

N A Y J

Justice for Children in Trouble

WORKING WITH CHILDREN IN TROUBLE

THE PHILOSOPHICAL BASE

Children and young people should be viewed individually according to their stage of development. A child or young person who offends should be viewed as a child and as a child first and foremost. Thus, the welfare of the child remains paramount. Within this context, the National Association for Youth Justice believes that:-

- **Children are entitled to equality of opportunity and access to relevant services. They are particularly vulnerable to, and must be protected from, discrimination.**
- **The establishment, application and protection of children's rights within national and international law and convention is essential.**
- **Children are best looked after within their family or community, however these may be constituted.**
- **Children and young people are less likely to offend if their physical, emotional educational and social needs are met throughout childhood, with protection from all forms of neglect, abuse, exploitation or poverty and opportunity for development of full potential and achievement.**
- **Intervention into children's lives should be the least damaging and restrictive necessary. Positive responses which are proportionate both to the gravity of the offending and to the circumstances and needs of the child, are more effective than disproportionate or purely punitive measures.**
- **Locking up children is inherently damaging and contrary to the promotion of healthy development. Children should not be locked up and services should be developed and provided with a view to achieving that aim.**
- **Children should be helped to take responsibility for their decisions and actions in accordance with their stage of development and understanding .**
- **Most children and young people offend and will mature into responsible, law-abiding adults. The labeling of children's behaviour as criminal is likely to be injurious to their normal development.**
- **Childhood is always a factor which mitigates against the full rigour of the criminal justice process.**
- **Enhancing children's awareness of the effects of their offending on others may be beneficial. Victims of crimes should have their needs met separately.**
