Jersey is required to continually extend the range of offences for which diversion is possible, including serious offences.⁶ Moreover, the opportunities for diversion must be available from as early as possible after contact with the system, as well as at various stages throughout the process, thereby making it an integral part of the child justice system.⁷

The CRC acknowledges that different jurisdictions, including Jersey, may choose to adopt different diversion programmes, and indeed, each individual State is best placed to introduce programmes that are suited its socioeconomic and geopolitical contexts. Notwithstanding this discretion vested upon the States, while the CRC has not provided an exact blue print for diversion programmes, it has nevertheless set out clear guiding principles which all diversion programmes worldwide must respect in order to meet the requirements of the UNCRC.⁸

¹ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 6 (c) (v)

² Ibid, at para 13

³ Ibid, at para 14

⁴ Ibid, para 7

⁵ Ibid, para 15

⁶ Ibid, para 16

⁷ Ibid, para 16

⁸ Ibid, paras 17-18

III. METHODOLOGY

This research was carried out under Article 5 of the Commissioner for Children and Young People (Jersey) Law 2019.

The aim of the present report is to examine the extent to which the current diversion system in Jersey – namely, the Parish Hall Enquiry (PHE) system – satisfies the requirements of the UNCRC in relation to diversion. Commissioned by the Children's Commissioner for Jersey, the author of this report is Dr Elina Steinerte.

The research methods employed included:

Desk-based research: Initially, a detailed examination of the previous research on PHEs was undertaken. This was followed by close scrutiny of legislation and policy documents concerning the practice of PHEs and detailed examination of the jurisprudence of the CRC concerning diversion as part of child justice.

Interviews: Semi-structured interviews were held with a wide variety of stakeholders, including Centeniers and Vingteniers, States of Jersey Probation and After-Care Service, States of Jersey Police, advocates, social workers, staff of children's residential homes and staff of the Children's Commissioner's Office. Overall, 20 interviews were carried out. Interviews were held both in person and remotely, and remain anonymous.

Engagement with children: A basic survey of children to gauge their perspectives on the child justice system in Jersey was carried across the island. Overall, 271 responses were received, of which 227 were partial and 44 complete. This was followed by semi-structured interviews with children and young adults (ages ranging from 14-24yrs), both female and male. Overall, 13 interviews were carried out. Interviews were held both in person and remotely, and remain anonymous.

PHE Observations: Observations of PHEs were undertaken across the island, with a total of 20 children and young people attending.

Research Findings: The above research methods allowed data to be gathered from different sources, thus allowing for the triangulation of data. The findings of the research are presented against the backdrop of the requirements of the UNCRC in relation to diversion. These are based on the entirety of the data that was available to the researcher. It is to be noted that when references to stakeholders are made in the context of the interview data presented, no differentiation between the types of stakeholders is made and all interviewees, including children, are subsumed under the terms. None of the conclusions presented rely on a single source of information, as all information received has been triangulated with reference to different sources.

IV. DIVERSION IN JERSEY: PARISH HALL ENQUIRIES (PHEs)

There is no single or legal definition of a PHE in Jersey. According to the States of Jersey “[P]arish Hall Enquiry refers to the process of preliminary investigation conducted by a Centenier (honorary police officer) to decide whether there is enough evidence to justify a prosecution and whether the matter should be presented before the court. It deals with both youth offending and minor offences committed by adults. In Jersey, it dates back 800 years and is a customary, informal alternative to formal court processing.”⁹ Thus, rooted in the system of parish governance in Jersey, PHEs form part of the way the honorary police in Jersey discharge their functions. Presided over by a member of the honorary police, a Centenier, a PHE is an alternative form of addressing minor offences.

In the remit of this research, the PHE system in Jersey was described as a system unique to Jersey, and one of the oldest policing systems in the world, dating back to 1400s.¹⁰ Essentially, in cases where a minor offence has been committed either by an adult or a child, the parish where the offence has been committed, through the PHEs system, diverts the matter from traditional court proceedings.¹¹ Each of the 12 parishes of Jersey would have their own PHEs. It was also emphasised that PHEs are a voluntary system, which means that neither adult nor child is under any obligation to appear before PHE and may instead choose the traditional route of court appearance.¹² However, the interviewees emphasised that the crucial positive of the PHE system is that the individual in question would not have a court appearance and, as a consequence, would not have a criminal record, which would have negative repercussions for the person’s life through the obligation to disclose such to, for example, future employers or when travelling overseas.¹³ The interviewees noted that 90-95% of children who are thus diverted to PHE successfully complete the process and thus are able to leave their encounter with the Jersey child justice system without a criminal record, which was highly praised.¹⁴ However, for a very small minority of children, the PHE system was deemed by the interviewees as failing to provide the required solution.¹⁵

It is to be emphasised that the PHE system in Jersey was never set up as a diversionary measure for children only, or indeed to specifically address the obligations arising in respect of Jersey from the UNCRC. Therefore, while there have been numerous pieces of research carried out into the PHEs and their effectiveness,¹⁶ none of these have ever examined the PHEs through the lens of the UNCR and the jurisprudence of the CRC and its General Comment No. 24 specifically. Consequently, the aim of the present research is to fill that gap in the understanding of PHEs, in the context of the obligations Jersey has undertaken by becoming a party to the UNCRC.

⁹ Parish hall enquiries: <https://www.gov.je/CrimeJustice/ParishPolicing/pages/parishhallenquiries.aspx>

¹⁰ Interview P

¹¹ Interview B, K, M, O

¹² Interview K

¹³ Interview A, D, N, M, H

¹⁴ Interview A, J, H, F

¹⁵ Interview A, B

¹⁶ See, for example, Miles, H. and Raynor, P. The Conduct and Effectiveness Of Parish Hall Enquiries. Report presented to the Jersey Probation and After Care Service and the “Building a Safer Society Strategy” (2005)

V. APPRAISING THE PARISH HALL ENQUIRY SYSTEM OF JERSEY IN THE LIGHT OF THE REQUIREMENTS OF THE UNCRC

(1) Free admission of responsibility

UNCRC Standard: Diversion should only be used if there is compelling evidence that a child has committed the alleged offence and the child in question freely, without any intimidation or pressure, admits the responsibility. It is crucial that such admission is not to be used against the child in any subsequent legal proceeding.¹⁷

Research Findings: Pursuant to para 26 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*: "[I]f the Attendee does not admit the offence(s) the Centenier cannot proceed to deal with him or her at the Parish Hall Enquiry and the Centenier should warn the Attendee for appearance before the Magistrate's Court on the charge(s) laid."

The data gathered in the remit of this research project clearly confirms that PHEs cannot proceed unless the child in question admits to the offence. The stakeholders were clear: PHEs are neither judicial proceedings, nor a court, and without acceptance of the offence, the PHE cannot proceed.¹⁸ If such acceptance is not forthcoming, the matter would be referred to the court.¹⁹ This is also confirmed by the States of Jersey,²⁰ as well as being stated in the information leaflet prepared by the Jersey Probation and After-Care Service: "The Centenier can only deal with the charges against you if you admit them. If you do not admit them, they have to be dealt with by a Court. [emphasis in the original]"²¹

Some stakeholders emphasised that PHEs do not require admission of guilt but rather require the child to accept (or not) what they are alleged to have done.²² Centeniers, in the remits of PHEs, have no power to decide upon the child's guilt or otherwise.²³ It was emphasised that the initial decision to divert a child towards a PHE would be made on the basis of evidence collected by the police²⁴ and, as stated in para 1 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, "[N]o person shall be warned to attend a Parish Hall Enquiry ("an Enquiry") unless it reasonably appears to a Centenier, police officer or other appropriate law enforcement agency that an offence may have been committed."

During the observations of PHEs that were conducted throughout this research, it was confirmed that the child is always asked to explain what had happened and asked if they accept what has been alleged.²⁵

However, the stakeholders questioned the extent to which such an admission of guilt is given freely:

"When you get a notice to appear for PHEs, on notice it states that you do not have to attend, but if you do not go, it'll be sent to court. That's a kind of a threat. It's a no-win situation for the child. If you do not attend, goes to court, if you do, you are kind of admitting guilt. They cannot win."²⁶

Equally, this research has established that records of PHEs are kept (see Section V(8) below) and while these are not criminal convictions, as explained by one interviewee, they may have an impact upon subsequent proceedings against the child in question:

"If someone has PHE appearance, it is not a criminal conviction, but it appears on their record. Everybody has records of previous convictions which police can access and every conviction is on that record. In Jersey PHEs are also listed on that record as PHEs and not convictions. Magistrate will see them and note but not take into account when sentencing. The magistrate will usually say that the person is of good character. However, it also can be treated as evidence of previous behaviour if there are really relevant facts, for example, the same pattern of offences at PHE level- these can be taken into account at sentencing."²⁷

¹⁷ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 18 (a)

¹⁸ Interview D, M, Q

¹⁹ Interview H

²⁰ Parish Hall Enquiries for young people: <https://www.gov.je/government/nonexcelegal/probationaftercare/service/pages/parishhallenquiryyoungpeople.aspx>

²¹ Appendix 2

²² Interview C

²³ Interview J, G

²⁴ See also Parish Hall Enquiries for young people: <https://www.gov.je/government/nonexcelegal/probationaftercare/service/pages/parishhallenquiryyoungpeople.aspx>

²⁵ Interviews P, J

²⁶ Interview G

²⁷ Interview C; also Interview D

(2) Informed and voluntary consent

UNCRC Standard: There should be free and voluntary consent of the child to diversion. Such consent should be based on adequate and specific information on the nature, content and duration of the diversion measure, and on an understanding of the consequences of a failure to cooperate or complete the diversion measure.²⁸ Every child who is diverted at the charge stage needs to understand his or her legal options, and legal safeguards should be fully respected.²⁹

Research Findings: Pursuant to para 2 of the Attorney General’s Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, “[E]very person formally warned to attend at an Enquiry and who does so attend (hereinafter referred to as “an Attendee”) shall, at the Parish Hall, be given an opportunity to study the information leaflet about enquiries before the Enquiry begins. Leaflets in English, French, Polish and Portuguese are to be available to Attendees.”

