



Ministry
of Justice

Youth Justice Charter

What happens if I go to court?





If you have been **charged** with a crime, you will usually go to a **youth court**. There will be either a **judge** or **magistrates** who will make decisions about your case. If you have been charged with a serious crime (like murder), you will then go on to a **Crown Court**. There will be a **jury** made up of ordinary people who will decide whether you committed the crime you've been accused of. The job of the judge, magistrates and jury is to listen to everyone's side of the story and make a decision that is fair. The court standards below explain how you should be treated before, during and after you go to court.

These standards form part of the Youth Justice Charter. To find out more, search 'Youth Justice Charter'. You can also find out about what happens if you are stopped by the police, working with Youth Justice Services, going to custody and leaving custody. There is also a youth justice journey map to show the different stages of the youth justice system.

If you need help understanding these standards, you can ask someone you trust to go through them with you. We have used some words that you might not understand. We have put these words in **bold**. We have explained what they mean at the end in a list called 'difficult words'.

Court
standard

1

I should be given support to
prepare for going to court.

- ✎ You should be told as early as possible when you need to go to court.
- ✎ Your local **Youth Justice Service (YJS)** should contact you and your parents or carers before your court appearance and answer any questions you have. They should make sure you know where to go, what time to be there and what will happen when you get to court.
- ✎ If you are going to court from **custody**, your YJS, **lawyer** or custody officer will give you this information. They will help make sure you and your parents or carers can get to court and help organise how you will travel there.
- ✎ Your lawyer can arrange for you to visit the court and see what it looks like before your court date so you know what to expect.
- ✎ If you are taken to court by secure transport from the police station, you should not travel with adult prisoners and you should be in the vehicle for the shortest time possible.

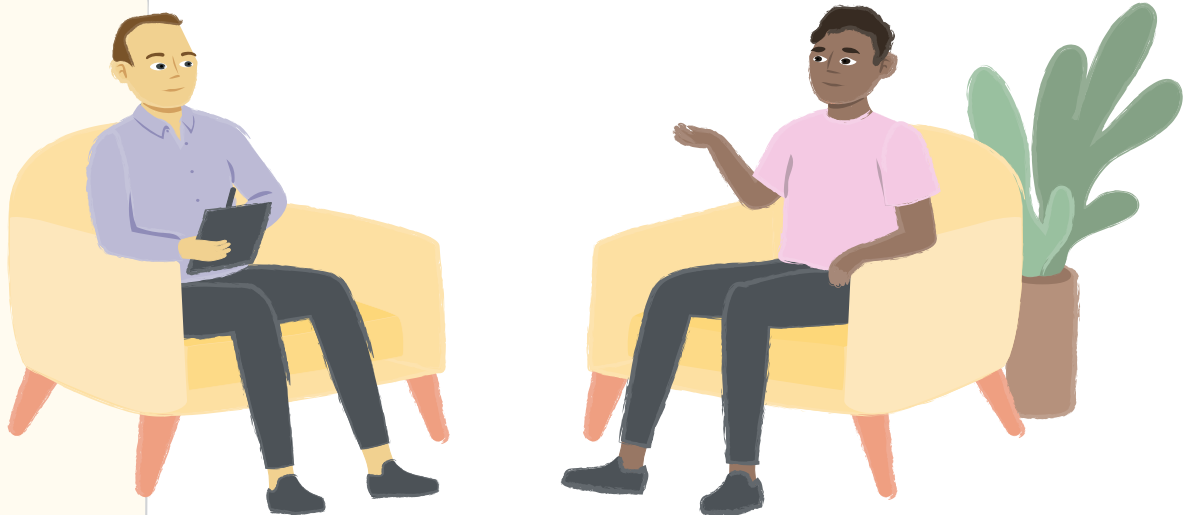


Court
standard

2

I will have a lawyer at court who will be on my side and will stand up for me.

