

What happens if I get in trouble?

(This worksheet is aimed at young people over 13 years. It is a starting point to think about the consequences of offending behaviour as a young person and adult.)

Quiz

1) Is cannabis legal?

A: No, it is a Class B drug. Police can issue a warning or an on-the-spot fine of £90 if you're found with cannabis. The amount of drugs found and whether you have a criminal record will affect what happens if you are caught with cannabis. The penalty is likely to be more severe if you are found to be supplying or dealing drugs. Sharing drugs is also considered supplying.

2) What is the age that a young person can legally consent to sex with:

- A young person of the opposite sex?
- A young person of the same sex?

Follow up question – At what point before or during sex can a girl or boy say no?

A: 16 for both. Follow up question – A: At ANY point.

3) Is it ok to send a picture of your or someone else's private parts to someone else or post on social media?

A: No. This is a crime called Distribution of Indecent Images. A person can only give consent to share images of themselves with someone else at 18. This does not give the person receiving the image permission to share this with anyone else.

4) Which of these could be an 'offensive weapon'?

- a) Screwdriver
- b) Pen knife
- c) Meat cleaver

A: You would be committing an offence by carrying any of these items in a public place unless you have a good reason for carrying it i.e. for your work.

5) What sentence should you expect for carrying an offensive weapon in public?

A: Your circumstances and those of the offence will be taken into account, but the 'starting point' for a young person would be a 4 month Detention and Training Order (custody).

Scenario: You are out with friends when an argument starts with someone on the street. Your friend threatens and hits the person, and then takes their phone. You don't hit anyone but are standing close by. **Have you committed an offence? What would you or could you have done?**

A: Robbery (joint enterprise)

What happens if I get in trouble over 18?

- You will not have an appropriate adult in police interview unless you have specific needs.
- You will go to the Magistrates Court (you may have to go to the Crown Court for later appearances if the offence is very serious). The public and the media are allowed in Court.
- Any Court Order will be supervised by the Probation Service.
- Probation will expect **you** to take responsibility for attending your appointments on time. You will usually be expected to attend office visits.
- If you fail to attend without an acceptable reason or evidence you should expect a consequence.
- Previous crimes or behaviour (including those as a young person) will be taken into account in your assessments about any risk of re-offending, to the public or your own vulnerability. However, this will consider your age, seriousness, and the circumstances at the time.
- If you have a history of breach, not attending Court or committing offences on bail you are at greater risk of being remanded to custody if you appear in Court for a serious offence. If you go to prison over 18 you will go to an adult prison.
- If you get in trouble as an adult, with an under 18, it would be assumed that you took the lead in any offence.

Things you need to know

- You have a right to free legal advice. If you get in trouble it is important that you take advice from a solicitor before interview at the Police station. Tell your carer or Personal Advisor so they can support you through this process.
- If you fail to attend an appointment Probation will normally give a first warning if you don't attend without good reason. Any further unacceptable failures to attend are likely to mean you going back to Court for them to reconsider your sentence.
- A criminal record can prevent you from going to other countries e.g America in the future. In some cases it can also prevent you, or make it more difficult, to get insurance or a bank account.
- Everyone makes mistakes. We can all learn from them. If you got in trouble as a child or young person, this **does not** mean to say you will carry on getting in trouble.
- Previous convictions can impact on housing applications. Make sure your Personal Advisor is aware of any convictions before any application is made, so that you can discuss the situation and any concerns they may have in advance.
- If you are worried about your behaviour or what might happen in the future talk to your carer, Personal Advisor or someone else you trust about it.

Things I wish I'd known (quotes from Care-Leavers)

L.B *"I wish I had been told properly the consequences of how being in trouble will affect my future. Someone needs to be truthful and tell you how you get into a cycle and cannot get out of it. It's either offend and prison or not offend and be able to have your own place."*

D.B *" At 18 I think it should be all wiped off your record and you should be able to start afresh. I think young people need more things to do – boredom makes kids offend!"*

Finding out more....

- To find out more about what sentence you can get for an offence (as a young person or adult) and how these are worked out visit **sentencingcouncil.org.uk**. Look out for 'You be the Judge'.
- How would an employer feel about taking on someone with a criminal record? **Nacro.org.uk** and **unlock.org.uk** support with the ongoing effects of criminal convictions, provide advice on whether you need to tell a potential employer about previous convictions and on how best to do it.
- **Openjustice.gov.uk** 2015 provides more information on statistics, sentencing, and has interactive resources. For instance, for the amount of money offending costs the country, we could hold the London Olympics every year.

Notes/things I want to find out more about.....

.....

.....

.....

.....