The research has established that, as a rule, all those, including children, who are required to attend a PHE are sent a letter inviting them to attend. The research has established that the letters provide basic information concerning the PHE, including date, time and location, the alleged offence and basic explanation of the proceedings, such as the need to admit to the offence to avoid court proceedings. There is also a leaflet by the Jersey Probation and After-Care Service,³⁰ as well as information on the States of Jersey website,³¹ although stakeholders interviewed in the remit of this research pointed out the very limited information provided by these two public sources.³² As one interviewee remarked, “Young people do not know their rights when attending PHEs.”³³

The leaflet by the Jersey Probation and After-Care Service provides a bit more detail on the conduct of PHE than the States of Jersey.³⁴ The leaflet is comprised of two sections: one for children/young people attending PHE; the other for parents. The section for children is set out in three equal parts:

- (1) General explanation of PHE proceedings, noting:
 - (i) the requirement to admit charges for the PHE to proceed;
 - (ii) the matter being referred to the Court if such admission is not forthcoming;
 - (iii) the criminal conviction which may follow Court proceedings;
 - (iv) a brief explanation of the PHE process: “[T]he Centenier will usually ask you to speak about the offences. Your parents or guardians will be asked about you. The Centenier will have been told whether you have committed offences before”;
 - (v) the possible outcomes of a PHE: a written caution, fine, deferred decision or Voluntary Supervision of the Probation Service or referral of the matter to the Court;
- (2) An explanation of what Voluntary Supervision of the Probation entails and that failure to complete the Voluntary Supervision of the Probation could result in matter being referred to the Court which in turn may lead to a criminal conviction; and
- (3) what will happen if the matter is sent to the Court, highlighting the right to legal assistance should that happen and advice to reserve the plea until the child had seen a lawyer.

²⁸ Committee on the Rights of the Child. General comment No. 24 (2019) on children’s rights in the child justice system. UN Doc CRC/C/GC/24 at para 18 (b)

²⁹ *Ibid*, para 47

³⁰ Appendix 2

³¹ See Parish Hall Enquiries for young people: <https://www.gov.je/government/nonexeclegal/probationaftercareservice/pages/parishhallenquiryyoungpeople.aspx>

³² Interview A

³³ Interview E1

³⁴ See Parish Hall Enquiries for young people: <https://www.gov.je/government/nonexeclegal/probationaftercareservice/pages/parishhallenquiryyoungpeople.aspx>

The section 'Information for Parents' explains the requirement for the parent to attend PHE with their child as well as noting that "[s]chools are not automatically told when children attend a Parish Hall Enquiry but we usually discuss the children placed under our supervision with their teachers." This section also explains about a record of PHE being kept in the following terms: "A "record" from a Parish Hall Enquiry does not count as a Court conviction- but a record is kept by the Police and may be presented to a Court or to certain employers in the future." The leaflet concludes with basic information on whom to submit a complaint to if a parent has any complaints about those individuals dealing with the child's offences.

Some stakeholders interviewed during this research explained that usually (although not always) the probation service is given between one and two weeks' notice of the upcoming PHE, which allows the service to make contact with the child in question, as well as with the family, and to provide an explanation of the upcoming proceedings.³⁵ It was, however, noted that notification of PHEs is not always timely, which prevents the probation service from making contact with the child and the family, meaning that the child has to attend the PHE without really knowing what is waiting for them.³⁶ As one interviewee stated: "Young people say to me, 'I have to be in PHE and go with my mum who has to take her cheque book with her. There isn't link with what might happen next.'"³⁷

This research has established varied responses among the stakeholders as to the level and specificity of the information provided to a child in advance of a PHE hearing. Some stakeholders recalled the receipt of the letter notifying of the need to attend PHE but highlighted lack of clear information: what does this process exactly involve, who makes the decision, what are their rights and what are the consequences of attending or failing to attend?³⁸ It was noted that, even when actually attending the PHE, it is not always clear who else is in attendance or what their role is in the context of the PHE.³⁹

The PHEs that were observed as part of the research for this project confirmed varying levels of explanations provided by different Centeniers as to the conduct of proceedings and/or those present. No leaflets explaining the procedure, especially in foreign languages (as required by the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*), were present during the PHEs observed.

Crucially, this research has clearly established very serious misconceptions held by nearly all interviewees about the records of PHE appearances. The fact that these are retained and can in fact appear during an enhanced police check is not made clear prior to a PHE.⁴⁰ It was also noted during the observations of PHEs that were carried out in the remit of this project that such information was not provided verbally, either at the start of or in the course of the PHEs that were observed.

³⁵ Interview J

³⁶ Interview A

³⁷ Interview L

³⁸ Interviews Z and A1

³⁹ Interview U

⁴⁰ Interviews A, O, Q, R, T, U, C1

(3) Legal basis

UNCRC Standard: Those instances when resorting to diversion is possible should be clearly indicated in law. All the relevant decisions of the police, prosecutors and/or other agencies should be regulated and reviewable and all State officials and actors participating in the diversion process should receive the necessary training and support.⁴¹

Research Findings: According to the States of Jersey, "Parish Hall Enquiry refers to the process of preliminary investigation conducted by a Centenier (honorary police officer) to decide whether there is enough evidence to justify a prosecution and whether the matter should be presented before the court. It deals with both youth offending and minor offences committed by adults. In Jersey, it dates back 800 years and is a customary, informal alternative to formal court processing."⁴² As such, there is no specific law that sets out the process of PHEs in Jersey or how these are to be conducted in the context of youth justice. This was confirmed by the stakeholders interviewed in the remits of the present research.⁴³ However, the existence of numerous directives and guidelines by the Attorney General, who carries an oversight function over the conduct of PHEs, was highlighted.⁴⁴ Some of the interviewees noted that these guidelines not only set out the conduct of PHEs on how certain matters are to be dealt with⁴⁵ but also aim to ensure consistency among the 12 parishes in how they carry out the PHEs.⁴⁶

The central legal document on the PHEs in Jersey is the Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries which sets out the procedure for PHEs in general, addressing the procedure for both adults, children and young people. It must be noted that this Direction (as well as others) is neither primary nor secondary legislation in Jersey.

There are also additional Directions and Directives issued by the Attorney General concerning specific types of offences or stipulating specific conditions for the conduct of PHEs, for example, during the COVID-19 pandemic. These are:

- (i) AG's Direction on Parish Hall Enquiry Procedures during COVID-19 - issued June 2020 - reinstated 26 Feb 2021;
- (ii) AG's Directive on personal amounts of certain controlled drugs – issued June 2015;
- (iii) AG's Directive on personal amounts of certain controlled drugs – guidelines – issued June 2015;
- (iv) Supplementary direction on personal amounts of certain controlled drugs – issued January 2019;
- (v) Supplementary direction on the prosecution of offenders under the age of fourteen years: issued September 2016; and
- (iv) Supplementary direction on allegations of sexual offence - issued February 2016.

⁴¹ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 18 (c)

⁴² Parish hall enquiries: <https://www.gov.je/CrimeJustice/ParishPolicing/pages/parishhallenquiries.aspx>

⁴³ Interview F, J, K

⁴⁴ Interviews K, M, J

⁴⁵ Interview C, H, J

⁴⁶ Interview J

The office of the Honorary Police, including the election of Centeniers, is stipulated by the *Honorary Police (Jersey) Regulations 2005* which do not address the conduct of PHEs. Such absence of a written law that would clearly set out the procedure for PHEs, and especially the penalties that can be imposed by the Centeniers, was deemed unacceptable by many stakeholders: “[T]here is no written parish law, it is arbitrary.”⁴⁷

Turning to the training and support, the interviewees noted that Centeniers undergo some training provided by the States of Jersey Police, but this training does not focus on the conduct of PHEs as a diversionary measure in the context of child justice in Jersey. It was, however, noted that the Attorney General has an overall responsibility regarding the manner in which Centeniers discharge their duties and has the powers to discipline Honorary Police officers. Equally, the guidelines issued by the Attorney General are not to be taken at Centeniers’ discretion.⁴⁸

In terms of support, the possibility for a Centenier to contact the duty Law Officer for legal advice on how to proceed with a matter was also noted by some interviewees. But it was also noted that the extent to which individual Centeniers in fact rely on possible support from Law Officers varies significantly.⁴⁹

(4) Due process guarantees

UNCRC Standard: Article 40 (3) (b) of the UNCRC require that children’s human rights and legal safeguards are to be fully respected and protected in all diversion processes and programs. These particularly entail the right to be presumed innocent; the right to be informed promptly of any charges; the right to a fair hearing by an independent and impartial tribunal; the right to legal assistance; the right not to be compelled to give a testimony or confess guilt; the right to appeal; the right to an interpreter and the right to privacy.

4.1 Fair hearing by an independent and impartial tribunal

Research Findings: It is the basic tenet of a fair and impartial hearing that the person presiding over such a hearing should be independent of the matter and the parties appearing. As such, para 4 of the Attorney General’s Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, states that “[I]t is not appropriate for a Centenier to conduct an Enquiry into an alleged offence which he or she has investigated or taken any part in investigating.” This is the only stipulation concerning the possible conflict of interest.