- ✓ You have the right to free legal advice, from someone who puts your best interests first.
- ✓ Your **lawyer** works for you, not anyone else in the court room. They will listen to you and take you seriously. They will be honest with you and will make sure you understand what is happening.
- ✓ You will be able to speak to your lawyer before, during and after court. The court staff should find you somewhere you can speak in private.
- ✓ If you don't have a lawyer and you want one, there will be a **duty lawyer** at court who can support you in court.
- ✓ When you are in the court room, you should usually be seated close to your lawyer so you can speak with them if you need to.



Court
standard
3

**I should be able to sit next to my
parents or carers in court.**

- ✎ You should be able to sit with your parents, carers or another adult who supports you in the court room.
- ✎ If you are brought into the court wearing handcuffs, your **lawyer** can ask for you to come out of the **dock** (the secure area) and sit next to your parents, carers or other **appropriate adult**.
- ✎ If the **magistrates** or **judge** are concerned about your safety or the safety of others, they may decide you need to stay sitting in the dock and will explain their reasons.

Court
standard
4

**I will have a bail application if I have
been charged with a crime.**

- ✎ A **bail hearing** should take place within 24 hours of you being **charged** with a crime. This may mean you are taken to an adult court rather than a **youth court**, but there should still be someone there who knows how youth courts work.
- ✎ Somebody from a YJS should be there to talk to you about bail and find out about your situation so they can help the court to make a **bail decision**.
- ✎ There are three possible outcomes for you at your bail hearing: bail, **remand to local authority accommodation** or **remand to youth custody accommodation**.
- ✎ If you are remanded, the **judge** or **magistrates** will tell you out loud in court what will happen to you and which local authority is now responsible for you.

Court
standard
5

I will be given help to understand what is being said in court and to make sure others in the court can understand me.

- ✎ If you speak a different language to English or Welsh, court staff will organise for someone who speaks your language (an interpreter) to help you understand what everyone is saying and to speak to others for you.
- ✎ If you need help communicating for any reason, for example, because you have a disability, learning difficulty, or you are neurodivergent (for example, if you have autism or ADHD), your **lawyer** can ask the **judge** for an **intermediary** who is independent from the court. Their job is to help you and the people in court understand what each other say.
- ✎ The adults in the court room will speak clearly and the judge or **magistrates** will check to make sure that you understand what has been said.
- ✎ You will be able to ask any questions and you can ask to take a break if you need one.

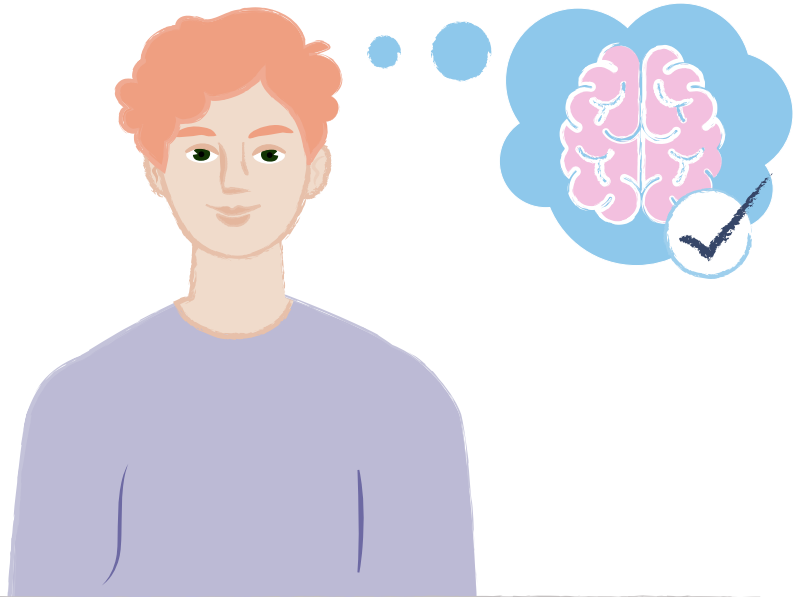


Court
standard

6

Court
standard

7



My mental health and wellbeing will be looked after while I am at court.

- ✎ A specialist health worker may meet with you at court if anyone is worried about your mental health or wellbeing. They give advice on how best to support people with any mental health needs.

The judge or magistrates will help me to understand what their decisions mean for me.

