



Celebrating Universal Children's Day - Building a Community of Child Specialist Lawyers



6pm - 7.30pm



Monday 20 November 2023

It's a lottery: Legal representation of children in the criminal justice system

Summary of research findings

Background to the research

- Extensive evidence highlights children's complex needs in CJS and need for specialist training.
- In 2017, the Lord Chief Justice stressed need for specific training for advocates dealing with young witnesses/defendants, however such training is rare.
- Previously, no research on solicitors' quality in youth court, despite them representing the majority of children.



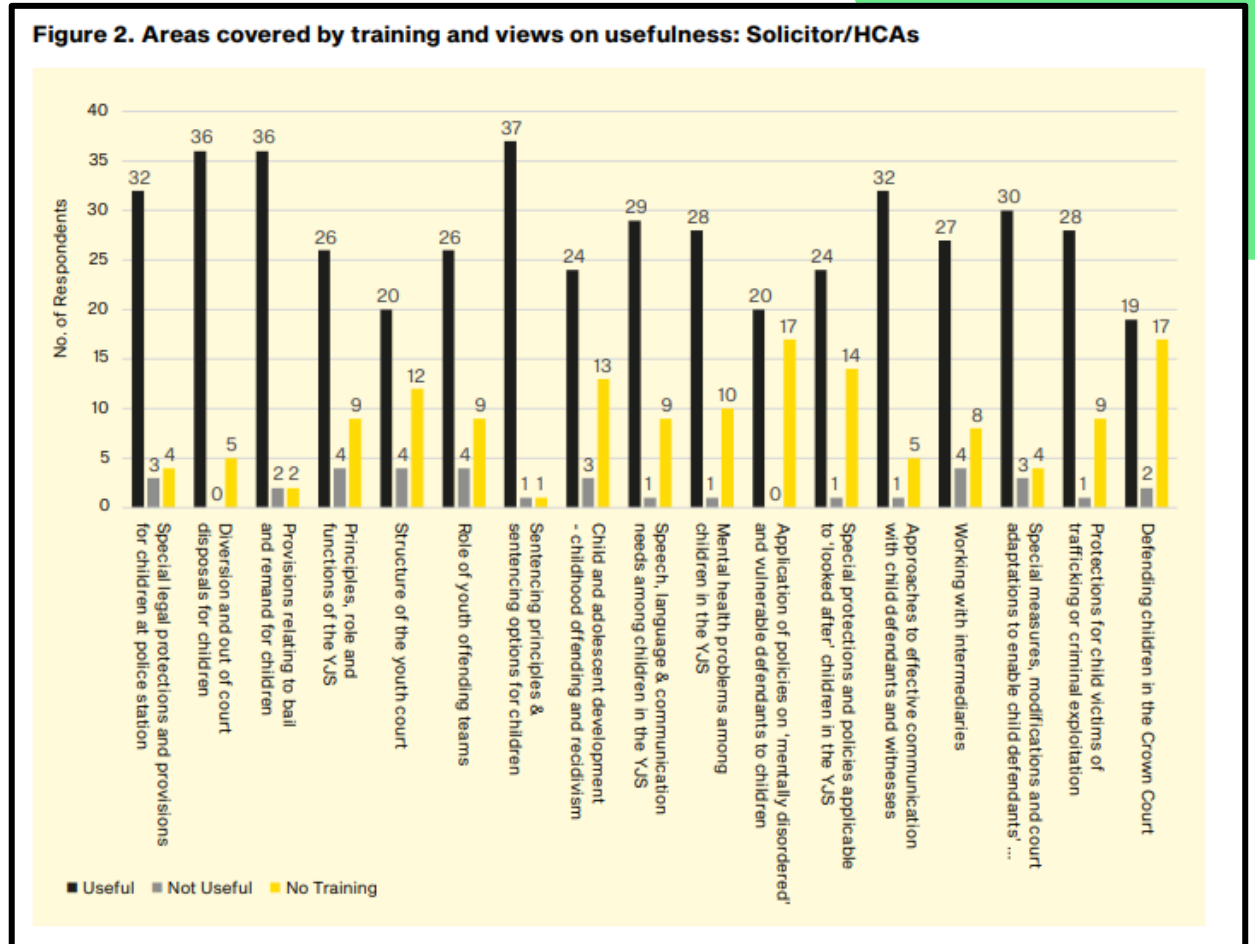
What the research was looking at?