However, data gathered throughout this research highlights the inherent problem that Jersey is not a big jurisdiction, either in terms of size or population, and its parishes are even smaller. As a result, people know each other, and the researchers working on this project received consistent testimony of some Centeniers clearly displaying a bias towards attendees (both adults and children) of PHEs. The data indicates that a child attending a specific school or having a particular family name carries a certain ‘weight’ with some Centeniers, persuading them to exercise their discretion in favour of the attendee.⁵⁰ Conversely, the interviewees reported bias against children and adults from other backgrounds: “ However, I found them [PHEs] to not to be justice at all because it is so local, that it depends who you are, who is your family, if you are a foreigner or not”.⁵¹

⁴⁷ Interview E

⁴⁸ Interview M

⁵⁰ Interview A, B, F

⁵¹ Interview E, A, B, F, K

The interviewees overall praised the Centeniers for fairness in their approach to PHEs and the way in which they treat children attending PHEs.⁵² However, instances were also reported when it was clear that the Centeneir did not have a good grasp of the matter at hand, indicating that the applicable paperwork is not always sent sufficiently far in advance for the Centeneir to be able to prepare for the Enquiry in a timely manner.⁵³ Other interviewees questioned the decision-making process and the fact that, at the outcome of a PHE, the attendee is not provided with any explanation or reasoning for the penalty imposed.⁵⁴

The consistency of approaches among the 12 parishes of Jersey was also questioned by the interviewees. Overall, the interviewees noted that there is consistency and, to this end, the various guidelines issued by the Attorney General (see Section V(3) above) were noted as assisting the consistency in approaches by Centeniers across the island.⁵⁵ Equally, regular meetings of Centeniers were highlighted as important in ensuring a consistency of approach.⁵⁶ Nevertheless, and despite this, many interviewees, including Centeniers, also noted that more needs to be done in order to ensure a consistent approach to PHEs.⁵⁷ As one Centeneir put it, "lack of consistency is one of our greatest downfalls. We do not get consistent findings across 12 parishes".⁵⁸ In particular, interviewees highlighted the differences between PHEs conducted in St Helier and the rural parishes, as well as differences in treatment if a child is a 'townie'.⁵⁹

It is true that there might also be differences in the approaches of different judges, for example, should a case go to court, and that there is therefore an equivalent need for discretion and flexibility in allowing Centeniers to tailor the response of PHEs to the particular situation of a child attending an Enquiry. Nevertheless, there is a clear distinction to be made between completely standardised approach across PHEs and ensuring consistency in approach which, in turn, leads to (perceived) fairness of the proceedings and goes a long way in eliminating the (perception of) arbitrariness.

Overall, these elements, when taken together, led some interviewees to conclude that the way in which PHEs are conducted is 'a bit random'.⁶⁰

Furthermore, many interviewees questioned the appropriateness for children of the physical settings of PHEs. Although the facilities of course differ among the 12 parishes of Jersey, overall interviewees thought that premises used for children attending PHEs were not particularly child-friendly environments.⁶¹ As noted by one interviewee, "I had to attend a PHE as an adult in X parish. I had to go through side entrance, big and imposing wood panelled room. I felt very nervous as an adult, cannot imagine how a child would feel. Nothing user friendly about the experience- it was come in, speak and leave."⁶²

Another issue that was consistently pointed out by interviewees was the timings of PHEs, and how they always commence in the evenings between 6pm and 7pm. It was noted that this is to do with PHEs being staffed by volunteers (viz, the Honorary Police) who may have daytime commitments, such as part- or full-time employment.⁶³ The same principle was noted in relation to adults appearing with children, as well as to children who will often be bound by school timetables.⁶⁴ Conversely, however, interviewees questioned the appropriateness of such evening proceedings for children who may be tired and may therefore be struggling to participate fully in proceedings that start between 6pm and 7pm. Also, if there is a wait or delay of any kind, a child may find themselves stuck at a PHE until late in the evening.⁶⁵

⁵² Interview G

⁵³ Interview L

⁵⁴ Interview E

⁵⁵ Interview B, J, G, E1, D1, O, C

⁵⁶ Interview K

⁵⁷ Interviews P, L, N, A, L

⁵⁸ Interview P

⁵⁹ Interviews F, L

⁶⁰ Interview E

⁶¹ Interviews A, G, B, F, E1

⁶² Interview N

⁶³ Interview A, C, D, J, H

⁶⁴ Interview J, H

⁶⁵ Interview D, G, B

4.2 Right to an interpreter

Research Findings: As noted earlier, para 2 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries* requires leaflets about PHEs to be available for all attendees in English, French, Polish and Portuguese. Para 12 of the same Direction also requires that where the Centenier is in doubt whether the attendee has a sufficient understanding of the English language, that Centenier must arrange for an official interpreter to be present and the Enquiry is to be adjourned until an interpreter is present.

The research data gathered indicates that Centeniers in general are very conscious of the need for the child to understand the proceedings. Translation services can be booked by the Parish Hall staff if required, although some opined that an independent interpreter should be available and booked in advance.⁶⁶ Further, a number of interviewees noted that rather than the English levels of the child attending the PHE, the concern is the proficiency in English of the child's parents or legal guardians, who may not think they need an interpreter or indeed feel embarrassed to request one. Instances were reported where the child attending the PHE or their older siblings have been asked to act as interpreters for the parents/legal guardians attending.⁶⁷

4.3 Right to privacy

Research Findings: According to para 5 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, PHEs are not to be held in public, and it is the duty of the Centenier to ensure that the room in which the Enquiry is to be held is sufficiently private that the attendee cannot be seen by other members of the public during the Enquiry and that the proceedings cannot be overheard. Further, para 8 requires that those under the age of 18 should be seen either on a different evening or at different times from adult attendees.

The data gathered, however, indicates that, in practice, these requirements are challenging to meet. Numerous testimonies were received of children having to wait for their PHEs in a room shared with others, sometimes including adults.⁶⁸ As noted by one interviewee: "... because you attend a PHE and your neighbour is there. They mix adults with children in PHEs, there is no separation".⁶⁹ Another interviewee perceived the lack of privacy as a deeply engrained issue:

"...that goes back to this deeply engrained culture here of not seeing children as children first but rather as ones who need to be taught a lesson and locked up. It can be that a child sitting there and waiting in front of all these people, being shamed, and the Centenier comes and says 'I will deal with you next, laddie'- how is that appropriate?"⁷⁰

This was confirmed by the PHE observations carried out in the remit of this research: children arriving at PHEs would be seen on a 'first come, first served' basis, meaning that they would wait in a room shared with others, including adults who are accompanying other children or, at times, adults who are attending in their own right. Some positive changes in this regard were introduced with measures to combat the COVID-19 pandemic: in order to maintain social distancing and limit contacts, some parishes instituted the practice of staggered appearance times, thereby minimising the need for waiting, and ensuring better respect for the right to privacy.⁷¹

⁶⁶ Interview E1

⁶⁷ Interview L, N

⁶⁸ Interviews E, B, N

⁶⁹ Interview E

⁷⁰ Interview B

⁷¹ Interview F

As a further issue concerning the right to privacy, some interviewees pointed out that the school of the child attending a PHE may be contacted. This is also stipulated in para 9 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, although no further explanation is provided as to what circumstances may warrant the decision of a Centenier to contact the school of the child. It is to be noted that contacting the school would take place prior to the child attending the PHE and consequently prior to the child in question having an opportunity to admit (or not) the alleged offence. The leaflet prepared by the Jersey Probation and After-Care Service also specifies that contacting the school might take place, without any further explanation of the circumstances warranting this. Some interviewees raised this as a breach of a child's right to privacy, as well as a safeguarding issue.⁷²

4.4 Legal assistance and the right to review

UNCRC Standard: The child is to be given the opportunity to seek legal or other appropriate assistance relating to the diversion offered by the competent authorities, and the possibility of review of the diversion measure.⁷³ In relation to the meaning of term 'other appropriate assistance', the CRC has clarified that if children are diverted to programs or are in a system that does not result in convictions, criminal records or deprivation of liberty, "other appropriate assistance" by well-trained officers may be an acceptable form of assistance, although States that can provide legal representation for children during all processes should do so, in accordance with Article 41 of the UNCRC. Where other appropriate assistance is permissible, the person providing the assistance is required to have sufficient knowledge of the legal aspects of the child justice process and receive appropriate training.⁷⁴

Research Findings: According to para 7 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, "[A]n Attendee is entitled to be accompanied by a lawyer and may be accompanied by any one other person should he or she so wish. It is a matter for the Centenier's discretion what part the lawyer or other person is allowed to play at the Enquiry. However, the lawyer is there to advise his client and should be permitted to do so." This provision applies equally to adults and children who are attending PHEs, and there is no further stipulation in relation to legal assistance during PHEs. The leaflet prepared by the Jersey Probation and After-Care Service also does not specify anything concerning legal assistance during PHEs but notes that such assistance should be sought if the matter is referred to the court.

The research conducted during this project clearly indicates that it is highly unusual, if not exceptional, for a lawyer to accompany a child to a PHE.⁷⁵ Although this is not prohibited, as the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries* makes clear, it is very uncommon and the lawyer would be attending as a guest of the Centenier.⁷⁶ It must be noted here that the legal aid system, as it currently operates in Jersey, does not cover appearances at PHEs.⁷⁷ In practice, none of those attending the PHEs which were observed during the course of this research had legal representation.

⁷² Interview B

⁷³ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 18 (d)

⁷⁴ *Ibid*, para 52

⁷⁵ Interview N, O, J, A, F

⁷⁶ Interview C

⁷⁷ See also Interview F, C

There were differing views on the necessity of a lawyer attending a PHE with a child who is required to attend. Some interviewees felt that having a lawyer present would detract from the less formal nature of the PHEs, and slow down the proceedings by approximating them to more court-like proceedings.⁷⁸ There was a perception that this also might adversely impact on the discretion given to the Centeniers, and overall, since PHEs address minor offences, there was not considered to be a need for legal assistance.⁷⁹ However, others felt that since, in order for PHEs to proceed a child is required to admit responsibility for the offence, and since there is a record of PHEs that is retained for life (see following section), legal assistance for children appearing before PHEs must be ensured.⁸⁰ The interviewees also highlighted the specific vulnerability of children that should be considered in the context of PHEs. As one interviewee put it: "I wonder whether some [children] might admit [the offence] just to get over and done with. And it's still a matter if they understand the whole thing of PHEs."⁸¹

Turning to the "other appropriate assistance", para 8 of the Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries requires that a parent or guardian or other responsible adult accompanies those attendees who are under 18 years of age. If no such person is present, the Centenier should adjourn the Enquiry. The leaflet by the Jersey Probation and After-Care Service similarly specifies that parents or guardians must attend PHEs if the child is under the age of 18.