- ✎ The **judge** or **magistrates** will check that you understand the decisions they make about your case.
- ✎ The judge or magistrates will explain anything you need to do as part of your **bail**, **remand** or **sentence**, including any rules you need to follow (these are called conditions). They will also explain what will happen if you don't do what they have asked you to do.

Court
standard
8

If the court has remanded me into custody, the reason for the decision will be set out in writing and I will be given help to understand it.

- Being **remanded into custody** means you need to stay in **secure accommodation** until your next court appearance, and often until your **trial** is over.
- The **judge** or **magistrates** must explain this to you clearly. When you are in custody, the **custody staff** will give you a written copy of the judge or magistrates' explanation either by email or on paper.
- Your YJS will be able to write a **bail application** for you while you are in custody and your **lawyer** can ask for bail a number of times. The court must review your case if you are in custody waiting for your trial for a certain amount of time.



Court
standard
9

I will have help from the Youth Justice Service and my lawyer to understand what happens after court.

- After you have been to court, the YJS and your **lawyer** will check that you understand the **judge or magistrates'** decision.
- If you have been found not guilty or have been given an **absolute discharge**, you are free to go home and do not need to follow any rules.
- If you have been given a **court order** that doesn't involve **custody**, your YJS will arrange to meet with you and will tell you where you need to go for your appointments.
- If you have been given conditional **bail** or **remanded to local authority accommodation**, your YJS will make sure you know any conditions you need to stick to and may discuss a timetable for **supervision**.
- If the judge or magistrates decide you need to be in custody, you will be taken from the court room to the court **cells** by security staff.
- You will wait in the court cells until transport arrives to take you to your custody **placement**. You should be told where you are going and you should be able to call your family if they have not been in court. You should have refreshment and toilet breaks on the journey.
- Your lawyer and YJS will come and speak to you while you are waiting to go to your placement.



What can I do if these standards are not met?

If you think these standards have not been met, you should tell the person named in the standard, or any adult who supports you can tell them for you. If you do not want to do this or are unhappy with the response you get, you can make a complaint.

There are different ways to complain and you can choose which way you prefer.

- ✍ Speak to your **lawyer** (if you have one).
- ✍ Contact the YJS who are supporting you.
- ✍ If you think the court was wrong to find you guilty or you are not happy with your **sentence**, you need to follow a separate '**appeal**' process. Your lawyer can give you advice on this.
- ✍ Ask your local **Citizens Advice Bureau** for advice. If you are in England, you can call on **0800 144 8848**. If you are in Wales, you can call on **0800 702 2020**.
- ✍ Call the **Children's Commissioner's** advice line. If you are in England, the number is **0800 528 0731**, or you can [contact them on their website](#). If you are in Wales, the number is **0808 801 1000**, or you can [contact them on their website](#).
- ✍ You can complain about your lawyer to the [Solicitors Regulation Authority](#) or the [Bar Standards Board](#).

[Read more about the complaints process](#) for your experience in court.

Difficult words

We've used some words in this charter that you might not understand. We've listed them below and explained what they mean. These explanations are to help you understand this charter. They are not legal definitions.

Absolute discharge: This is where the court decides not to take any further action, even though you have been found guilty.

Appeal: This is a formal request to reconsider a decision. This might be if you think a wrong decision has been made. One example would be if you are unhappy with where the Youth Custody Service has placed you and want to appeal their placement decision. A decision might not be changed even if you appeal.

Appropriate adult: This is a responsible person aged 18 or older who supports you at the police station and when you are interviewed by the police. An appropriate adult can be a parent, carer or other relative. If the person who normally looks after you cannot be your appropriate adult, the police will request a social worker or a trained appropriate adult from your local scheme.

Bail: This is your temporary release if you are being investigated about your involvement in a crime. When you are on bail you must return to the police station or go to court at a particular time and on a particular day. It is a criminal offence not to do this. Conditional bail is where you have to follow certain rules while you are on bail. If you don't do this, you might be arrested.

Bail application: This is when your lawyer asks the judge or magistrates to release you on bail. Your lawyer will include information from the Youth Justice Service. You and your family should be helped to understand the reasons for this. If you don't get released on bail, you can make more bail applications.

