

Young People (under 18) and the Cops

If you are over the age of ten you can be arrested and charged with an offence. This means that you can be fingerprinted, photographed and searched while you are in police custody.

If you are 16 or over you can be issued with an anti social behavior penalty notice. This is a notice for an on the spot fine, which you can contest and you should get advice from a good solicitor about this.

Most cases involving those under 18 are dealt with in a Youth Court (the exception is where the maximum sentence is 14 years prison or more). Youth Courts are not open to the public and only family members of the defendant will be allowed in.

The procedures governing the treatment of children and young people by the police are set out in the codes of practice made as a result of the Police and Criminal Evidence Act - the PACE codes, in particular Code C: <http://bit.ly/xIHH2r>

At the time of arrest an appropriate adult must be contacted. This may be your parent, guardian or another adult you can name. This is useful if you do not want your parents involved, but the older they are and the closer a relative the more likely the cops will accept that they are your appropriate adult. Please note that if no one can be contacted then the local Youth Offending Team will send an appropriate adult, normally a trained volunteer. This may lead to social services becoming involved and could create more problems for you and your parents.

The police cannot carry out an interview anyone under 17 without an appropriate adult being present. Obviously you should also have your solicitor there. Please read “No Comment” for advice about interviews.

Anyone under the age of 17 should be held in a detention room and not in a cell. Under no circumstances should you share a cell with an adult. You have a right to food, drink and warmth and can request a doctor or medical attention at any time. You are also entitled to writing materials. Whenever you make a request, or a telephone call is made by you or on your behalf, it should be noted on your custody record. You should ask for a copy of this when you leave the station as you may need it if you decide to sue or make a complaint. Your solicitor will also need a copy.

These safeguards do not apply when a young person is not under arrest, but we suggest you refuse to speak to the cops or be alone with the cops without an appropriate adult present (and even then it is best not to talk to the cops).

Elsewhere on this site you will find details of good solicitors, mostly in London.

General information about young people’s rights can be got from Coram Children’s Legal Centre: <http://www.childrenslegalcentre.com/>