Data gathered through interviews conducted in the research for this project confirmed that a child attending a PHE would usually be accompanied by an adult – either a parent or guardian or other responsible adult – and PHEs would not proceed without such an appropriate adult.⁸² This, however, must be examined against the evidence under Section V(2) above, on informed and voluntary consent: the mere fact that a parent or guardian or other appropriate adult is appearing with a child does not necessarily mean that these adults would satisfy the requirements of the UNCRC as 'well trained officers' to provide the requisite 'appropriate assistance', noting that the UNCRC requires such appropriate adults "to have sufficient knowledge of the legal aspects of the child justice process and receive appropriate training"⁸³. Equally, the evidence presented in Section V (4.2) on the right to interpreter must be noted: this research indicates that there are instances when parents or legal guardians attending PHEs with children do not have an appropriate command of the English language and therefore struggle to follow the proceedings. Indeed, instances were reported where the child attending a PHE or their siblings had been asked to translate for their parents.⁸⁴ The extent to which these parents/legal guardians are able to act to provide 'other appropriate assistance' should therefore be questioned.

Moreover, the observations of PHEs that were carried out in the remits of this project noted the number of instances when Centeniers did not ascertain the identity of the adult accompanying the child at the PHE, nor the relationship of that adult to the child – the mere presence of an adult was deemed sufficient to proceed with the Enquiry.

Finally, turning to the requirement for the right of review of the diversionary measure, the Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries does not provide for such a possibility, although this research received testimony that review by the Attorney General is nonetheless possible, albeit exceptional.⁸⁵ The possibility of review of diversionary measure imposed was not explained during any of the PHEs attended as part of this research.

⁷⁸ Interviews M, C, D

⁷⁹ Interview O

⁸⁰ Interview H, L, G, E, B

⁸¹ Interview H

⁸² Interview G, E, C, B

⁸³ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 52

⁸⁴ Interview N

⁸⁵ Interview P

(5) Numerous opportunities for diversion throughout the proceedings

UNCRC Standard: The decision to bring a child into the justice system does not mean the child must go through a formal court process and the competent authorities, which in most States would be the public prosecutor, are obliged to continuously explore the possibilities of avoiding a court process or conviction, through diversion and other measures. In other words, diversion options should be offered from the earliest point of contact, before a trial commences, and be available throughout the proceedings. In the process of offering diversion, the child's human rights and legal safeguards must be fully respected, bearing in mind that the nature and duration of diversion measures may be demanding, and that legal or other appropriate assistance is therefore necessary. Diversion should be presented to the child as a way to suspend the formal court process, which will be terminated if the diversion program is carried out in a satisfactory manner.⁸⁶

Research Findings: Data gathered in this research confirms that PHEs are the usual route for addressing minor offences in the context of Jersey's youth justice system.⁸⁷ As put by one interviewee, there is a presumption in favour of PHEs in the context of youth justice.⁸⁸ However, the data shows that such presumption exists only at the initial stage, when the alleged offence is first committed, as then, if this is a minor offence, the matter indeed would be diverted to be addressed via the PHEs. If this is not a minor offence, though, the matter would be referred to the court. Notably, there is no publicly available statistical data on children who are diverted to PHEs in Jersey.

Data collected during this research also indicates that the PHE system is designed to be flexible, to allow for the possibility of adapting to the situation at hand. This was noted as a positive in allowing Centeniers a degree of flexibility "to manoeuvre" individual cases and really do everything possible to avoid such cases proceeding via the normal criminal justice route to the court.⁸⁹ This flexibility was particularly praised, noting that once the court becomes seized of the matter, it is impossible to divert the case back to the PHE:

"Once they [young people] get in youth court, it seems to be they have to be dealt with by the court even if they commit further minor offences. This leads to criminal convictions in their records. Even if they do something ever so minor, something trivial- because they are already in court system, these would be dealt with by the court."⁹⁰

The data gathered indicates that minor offences are normally addressed at the PHE level. However, if such minor offences are repeated offences, the matter would normally be sent to the court.⁹¹ In this context, the interviewees also highlighted what was described as an "accumulation of charges":

"[T]he PHEs should be within the time frame of initial incident, but there seems to be a delay with PHEs. And if there is something else, if the youth commit something else while they wait for the PHE, then they accumulate the charges and all of a sudden they are in PHEs for several, minor incidents. But then PHEs would say - you have few of these things, and although minor- still, there are few and this is a court matter now. I am not sure this is right or fair. And if each incident was dealt with promptly, then the outcome might be different."⁹²

It was also noted that if a child is currently serving an order imposed through PHE, and during that time commits another minor offence, the new matter would go before the PHE. However, if a child is serving an order imposed by the court and during this time commits a minor offence, that minor offence would also have to be addressed by the court. In other words, once the court has become seized of a child's offence, while that matter is pending, any other offences by that child, no matter how minor, would have to be dealt with by the court.⁹³

⁸⁶ Committee on the Rights of the Child, General comment No. 24 (2019) on children's rights in the child justice system, UN Doc CRC/C/GC/24 at para 72; see also para 86

⁸⁷ Interview H

⁸⁸ Interview K

⁸⁹ Interview P, D1

⁹⁰ Interview M, see also Interview H

⁹¹ Interview H, F, M

⁹² Interview L

⁹³ Interview M

(6) Expediency

UNCRC Standard: States are obliged to set and implement time limits for the period between the commission of the offence and the completion of the police investigation, the decision of the prosecutor (or other competent body) to institute charges, and the final decision by the court or other judicial body. In cases involving a child, these time limits should be much shorter than those set for adults but should still allow legal safeguards to be fully respected. Similar speedy time limits should apply to diversion measures.⁹⁴

Research Findings: The Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries* does not contain any prescription regarding the expediency of the proceedings, either with regard to adults or children. Although a clear timeframe has been difficult to establish, the data gathered during this research indicates that PHEs normally do not take place until two to four weeks after the incident, but may take longer to commence.⁹⁵ There are a number of factors that contribute to this, including challenges in establishing a responsible adult to attend with a child and/or the requirement that, for a child under 14 years of age, legal advice from Law Officers must be sought, which can take up to 21 days.⁹⁶

An additional challenge to the requirement of expediency was posed by the COVID-19 pandemic, which led to the suspension of PHEs in Jersey altogether in late 2020, not only in respect of children. No alternative modes of conducting PHEs (as in, for example, conducting them online) were introduced. This meant that some children, who had committed an offence just before the suspension of PHEs, had to wait for their appearance for nearly a year.⁹⁷ This also means that, once the PHEs resumed in Spring 2021, there was a considerable backlog of appearances to be addressed.⁹⁸ Some parishes adopted a proactive approach by holding additional hearings, even over weekends, thereby addressing the backlog as quickly as possible.⁹⁹

The need for much more expedient PHEs was highlighted by all stakeholders. The lack of prompt responses to offences led many interviewees to question the effectiveness of the PHEs, since children may not always recall the circumstances of the offence when called to answer weeks, or even months, after the event.¹⁰⁰ This was also strongly confirmed by the children and young people interviewed during this project, who questioned the utility of being asked about events that took place months ago. They expressed fear and anxiety over being unable to recall the details of what happened, and worried that they might end up lying unintentionally, and therefore bring upon themselves the adverse consequences that this inadvertent lying may cause. It was also observed during the PHEs attended as part of this research that children appearing before PHEs struggled to recall the events at the heart of the proceedings, and as a result, some were reluctant to engage with the PHE.

⁹⁴ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 55

⁹⁵ Interview B

⁹⁶ Interview P

⁹⁷ Interview A, O

⁹⁸ Interview C

⁹⁹ Interview P

¹⁰⁰ Interviews L, E, K

(7) No detention

UNCRC Standard: Diversion measures should not include the deprivation of liberty of a child.¹⁰¹

Research Findings: The Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries makes it clear that Centeniers have no powers to impose deprivation of liberty as a result of a PHE, neither for children nor adults. This was unanimously confirmed by all sources of data gathered as part of the project.

(8) No criminal record

UNCRC Standard: The completion of the diversion should result in a definite and final closure of the case. Although confidential records of diversion may be kept for administrative, review, investigative and research purposes, these should not be viewed as criminal convictions or result in criminal records.¹⁰²

Research Findings: In accordance with para 24 of the Attorney General's Direction 4/2019 on *The Conduct of Parish Hall Enquiries*, "If the Attendee admits the offence(s) and agrees that the Centenier deal with the matter, the Centenier should make clear to the Attendee that a record of a fine will be kept by the police and may be made available on a future occasion to a Court or a Parish Hall Enquiry, although it will not amount to a "conviction"." The Direction does not specify the duration of time for which such records are to be held. However, para 27 of the same Direction states that:

"The criminal records of an offender consist of:

- a) any conviction before a Court;
- b) any offence for which a fine is imposed pursuant to statutory power at Parish Hall Enquiry; and/or
- c) any offence for which a written caution is given at Parish Hall Enquiry."

Therefore, while para 24 states that a record of PHE attendance is not a "conviction", pursuant to para 27, such a record nevertheless forms part of a person's criminal records in Jersey.

The leaflet by the Jersey Probation and After-Care Service, in the section dedicated to parents states that: "A "record" from a Parish Hall Enquiry does not count as a Court conviction – but a record is kept by the Police and may be presented to a Court or to certain employers in the future." The two sections dedicated to children do not address the record of PHE attendance.

