

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

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Kathy O'Hanlon
Committee Clerk
Committee for Justice
Northern Ireland Assembly
Parliament Buildings
Stormont Estate
Belfast
BT4 3XX

02 September 2025

Dear Kathy,

JUSTICE BILL – CYP AND CUSTODY

Thank you for your letter dated 7 July in relation to the Justice Bill and evidence received from John Wadham, Human Rights Advisor to the Northern Ireland Policing Board.

The Committee has asked about any concerns the Youth Justice Agency (YJA) may have in relation to children and young people's understanding of diversionary disposals and of wider custody and questioning processes and procedures.

The Agency interacts periodically with Mr Wadham and last did so in March 2024 to discuss YJA's interface with the Police Service of Northern Ireland as part of his Human Rights Review of Children and Young People and Policing. During that discussion, we shared publicly available Youth Engagement statistics produced by the Northern Ireland Statistics and Research Agency (NISRA) and published on the Department of Justice's web-site.



Those statistics include data on the proportion of children at Youth Engagement Clinics who accept and engage legal representation. The figures for 2022-23 are cited on page 61 of Mr Wadham's review. The last published statistics (for 2023-24) show that all children are offered legal representation for Youth Engagement Clinics but almost 76% of children declined it in that year.

Youth Engagement Clinics are staffed by both YJA practitioners and a Police Service of Northern Ireland Youth Diversion Officer. The purpose of clinics is to explain the diversionary process and its requirements. It is standard practice to advise children and their families to seek legal representation before engaging in a diversionary youth conference and that legal representatives can attend their Youth Conference if they wish.

YJA does not have concerns about this process and, ultimately, it is the decision of each child and their family on whether to engage legal representation.

Within a clinic, where issues of concern arise, such as a child denying involvement in an offence or where additional information comes to light, such as a child disclosing significant mental health or other issues relevant to the case, YJA pause the diversionary process and strongly encourage the child's appropriate adult to seek legal advice (and, in our experience, most do so at this point). YJA also correspond with the Public Prosecution Service (PPS) to update them on issues pertaining to the case. YJA only restart the diversionary process when there is clarity from legal representation and the PPS.

In partnership with NISRA, YJA regularly surveys children and their parents on Youth Engagement Clinics. Questions focus on whether the child and their parents understood the choices available and whether they felt they were treated fairly. These surveys have high response rates and levels of satisfaction with clinics were above 98% in both 2023-24 and 2024-25.

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More generally, where YJA is working with children within the formal justice system, we inform them and their parents of their right to seek legal representation. Ultimately it is the decision of each child and their parents whether to do so.

I hope the Committee finds this helpful.

Yours sincerely,



**DAVID GRAHAM
DALO**



**Northern Ireland Assembly
Committee for Justice**

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7 July 2025

Justice Bill – Children and Young People and Policing

Dear David

At its meeting on 3 July 2025, the Committee for Justice considered correspondence from John Wadham, the Human Rights Advisor with the Northern Ireland Policing Board, following his oral evidence to the Committee on the Justice Bill on 12 June 2025¹.

In his correspondence, Mr Wadham advised that the Youth Justice Agency (YJA) had raised concerns that children and young people are agreeing to diversionary outcomes without appropriate legal advice. Mr Wadham referred the Committee to page 61 of the Human Rights Review of Children and Young People and Policing² report in this regard.

The Committee agreed to ask the YJA for further information on any concerns it may have in relation to children and young people's understanding of diversionary disposals and of wider custody and questioning processes and procedures.

¹ [Minutes Of Evidence Report](#)

² [Final Human Rights Review of Children and Young People and Policing.pdf](#)

I would appreciate a response by 22 August 2025.

Yours sincerely

Kathy O'Hanlon

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