- The **Knowledge, skills and attributes** needed by criminal defence solicitors to work effectively with child suspects and defendants;
- The extent to which solicitors have these qualities;
- Factors that support or undermine solicitors' effective practice in the YJS;
- Interventions and training that could enhance the quality of solicitors' work in the YJS.



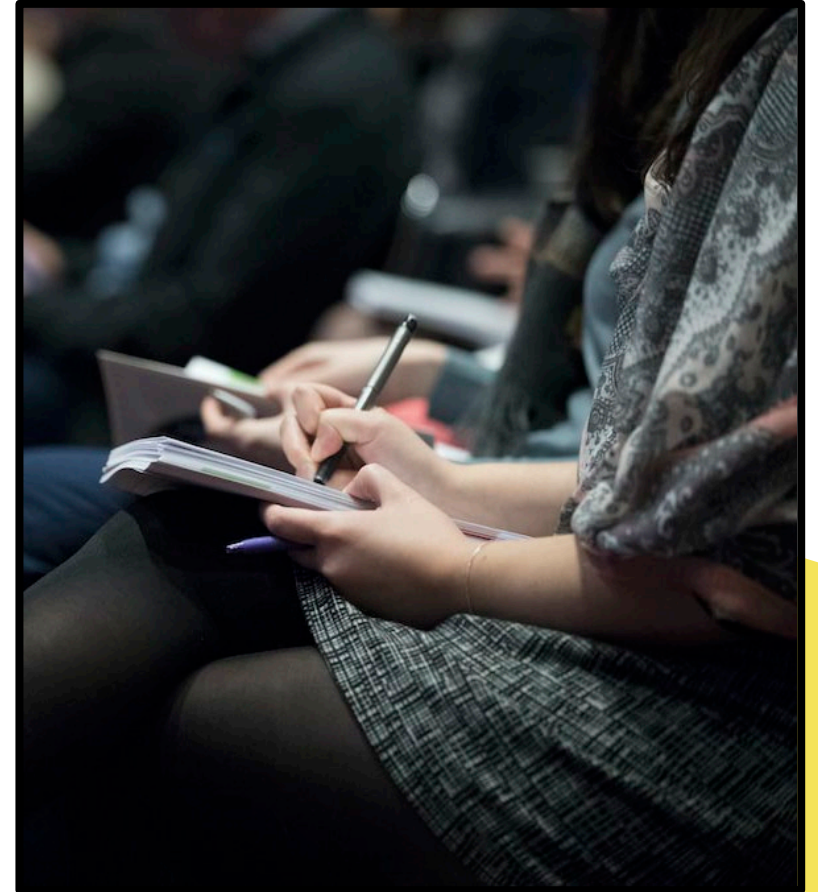
Key findings

- Legal framework different
- Need for specialist communication, information gathering and empathy skills
- Time-consuming
- Need for more engagement with other agencies, wider understanding of welfare needs
- Solicitors currently have to identify their own training needs – no/little guidance



Key findings continued

- Three-quarters of solicitor/HCA respondents had undertaken some specialist training for working in the YJS - largely self-directed and optional
- Where training was received most solicitors found it useful with an appetite for more training
- Specific issues around modern slavery and CCE came up a lot



Challenges identified

- Lack of funding
- Lack of knowledge about the YJS among other professionals especially in relation to children's vulnerability



Recommendations



SRA – must provide guidance to the profession (good practice guide recently published)



The Law Society must ‘quality mark’ appropriate training providers



SRA – ensure one solicitor in each firm undergoes regular training to ensure every firm maintains a level of competence



‘youth justice’ to appear under find a solicitor database on the law society website



Working group formed to ensure recommendations actioned

Accreditation

Would help to:

- a) Recognise the importance of the work;
- b) Achieve consistency in the standard and quality of legal representation;
- c) Ensure that knowledge and skills for working in the YJS are regularly updated and;
- d) Put defence solicitors on a par with other youth court professionals