The data gathered in the remit of this research records a large degree of confusion over the question of what records are held as a result of a child attending a PHE, and for what purpose and for how long. It was striking that this confusion was notable across the various professionals interviewed, as well as the children and young adults. While most stakeholders agreed that records of PHEs are held,¹⁰³ and that these are not criminal convictions and therefore do not entail an obligation to disclose such,¹⁰⁴ views varied as to the length of time such records would be kept¹⁰⁵ and who would have access to the records.¹⁰⁶

¹⁰¹ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 18 (e)

¹⁰² Ibid, para 18 (f)

¹⁰³ Interview I, M, K

¹⁰⁴ Interview A, B, C, D, J, M, H

¹⁰⁵ Interview I, C, F, G

¹⁰⁶ Interview I, J

The research has established that, in fact, the records of PHEs are kept for an indefinite period of time,¹⁰⁷ with some anecdotal evidence illustrating the point. One example would be an elderly person in their 70s who appeared before a PHE for a driving offence. This person was told by the Centenier presiding over the matter that the individual in question had a record of a previous appearance before a PHE as a 16 year-old, and that a penalty of birching had been imposed at the time.¹⁰⁸ Strikingly, even some professionals struggled to believe that PHE records are kept indefinitely, with some saying, "if this is true, that's just bonkers!"¹⁰⁹

Furthermore, while the record of PHE attendance is not a "conviction", the record of it will appear on an enhanced police check in Jersey (not elsewhere)¹¹⁰, which means, for example, that employers who are entitled to demand enhanced police checks in relation to their prospective employees will have access to such information. This research received testimony of an employer who decided against the employment of a person due to their PHE record.¹¹¹ Moreover, as already examined in section (2) of this report, appearances at PHEs may also be taken into account by the court, especially if the circumstances of the offences are similar.¹¹²

Crucially, children and young adults interviewed during this research were unanimously confused and worried about the length of time the records of PHEs are kept, as well as about them forming part of information that would be given through enhanced police check. None of the interviewees, including those who had appeared before PHEs, had known about this.¹¹³ This was also confirmed through observations of PHE proceedings, where information about records of PHE attendances being kept indefinitely (and that penalties imposed would appear in enhanced police checks) was not clearly set out for the children who attended.¹¹⁴

A number of stakeholders noted that, given the effect that records of PHE appearances can have in Jersey, they are very much akin to criminal records for people who live here, even if they are not officially categorised as "convictions".¹¹⁵

(9) Turning 18 during diversion

UNCRC Standard: Children who turn 18 before completing a diversion program or non-custodial or custodial measure are to be permitted to complete the program, measure or sentence, and not be sent to centers for adults.¹¹⁶

Research Findings: The Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries provides no guidance on whether a child who turns 18 during the proceedings that come before a PHE should be allowed to complete the proceedings. However, the research conducted during this project indicates that this would be the case, unless the child is a repeat offender and someone to whom the youth justice system has struggled to provide an effective response. In these exceptional circumstances it appears that the law enforcement agencies would be almost "waiting" for the child to turn 18, in order to allow them to be brought before the court as an adult.¹¹⁷

¹⁰⁷ Interview B, E, Q

¹⁰⁸ Interview D1

¹⁰⁹ Interview I

¹¹⁰ Interview K, O, M

¹¹¹ Interview B

¹¹² Interview A, C, D, M

¹¹³ Interview R, T, U, Z, B1, C1

¹¹⁴ Interview O, E

¹¹⁵ Interview B

¹¹⁶ Committee on the Rights of the Child. General comment No. 24 (2019) on children's rights in the child justice system. UN Doc CRC/C/GC/24 at para 35

¹¹⁷ Interview I

(10) Continuous education of all agencies and appraisal of diversion programmes

UNCRC Standard: It is essential for the quality of the administration of child justice that all the professionals involved, including those involved with diversion programs, receive appropriate multidisciplinary training on the content and meaning of the UNCRC. Such training is to be systematic and continuous and not be limited to information on the relevant national and international legal provisions. It should include established and emerging information from a variety of fields on, inter alia, the social and other causes of crime, the social and psychological development of children, including current neuroscience findings, disparities that may amount to discrimination against certain marginalized groups such as children belonging to minorities or indigenous peoples, the culture and the trends in the world of young people, the dynamics of group activities and the available diversion measures and non-custodial sentences, in particular measures that avoid resorting to judicial proceedings. Consideration should also be given to the possible use of new technologies such as video “court appearances”, while noting the risks of others, such as DNA profiling. There should be a constant reappraisal of what works.¹¹⁸

Research Findings: The research has established that Centeniers, who are the central decision-makers in PHEs in Jersey, receive some initial training, provided by the States of Jersey Police and the Law Officers’ Department, focusing on the duties of honorary police as a whole, thereby, inter alia, addressing the procedure of PHEs as a system for both adults and children.¹¹⁹ Training is also provided by the parishes, and new Centeniers do not preside over PHEs; instead, they shadow their more experienced colleagues and are then shadowed themselves by more experienced colleagues, in order to gain the requisite understanding and hands-on experience with the procedures.¹²⁰ It was also emphasised that Centeniers always have the possibility to revert to Law Officers for advice, if required.¹²¹ However, the research has established that there is no specific training on children’s rights, or on the UNCRC in general; nor is there training from the perspective of child justice as a diversionary measure.¹²² Equally, no training is provided about child development, childhood trauma, and as a result, many interviewees remarked that children are treated like adults during PHEs and that PHEs are not child-friendly process.¹²³

Some interviewees highlighted that, since the system of PHEs rests upon a voluntary system (noting that Centeniers are volunteers), there is a limit to the requests that can be made upon their time. Therefore, some interviewees felt that further training would add to further burden volunteers’ spare time and might therefore dissuade some people from becoming Honorary Police officers. Others saw the present level of training as “an opportunity for individualised intervention”¹²⁴, allowing individual Centeniers greater degrees of flexibility to find unique solutions, and warned against too stringent standardisation.¹²⁵ Notably, however, those with the most direct involvement in PHEs, including the Honorary Police themselves, who were interviewed during this project, unanimously expressed the need for further, specific training into child development, childhood trauma and recent developments in youth justice.¹²⁶ Equally, while Centeniers observed during this project took steps to, for example, adjust their tone of voice and manner of expression when engaging with children during PHEs, as well as showing genuine interest in finding ways to assist these children, the research also witnessed some Centeniers expressing reluctance and hesitation over having to engage with young people without specific training on best approaches.

It must be remarked that many interviewees highlighted the vast experience of many Centeniers, who have been in their positions for years, even decades, with ample of knowledge and know-how in the best ways to approach children.¹²⁷

The research saw no evidence of constant reappraisal of the way the PHE system works in Jersey as a diversionary measure in the context of child justice, either carried out by the States of Jersey or any of its authorities, including the Honorary Police themselves. The Attorney General’s Direction 4/2019 on The Conduct of Parish Hall Enquiries provides no guidance on the training of Centeniers in the context of PHEs or on the appraisal of PHEs. It is to be noted that the Honorary Police (Jersey) Regulations 2005 also do not set out professional qualifications for Centeniers, nor do they proscribe the training Centeniers should receive initially or continuously on the conduct of PHEs whilst holding their office.

¹¹⁸ Committee on the Rights of the Child. General comment No. 24 (2019) on children’s rights in the child justice system. UN Doc CRC/C/GC/24 at para 112

¹¹⁹ Interview J, H, D

¹²⁰ Interview D1

¹²¹ Interview H

¹²² Interview J, A, B

¹²³ Interview N, E, A, B, D

¹²⁴ Interview K, C

¹²⁵ Interview K, M, C

¹²⁶ Interview B, D, D1, E1

¹²⁷ Interview C, Q

“The more you get arrested, the less you care about the things you are doing, it doesn't change your ways.”

“If young people have a criminal record this impacts us for life.”

“Talk to us instead of judging, try to find out what's wrong.”

CONCLUSION

The research carried out during this report clearly indicates that, while PHEs are the only diversionary measure available for children in contact with the criminal justice system of Jersey, there is important work outstanding to bring these in line with the requirements of the UNCRC.

In many respects, this is not surprising: PHEs have been an essential part of the Jersey legal system for centuries, and against this backdrop, the UNCRC is a relative newcomer to that legal system. It is therefore not unexpected that the requirements of the latter are not reflected in the set-up of the former. It must be recalled that PHEs apply to both adults and children, and in fact, were not set up as a diversionary measure for children in contact with the criminal justice system. The research clearly indicates the appreciation of the important role of the PHEs and the work done by them in Jersey, both in diverting children from the traditional route of the criminal justice system, as well as alleviating the burden on the courts.¹²⁸ PHEs were especially noted as highly successful in addressing first-time offenders – but less successful in providing an effective response to repeat offending.¹²⁹

Crucially, those with closest links to the PHEs, including the Centeniers, social workers and children, while noting the solidity of the fundamentals of PHEs, mostly spoke of the need to modernise the system:

“[I]t is outdated. It’s not what you do, it’s the way you do. The approach. Just because we’ve always done something doesn’t mean we should continue with that”.¹³⁰

The obligations undertaken by Jersey when it became a party to the UNCRC provide a clear roadmap for such modernisation. In this regard, it is important to recall that the CRC observes that many States still require significant investment to achieve full compliance with the Convention, particularly regarding, *inter alia*, the development and implementation of diversion measures and the reduction of deprivation of liberty.¹³¹ It is perhaps therefore not surprising that scaling up the diversion of children away from formal justice processes and towards effective programmes is among the key objectives of the General Comment No 24 by the CRC.¹³²

The CRC also highlights that, in addition, to avoiding stigmatisation and criminal records, the diversion yields good results for children, is congruent with public safety and has proved to be cost-effective.¹³³ The Committee notes that a variety of community-based programs have been developed, such as community service, supervision and guidance by designated officials, family conferencing and other restorative justice options, including reparation to victims.¹³⁴ Noting the importance of continuous learning, the CRC also urges States to systematically collect disaggregated data, including on the number and nature of offences committed by children, the use and the average duration of pretrial detention, the number of children dealt with by resorting to measures other than judicial proceedings (diversion), the number of convicted children, the nature of the sanctions imposed on them and the number of children deprived of their liberty.¹³⁵ It must be recalled that such detailed data is required by the CRC during the periodic review of State compliance with the provisions of the UNCRC.

