

## Frequently Asked Questions

### What is a Juvenile Liaison Officer?

A Juvenile Liaison Officer or a J.L.O. is a Garda who works full time with young people who come in contact with the law.

### How do I find out who my local J.L.O. is?

You may contact your local Garda Station or the Garda Youth Diversion Office who will tell you. The list of JLOs and their respective Garda Stations can be found at [www.garda.ie](http://www.garda.ie).

### If a young person does not agree to be included in the Diversion Programme what will happen?

The case will be referred to your local Superintendent who will then consider commencing a prosecution against you in the courts.

### Is a caution a conviction?

No. However, in the event of a subsequent court case, involvement in the programme can be given at the point of sentence

### Can I be charged and brought to court on my first offence?

Yes, if the Director of the Programme decides that you are unsuitable for the programme.

### Can I get more than one caution?

Yes, if the Director considers it appropriate.

### Is the Diversion Programme law?

Yes, it is contained in Part 4 of the Children Act 2001.

The Juvenile Liaison Officer dealing with this case is:

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He/she may be contacted at:



**Garda Youth Diversion Office,  
Harcourt Square,  
Dublin 2  
Ph. 01-6663831/32  
Fax 01-6663827  
[www.garda.ie](http://www.garda.ie)  
E-mail [youthdiversion@garda.ie](mailto:youthdiversion@garda.ie)  
See also Victims of Crime page on  
[www.garda.ie](http://www.garda.ie)**



**An Garda Síochána  
Garda Youth  
Diversion Office**

## The Diversion Programme for young offenders



**An Garda Síochána**

Telephone: 01-6663831/32  
Email: [youthdiversion@garda.ie](mailto:youthdiversion@garda.ie)

# Introduction

When a person under 18 years of age is responsible for a crime the matter can be dealt with in one of two ways;

1. the young person can be cautioned or
2. brought before the courts.

Before any young person is brought before the courts, she/he must first be considered for a caution. The caution is a warning from a Garda Juvenile Liaison Officer (JLO) and includes a discussion about the crime. The decision to caution or prosecute is made by a Garda Superintendent at the Garda Youth Diversion Office. This alternative programme for dealing with young people who commit an offence or crime is known as the Diversion Programme. This programme operates under legislation as set out in the Children Act, 2001.

## Inclusion In The Diversion Programme

Before a young person can be considered suitable for being cautioned and included in the Diversion Programme, there are a number of criteria that must be fulfilled.

The young person must

- take responsibility for the offending behaviour,
- agree to be cautioned,
- where appropriate, agree to terms of supervision.

It is the responsibility of the Director of the Diversion Programme to decide upon the suitability of a young person for inclusion in the programme. In making this decision the Director may seek the views of any victim but the final decision rests with the Director.



## How Does The Process Work?

In all cases a local Juvenile Liaison Officer (JLO) will make contact with and meet the young person to discuss the offending behaviour. This meeting may take place in the child's home or in the Garda Station. The child and the child's parent/s or guardian must be present. A discussion will take place during which the offending behaviour will be discussed and challenged and the young person will be expected to undertake not to offend in the future. The J.L.O. and the family will try to support whatever efforts the young person is willing to make to prevent any future offending behaviour. The caution will be given by a JLO, a Garda Inspector or the Garda Superintendent.

## Who Decides If A Person Is Suitable Or Not?

The decision to include a person in the Diversion Programme is made by a Garda Superintendent at the Garda Youth Diversion Office who is known as the Director of the Programme. In making his/her decision the Director may consider :

- The nature of the offence
- The views of the victim
- The interests of society
- The views of the arresting Garda
- The views of the J.L.O.
- The attitude and views of the young person who offended
- The views of the young persons parents or guardian
- Whether an apology has been made
- Whether or not something can be done to repair any harm caused
- The child's previous involvement in the programme

## What Is Supervision?

If a young person is given a caution, she/he may be placed under the supervision of the JLO for a period of 12 months. The nature of the supervision will be decided upon by the JLO and will vary from case to case. For instance, it may involve the young person agreeing to engage in certain activities, attendance at a youth project or it may require the young person to report on particular occasions to the JLO or another Garda.

## Restorative Justice

In certain cases the victim of a crime or offence will be given the opportunity to have a face to face meeting with the young person who committed the offending behaviour. Importantly, victims get a chance to be heard, to give their side of the story and to explain the full impact of the offence on them. They also get a chance to meet the offenders and to challenge their behaviour. It is also an opportunity for the victim to seek assurances from the offender that the behaviour will not re-occur. It is an opportunity to try to repair any harm that has been done and to attempt to restore matters to where they were prior to the offence. The restorative caution and conference provide an opportunity for the young person to accept responsibility for his/her actions and to account for their behaviour. They have a chance to apologise directly to the victim and, where appropriate, to do something positive to repair the harm caused.



**An Garda Síochána**

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