Bail decision: This is when the judge or magistrates decide whether to release you on bail or remand you (decide that you should stay in custody).

Children's Commissioner: There is a Children's Commissioner for England and a Children's Commissioner for Wales. They protect the rights of children and stand up for your views and interests. They can give you support and advice.

Citizens Advice: This organisation can give you confidential advice about lots of different issues. They do this online, over the phone and in person.

Court or police cell: This is where you stay at a police station or in a court building waiting to go inside the court room. The door is locked to keep you and others safe.

Charge: If the police believe you have committed a crime, they will charge you. This usually means you have to go to court. You will either be given bail and a date to attend court, or kept in custody at the police station and taken to court the next day.

Court order: This is when a judge or magistrate says that you must do something.

Crown Court: A type of court which deals with the most serious crimes, like murder. There is usually a jury in Crown Court trials.

Custody: Custody can mean a locked room in a police station, a locked room in court, or at the place where you stay if you are sentenced to custody (for adults this place is called a prison).

Custody staff: These are people who work in young offender institutions, secure training centres and secure children's homes.

Dock: This is a separate area in a court room where the person who is accused of committing a crime sits. Sometimes the dock is secure, which means it is behind glass with court security staff.

Duty lawyer: This is a lawyer who gives legal advice, support and representation to someone who doesn't have a lawyer of their own. You do not have to pay for the duty lawyer.

Hearing: A formal meeting in the court where decisions are made about a criminal case.

Intermediary: This is someone who can help you communicate with the police or the people in court. Their job is to help you and the adults understand what each other say. They can help you understand the questions you are asked and also help you give your answers clearly.

Judge: This is the person in charge of the court room. In the Crown Court, the judge will tell the jury about the law. The judge makes the decision about what should happen if you are found guilty of a crime.

Jury: A jury is a group of 12 people who listen to all the evidence in the trial and decide if you are guilty or not guilty.

Lawyer: This is someone who is trained to understand the law. They will make sure you know your rights, explain to you what is happening, and give you legal advice. The lawyer works for you (not the police or the court).

Magistrate: This is someone who does a similar job to a judge. There are usually two or three magistrates who work together in a youth court. They listen to all the evidence and make decisions, including about what should happen if you are found guilty.

Placement: This is the type of secure accommodation you are going to or staying in.

Remand: If you are charged with an offence and refused bail, you will be remanded. This means the judge or magistrate decides that you should stay in local authority accommodation or youth secure accommodation. The decision is made at a remand hearing.

Remand to local authority accommodation: This can be living at home, with a relative, in foster care or in a children's home. A remand to local authority accommodation usually has rules (called 'conditions') such as places you can't go or people you can't talk to. You must follow the conditions of your remand. If you don't, you may have to stay in youth secure accommodation until your next court appearance.

Secure accommodation: This is somewhere you have to stay if you are given a custodial sentence or you are remanded to custody. A judge or a magistrate decides how long you have to stay there. There are different types of secure accommodation, including young offender institutions, secure training centres, secure children's homes and secure schools. These all make up the youth secure estate.

Sentence: A judge or magistrate can give you a sentence if you are guilty of committing an offence. A sentence is an order from the court that you must follow. There are different types of sentences. All sentences have certain requirements you must follow but some involve going to custody (custodial sentences) whereas others (community sentences) mean you can stay at home. A 'sentencing hearing' is when the court decides what your sentence will be.

Trial: This is when a court hears all the evidence in a case and decides if you are guilty or not guilty. In the Crown Court this decision is made by a jury. In the youth court this decision is made by a judge or several magistrates.

Youth court: A special type of criminal court for 10 to 17 year olds who have been charged with a criminal offence. All cases start in the youth court but if the crime you are accused of is very serious, the case will then go to the Crown Court.

Youth Justice Service (YJS) or Youth Offending Team (YOT): A team of professionals (including police, social workers and substance misuse workers) who work with you if you have committed, or are suspected of committing, a crime. The work they do with you might be voluntary or compulsory and will depend on your circumstances and the crime you have been involved in.



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