¹²⁸ Interview J, P, N, K, C

¹²⁹ Interview P, D, B

¹³⁰ Interview N, see also Interview J

¹³¹ Committee on the Rights of the Child. General comment No. 24 (2019) on children’s rights in the child justice system. UN Doc CRC/C/GC/24 at para 4

¹³² *Ibid*, at para 6 (c) (ii)

¹³³ *Ibid* para 15

¹³⁴ *Ibid* para 17

¹³⁵ *Ibid* para 113

However, the research must also note that neither the UNCRC nor the jurisprudence of the CRC envisage diversionary measures as operating in a vacuum. Rather, the requirement of international law is that diversion forms part of the child justice system – an important part but nonetheless one that works in tandem with other measures, including early intervention, which is to precede diversion. Therefore, any appraisal of diversionary measures must also take note of the wider child justice measures. This was an aspect that was repeatedly noted during the research process:

“[S]ometimes I look at them and think- this is the third generation of youths that are going through the system, and they are all going the same way. Why cannot we come up with a middle ground something that takes them away from the crime. We are generating these children ourselves.”¹³⁶

As noted by another interviewee:

“Children have to commit a crime before there is any assistance for them available and so they need to be involved with the criminal justice system before they get any support. We have prison full of men and fathers incarcerated but we are not identifying the children to prevent them from ending up there.”¹³⁷

The very limited opportunities for young people to engage in various activities that would engage their attention and hold their interest was highlighted time and time again, noting that as a wealthy jurisdiction, Jersey really ought to provide more options for its youth.¹³⁸ The disjointed approach and understaffing of various agencies and services was noted, as was the ‘territoriality’ of some parishes in ensuring activities for the young people of their parish only and not sharing with others.¹³⁹ Finally, the attitude of the wider society towards young people and the very low levels of tolerance that lead to disproportionate responses were also noted:

“Jersey is a very conservative place. There is no understanding that people have different circumstances and the perception of young people being on streets- they talk of them as if these were the gangs in Mexico City. Ok, they might have a beer, but this is not a gang! There are more children detained here than in Croydon!”¹⁴⁰

As another interviewee put it:

“[I]f you look at what children are doing here and what for they get brought up by police and then taken to PHEs- English police would be laughing at what the police are dealing here with.”¹⁴¹

The research conducted clearly indicates that PHEs are the only diversionary measure available to children in conflict with the criminal justice system in Jersey. While there are many positive elements about the PHE system, there is also an urgent need to modernise this diversionary measure and to bring it in line with the obligations arising in respect of Jersey under the UNCRC. However, it is crucial that such modernisation of PHEs is undertaken as a part of the overall child justice system assessment, noting that the ultimate success of any diversionary measure, including PHEs, also lies with effective early warning measures.

¹³⁶ Interview P, see also Interviews K, J, G, H, N, B

¹³⁷ Interview B, see also Interview E

¹³⁸ Interview L, E, A

¹³⁹ Interview L, A, O, C, B

¹⁴⁰ Interview E, see also Interview A, B, D

¹⁴¹ Interview A

RECOMMENDATIONS

CHILDREN'S COMMISSIONER'S RECOMMENDATIONS

These recommendations must be considered with the spirit and law of the UNCRC as the primary guiding principles.

For immediate action

- **Safeguarding:**
 - An Island-wide safeguarding policy for PHEs, with associated written procedures, should be produced as a matter of urgency
 - Mandatory safeguarding training, to an appropriate level as defined by the Jersey Safeguarding Partnership Board, should be provided for all Honorary Police Officers and Centeniers
 - Clear instructions should be given to all Honorary Police Officers and Centeniers on how to raise a formal concern with the Multi Agency Safeguarding Hub (MASH)
 - Risk assessments focused on safeguarding should be carried out for every building in which PHEs are held
 - A review should be undertaken to establish an agreed definition of the term 'appropriate adult'
- **Current diversion measures do not include the deprivation of liberty of a child: this must not be changed.**
- **A Probation Officer should always be present when a child or young person attends a PHE.**
- **A good practice guide on managing conflicts of interest, which incorporates the views of a wide range of stakeholders, must be developed for Centeniers and other officials involved in PHEs. Centeniers should not preside over cases involving children or families who are known to them.**
- **PHEs should be conducted on an appointment-based system, with appropriate time allowed for sessions, and with sessions that involve children or young people not continuing after 8pm. Consideration must also be given to the possibility of holding weekend PHEs.**
- **Adequate measures should be taken to ensure the privacy of children and young people who attend PHEs.**
- **Minimum standards should be set stipulating appropriate and acceptable timescales from the commencement of a PHE process (namely, the first point of contact with law) to its conclusion (the Enquiry itself).**
- **Access to independent legal support should be provided whenever requested or deemed necessary.**
- **Access to independent interpreters should be provided whenever requested or deemed necessary.**

For action

- There should be a statement of principle ensuring that the best interests of the child are a priority in Jersey's youth justice system, including PHEs.
- There should be a training and skills of audit of all staff involved with PHEs, including but not confined to Centeniers, Probation Officers and Honorary Police Officers. This must include safeguarding training, as well as training in other areas such as child development and attachment, and the UNCRC.
- A review should be undertaken to establish and define the role of the Probation and After-care Service in PHEs.
- All public information concerning PHEs should be available in formats that are child-friendly, age-appropriate and accessible. The information provided must include reference to the free admission of events, the PHE record retention rules, the right to choose to go to court, the right to a lawyer, and a description of the role of the Centenier and of the PHE system itself.
- There must be a procedure that sets out the right to appeal the outcome of a PHE, and this must be explained as part of the PHE system.
- A person defined as an 'appropriate adult' who accompanies a child or young person to a PHE must be subject to an identity check.
- Probation Officers must be given timely notification of PHEs.
- There should be a review of policies and procedures related to record-keeping and disclosures associated with PHEs.
- The record of a child or young person's attendance at a PHE should be destroyed at a set time after the offence or at the point when they turn 18, whichever comes first.
- A quality assurance review should be undertaken, and procedures put in place, to ensure that outcomes from PHEs in all parishes are consistent and would be deemed fair by an independent observer.
- A child or young person who attends a PHE should be given an adequate and timely opportunity to provide feedback on their experience. To this end, the complaints procedure should be reviewed, in order to ensure that children and young people are able to access it.
- Good practice guidance on official conduct during PHEs should be produced, to sit alongside the current Attorney General's Direction 4/2019 on The Conduct of Parish Hall Enquiries.
- If the outcome of a PHE involving a child or young person is a deferred decision, a referral should be made to the Children and Families Hub in order that an assessment can be made of any additional support that may be required by the attendee or the attendee's family.
- A child or young person who was under 18 at the time of the alleged offence, but turns 18 during the PHE process, should still be considered a child for the remainder of the process.
- There should be a review of the opportunities for diversion at various points including, and subsequent to, a child's first point of contact with the law – for example, the point of arrest itself or as an outcome of court.
- Children and young people should be educated about the youth justice system.

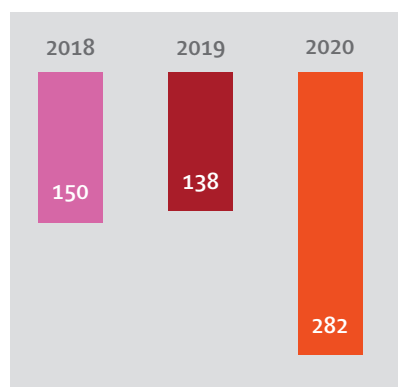
Appendix 1

Appendix 1

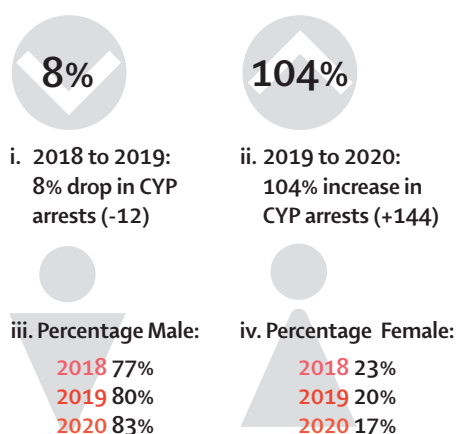
Headline Youth Crime Statistics from the States of Jersey Police

1. Custody Detainees: Numbers of children and young people (CYP) arrested each year

A. Overall - total CYP arrests



Additional information:



Extra notable points relating to Arrests:

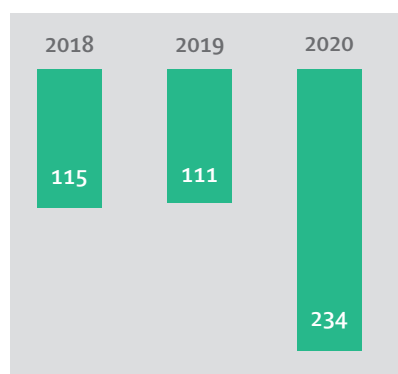
2020 represented 49% of the total of 570 youth crimes over the period of 2018-2020 (51% for Males and 44% for Females)

When viewed quarterly

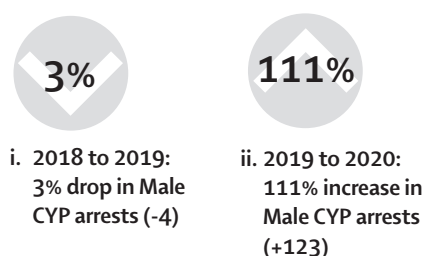
(Jan-March / April-June / July-September / October-December)

Q Totals	2018	2019	2020
Q1	38	27	35
Q2	53	41	56
Q3	36	26	123
Q4	23	44	68

B. Male CYP only - male CYP arrests



Additional information:

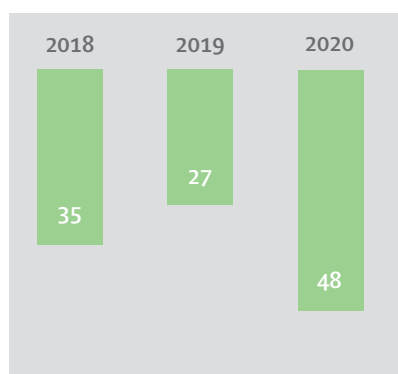


When comparing quarters with

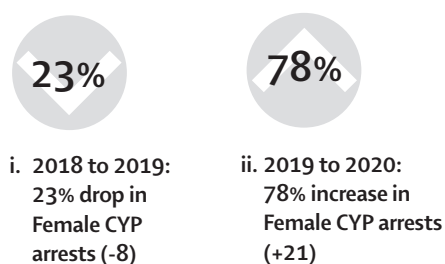
the previous quarter, Q3 of 2020 shows a 120% increase on Q2 of 2020. When comparing quarters with the same quarter from the previous year, Q3 of 2020 shows a 373% increase on Q3 of 2019 [YoY = Year-on-year]

Q on Q	2018	2019	2020
Q1	NA	17%	-20%
Q2	39%	52%	60%
Q3	-32%	-37%	120%
Q4	-36%	69%	-45%

C. Female CYP only - female CYP arrests



Additional information:



YoY Q	2018	2019	2020
Q1	NA	-29%	30%
Q2	NA	-23%	37%
Q3	NA	-28%	373%
Q4	NA	91%	55%

Appendix 1

D. Number of offences per offender [Crimes, not Process Offences]

Number of offences per offender	2018	2019	2020
Ten or more offences	1	3	4
Four to nine offences	7	14	15
Three offences	4	6	7
Two offences	16	20	28
Single offence	77	117	80
Total number of offenders	105	160	134
Total number of offences	172	292	297

Additional information:

- i. **To create an estimate of** the % of offenders with a prior offence for each year (crimes committed within the same year, therefore not directly comparable with UK statistic), the % of single and multiple offenders is given for each year. This has risen for 2020.

Year	Offenders	Single	Multiple	Total	% Re-of.
2018	105	77	28	105	27%
2019	160	117	43	160	27%
2020	134	80	54	134	40%

- ii. **The average number of offences** per offender per year has risen year-on-year

Year	Avg. offences per offender
2018	1.64
2019	1.83
2020	2.22

Appendix 1

2. Drug-related offences

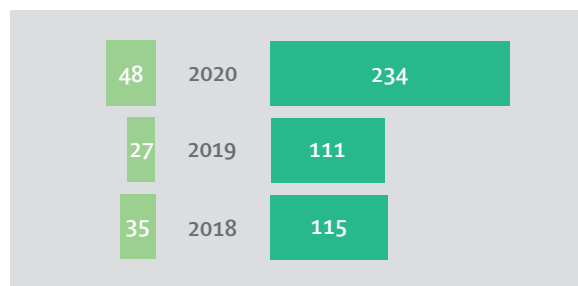
	Total	YoY
2018	31	NA
2019	38	23%
2020	31	-18%

Additional information:

- i *Pattern of type of drug-related* offence remains consistent, with Possession of a Controlled Substance being the primary offence.
- ii **2019 saw an increase** of 62.5% of 16 year-olds committing Possession of Controlled Substances offences (+5). This figure fell by the same amount in 2020 (-5).

3. Detainees: Sex and age

A. Sex comparison - sex of detainees by year

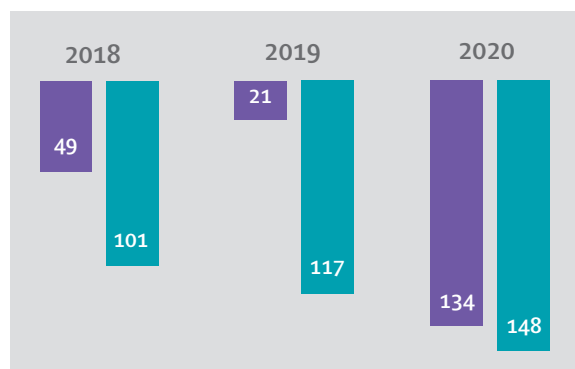


Female
Male

Year-on-year change:

Year	Male YoY %	Female YoY %	Total YoY %
2018	NA	NA	NA
2019	-3%	-23%	-8%
2020	111%	78%	104%

B. Age comparison - age of detainees by year



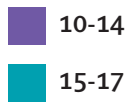
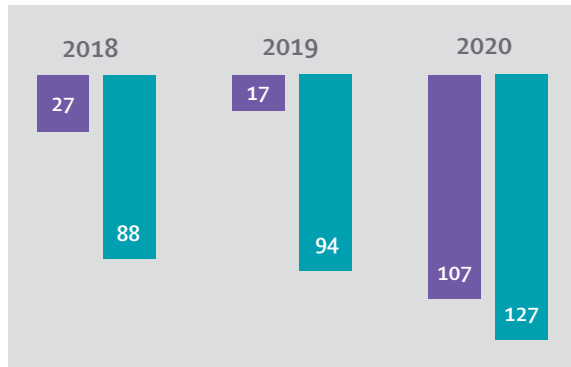
10-14
15-17

Year-on-year % change:

Year	10-14 YoY %	15-17 YoY %	T YoY %
2018	NA	NA	NA
2019	-57%	16%	-8%
2020	538%	26%	104%

Appendix 1

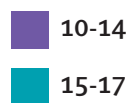
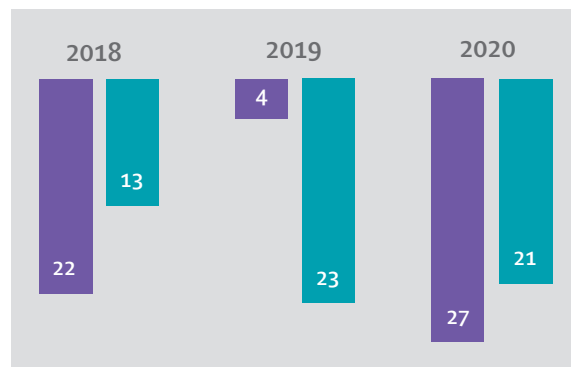
C. Male offenders by age - Age of male detainees by year



Year-on-year % change:

Year	10-14 YoY	15-17 YoY
2018	NA	NA
2019	-37%	7%
2020	529%	35%

D. Female offenders by age - Age of female detainees by year



Year-on-year % change:

Year	10-14 YoY	15-17 YoY
2018	NA	NA
2019	-82%	77%
2020	575%	-9%

Appendix 1

4. Type of offence (higher level category offences)

Year-on-year change (% and numbers):

Overall	Total	Year-on-year %	Year-on-year #
2018	22	NA	NA
2019	43	95%	+21
2020	78	81%	+35

Combined Higher Level Category Offences

N.B. Grouping together of offences by type,
e.g. Robbery (Business Property) and Robbery (Personal Property).

Some figures still <5 and therefore not suitable for sharing with public

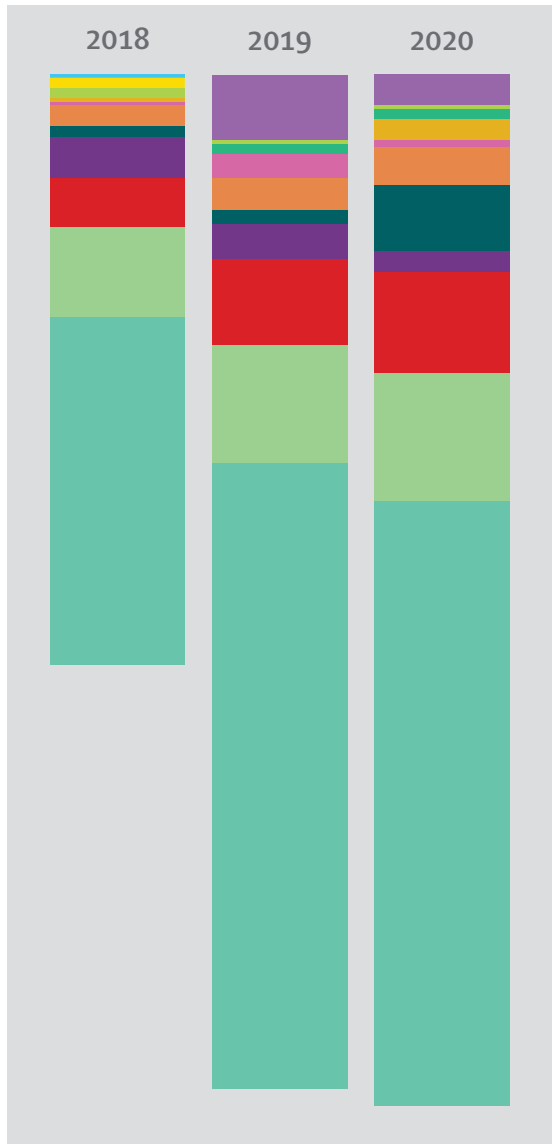
Combined Higher Level Category Offences	Year Totals		
	2018	2019	2020
Affray	1	0	1
Breaking and entering	6	5	12
Illegal entry	2	5	12
Robbery	3	0	3
Drug	3	3	2
Statutory Arson	1	0	3
Firearms	1	4	3
Grave and Criminal Assault	5	9	25
Possess/distribute indecent images of child	0	13	11
Unlawful sexual act between children	0	2	3

Additional information:

- i. **Breaking and entering** saw a 17% reduction for 2018-2019 and a 140% increase for 2019-2020
- ii. **Illegal entry** saw YoY increases of 150% and 140% for 2018-2019 and 2019-2020 respectively
- iii. **Firearms Law Offences** saw a 300% increase for 2018-2019 and a 25% reduction for 2019-2020
- iv. **Grave and Criminal Assault** saw an 80% increase for 2018-2019, and a 178% increase for 2019-2020. This is the single largest rise of any higher level category offence (it is a single statistic, rather than a combined statistic)
- v. **Possession / Distribution of indecent images of a child** was not present in 2018, but has been prevalent for the last two years

Appendix 1

5. Crimes by Parish



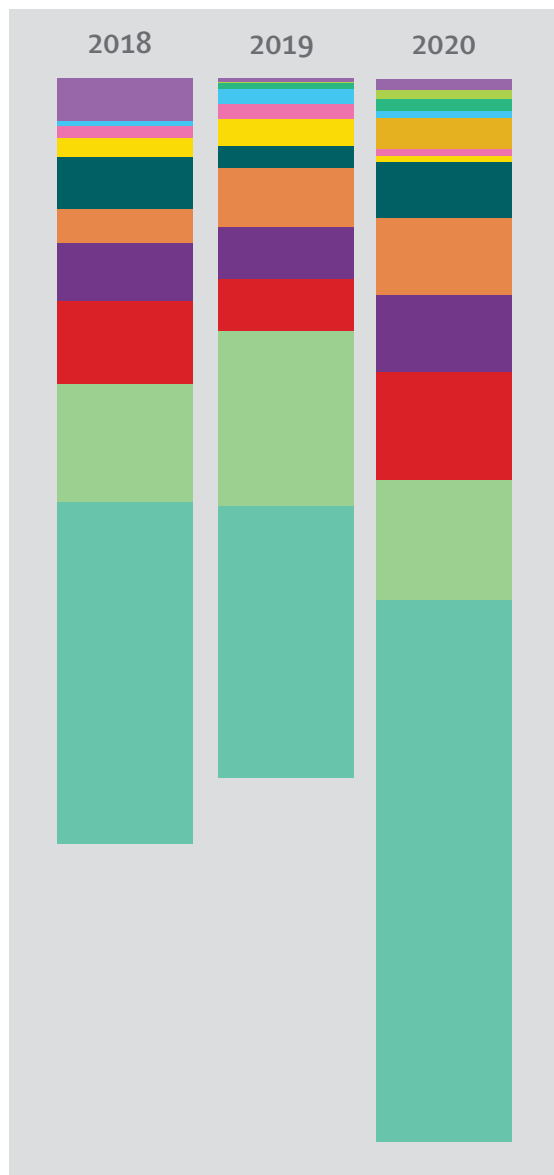
Parish	2018	2019	2020
Elsewhere/ not given		19	9
St Mary	1		
St Martin	3		
St John	3	1	1
Grouville		3	3
St Ouen	1		6
Trinity	1	7	2
St Lawrence	6	9	11
St Peter	4	4	19
St Breilade	12	10	6
St Clement	14	25	29
St Saviour	26	34	37
St Helier	100	180	174

Additional Information:

- i. **St. Helier** had the highest level of offences. This increased by 80% from 2018 to 2019, but has not risen further in 2020 (reduction of 3%)
- ii. **Trinity** saw the largest annual increase in 2019 (600%) from 1 to 7 crimes, but this has drastically fallen in 2020
- iii. **The overall increase** in Arrests for 2020 is not reflected in this data set (see next page)

Appendix 1

6. Process Offences by Parish



Parish	2018	2019	2020
Elsewhere/ not given	14	1	4
St John		1	3
Grouville		2	4
St Mary	2	5	2
St Ouen			10
Trinity	4	5	3
St Martin	6	9	2
St Peter	17	7	18
St Lawrence	11	19	25
St Breilade	19	17	25
St Clement	27	18	35
St Saviour	38	57	39
St Helier	111	88	176

Additional Information:

- i. **St. Helier** has the highest level of Process Offences, and despite a reduction of 21% for 2018-2019, there was a 100% increase in 2019-2020
- ii. **St. Clement** also saw a reduction of 33% for 2018-2019, followed by a 94% increase in Process offences for 2019-2020
- iii. **St. Peter** saw a 59% reduction in 2018-2019, followed by a 157% increase for 2019-2020
- iv. **The total number** of Process Offences was reduced by 8% for 2018-2019, and then increased by 51% for 2019-2020. This equates to a 117 increase from 2019's 229 total to 2020's 346 total

Appendix 2

Appendix 2

Parish Hall Enquiries (Youth) leaflet by the Jersey Probation and After-Care Service

INFORMATION FOR PARENTS

If your child is under eighteen years of age, you should have been invited to attend the Parish Hall Enquiry. You should attend if at all possible, and if not, send a suitable adult.

A "record" from a Parish Hall Enquiry does not count as a Court conviction – but a record is kept by the Police and may be presented to a Court or to certain employers in the future.

If your child is placed on "Voluntary Supervision" by a Centenier, you are welcome to contact the supervising Officer with any queries or concerns you might have from time to time.

Schools are not automatically told when children attend a Parish Hall Enquiry but we usually discuss the children placed under our supervision with their teachers.

If your child is sent to Court, you should attend the Court hearing with your child. The Youth Court is not open to the public and names are not usually published in the media. Should you wish to obtain legal advice for your child prior to this Court appearance you should call the **Legal Aid Office on 0845-800-1066**.

If you have complaints about any of the people involved in dealing with your child's offences, you can make them to the following people:

- The Chief of Police if your complaint is about States Police Officers.
- The Constable of the Parish which held the Parish Hall Enquiry or the Attorney General (who is responsible for the Honorary Police).
- The Chief Probation Officer.

Jersey Probation and After-Care Service
 PO Box 656, 1 Lemprière Street,
 St Helier, Jersey JE4 8YT
 Tel: 01534 441900
 Fax: 01534 441944
 Email: probation@gov.je
 We can be found around the corner from the new Magistrate's Court.


Youth Action Team
 The Bridge, Le Geyt Road,
 St Saviour, Jersey JE2 7NT
 Tel: 01534 449104

Parenting Administrator
 The Bridge, Le Geyt Road,
 St Saviour, Jersey JE2 7NT
 Tel: 01534 449481

What You Need To Know

PARISH HALL ENQUIRIES (YOUTHS)

Jersey Probation and After-Care Service



INFORMATION FOR YOUTHS ATTENDING A PARISH HALL ENQUIRY

The Enquiry will take place in the Parish where the offences are said to have taken place.

If you are under eighteen years of age, a parent, or guardian who is over eighteen, **must** go to the Parish Hall Enquiry with you.

A Centenier will be in charge of the Enquiry. A Centenier is an elected Police Officer.

There will always be another member of the Honorary Police present such as a Constable's Officer.

There will usually be a Probation Officer at the Enquiry.

The Centenier can only deal with the charges against you if you admit them. If you **do not** admit them, they have to be dealt with by a Court.

The Centenier will usually ask you to tell him about the offences. Your parents or guardians will be asked about you. The Centenier will have been told whether you have committed offences before.

The Centenier can choose between:

- Giving you a "caution" – probably in writing. This is a warning to you to behave well in the future.
- Ordering you to pay a fine.
- Deferring the decision. The Centenier may decide to delay making a decision for a time to see whether you can stay out of trouble. The Centenier may impose certain conditions such as paying compensation or doing some unpaid work for anyone who has been affected by your offence. (This may be done with the Restorative Justice Officer).
- Putting you under the Voluntary Supervision of the Probation Service. Successful completion of Voluntary Supervision will probably result in a "written caution".

- Sending you to the Youth Court (or the Magistrate's Court if you are charged with youths who are older than eighteen).

WHAT BEING PLACED ON VOLUNTARY SUPERVISION MEANS

If you consent to being placed on Voluntary Supervision, this means that you will be given a chance to prove that you can behave and stay out of trouble. You will be able to talk to the Probation Officer about any problems or worries you might have. The Probation Officer will give you advice about how to stay out of trouble. If you mis-behave, the Probation Officer can send you back to the Centenier.

As part of the Voluntary Supervision process, you will be asked to:-

- Visit your Probation Officer. This could be at the Probation Service office, the Youth Action Team office, or the Officer may visit you at home.
- Attend and complete one-to-one sessions or programmes.

You will be expected to:-

- Stay out of any further trouble with the Police.
- Be of good behaviour when visiting your Probation Officer.

Throughout the period of supervision, the Probation Officer will liaise with your parents or guardian and may wish to see you together for a number of sessions, possibly with other family members.

It is important that you do all you can to make your time on Voluntary Supervision work.
 If you finish it successfully you will avoid a Court appearance and a conviction.
 A Court conviction could restrict your travel and employment prospects in the future.

IF YOU ARE SENT TO COURT

If you are sent to Court, it may be a good idea to get an advocate to help you. You can get legal advice by contacting The Acting Batonnier who can explain how to apply for legal aid. **If your parents wish to apply for Legal Aid then they should call the Legal Aid Office on 0845-800-1066.**

The Youth Court is based in the Magistrate's Court building, Union Street (next to Cyril Le Marquand House). The Court is made up of a panel of three people – a Magistrate and two members of the community, one of whom is a woman.

When you first go to Court you may decide to reserve your plea because you wish to see a lawyer.

If you admit the charge, the Probation Service may be asked to write a report on you for your next Court appearance – this is called a Social Enquiry Report. The purpose of this report is to give the Court information about you, so that the Court can decide the best way to sentence you.

There is a separate leaflet produced by the Probation Service which explains what the preparation of a Social Enquiry Report involves. You can ask for this if you wish.

“We are guilty until proven innocent.”

“Understanding children with special needs and mental health.”

“A run through of how court works and not being treated like a criminal.”

“Faster process, so your court dates and police interviews are not hanging over you.”

“We get told off for being in groups, but we are just with our friends. If it was a group of adults the police wouldn’t do the same to them.”

“It is only when you get a bit older and more mature that you start to realise.”

For advice, resources and information on all aspects of our work and on child rights more generally, visit our [website](#) or follow us on social media.



To contact us,
email advice@childcomjersey.org.je



Office of the Children's
Commissioner for Jersey
Brunel House
3 Old Street
St Helier
JE2 3RG

Tel: 01534 867310
Email: advice@childcomjersey.org.je
www.childcomjersey.org.je