



## Constitution

### **Section 1: TITLE**

The name of the body shall be the NATIONAL ASSOCIATION FOR YOUTH JUSTICE.

### **Section 2: INTERPRETATION**

The following expressions shall have the meanings respectively assigned to them:-

- 'NAYJ' or the 'The Association' shall mean the National Association for Youth Justice.
- "Regions" shall mean the areas as defined by the Board of Trustees.
- "Regional Organisations" shall mean those organizations recognized by the Board of Trustees.
- "Members and Associate Members" shall mean those individuals in membership of the Association as defined in Section 5.

### **Section 3: STATEMENT OF PURPOSE**

The purpose of the NAYJ is to promote the rights of, and justice for, children in trouble. The NAYJ will campaign for the development and the implementation of policies and practice that are consistent with this purpose.

### **Section 4: OBJECTIVES**

- To promote the welfare and interests of young people within the Youth Justice System.
- To promote anti-discriminatory and anti-oppressive practices throughout the Youth Justice System.
- To promote and develop community-based methods of working with young people in trouble.
- To promote the use of non-institutional Care.
- To prevent the inappropriate displacement of young people from custodial to other restrictive systems.
- To promote and represent the interests of those working with young people in trouble.
- To publicise examples of effective policy and practice, consistent with the purpose and objectives of the Association.
- To provide information and training, with the aim of improving the quality of work with young people in trouble.
- To campaign for changes in legislation, policy and practice and thereby bring about the reform of the Youth Justice System and promote the interests of young people.

**Section 5: MEMBERSHIP & MEMBERSHIP RATES**

Membership is open to everyone who is in agreement with the Statement of Charitable Purpose and Objectives of the Association.”

Membership will be either:-

**FULL MEMBERSHIP**

Full membership of NAYJ is available to anyone who meets the stated membership criteria, subject to their completion of an application form and payment of the minimum donation.

Upon becoming a full member of NAYJ, a person will also become a full member of their recognized regional group (where one exists). (S)he will have full voting and membership rights at both levels. Under the terms of the Association’s agreement with SAGE, (s)he may also be offered free electronic access to the journal ‘Youth Justice’.

**ASSOCIATE MEMBERSHIP**

Associate Membership of the Association is available to anyone who meets the stated membership criteria but does not wish to take-up full membership. Anyone opting to become a member only of his or her regional organization (see Sect.6) will also be deemed to be an associate member of the national organization. Associate members will have no voting rights at national level and will not be eligible for free access to ‘Youth Justice’.

**MEMBERSHIP / SUBSCRIPTION RATES**

Substitute: The minimum annual donation for full membership will be determined by the Board of Trustees. Any increase in the minimum donation shall be ratified at the subsequent Annual General Meeting.

The membership of an individual shall be considered terminated if a subscription is not paid within three months of the due date.

**Section 6: REGIONAL ORGANISATIONS**

The Board of Trustees may recognize as affiliates any regional organization provided:

- that the organization shall subscribe to the Statement of Charitable Purpose and Objectives of the Association; and
- that there shall be only one organization within each region; and
- that the organization shall be open to participation by anyone within its region who is in agreement with the Statement of Charitable Purpose and Objectives of the Association.

The Association’s Board of Trustees shall have sole discretion as to the eligibility of regional and other organizations seeking affiliation.

### **Section 7: BOARD OF TRUSTEES**

The Association shall be run by a Board of Trustees elected at the Annual General Meeting. Only Full Members of the Association shall be eligible to stand for election as a Trustee.

The Association's officers shall be elected by and from the Trustees, including the positions of Chair, Deputy Chair, Secretary, Treasurer, Membership Secretary and such other positions as the Board considers necessary.

It shall be the responsibility of the Board of Trustees to encourage a membership of the NAYJ that is so far as possible representative of the broader population. In particular they shall seek to encourage the membership and active participation of people from groups who are over-represented in the youth justice system.

The Board of Trustees shall:-

- As a whole, hold the executive role within the Association.
- Have the power to co-opt full members to the Board, at its discretion.
- Draw up standing orders to govern the functioning of the committee as required.
- At its discretion, form standing sub-committees from within its membership.
- Have power to raise and administer such funds as may be necessary to cover the running expenses of the Association and any projects organized by it.
- At its discretion appoint from itself or the general membership, representatives to other organizations or bodies. (The Board of Trustees will also determine the scope and level of authority of its representatives.)
- Have the power to appoint and manage employees.
- Have the power to appoint and manage employees and / or to commission work from external suppliers.
- have discretion to offer observer status at its meetings to any organization or individual where this is considered beneficial in pursuance of the Association's Statement of Charitable Purpose and Objectives.

Where the Board of Trustees considers that a Trustee's behaviour

- (i) is contrary to the Association's stated aims and values;  
or
- (ii) constitutes a breach of Charity Commission guidelines;  
or
- (iii) risks bringing the Association into disrepute;

that Trustee may be removed from office, and their membership revoked, by a resolution approved by two-thirds of the Trustees.

### **Section 8: TRUSTEE MEETINGS**

The Board of Trustees shall decide upon and implement activities in pursuance of the aims and objectives set-out in the Statement of Charitable Purpose and Objectives. In particular they will carry out any resolutions passed by the membership at General Meetings.

The Board of Trustees shall aim to meet not less than once every three months; notice of such meetings shall be given in writing by the Secretary to all Trustees not less than 28 days in advance. Such meetings shall be governed by standing orders which shall be drawn up by the Board of Trustees as required.

One third of Trustees shall constitute a quorum.

The Chair or, in his / her absence, the Deputy Chair shall preside at all meetings of the Board of Trustees. In the absence of the Chair and Deputy Chair, the Trustees present shall appoint one of their numbers to preside for that meeting only.

The Chair shall have a deliberative but not casting vote. In the case of equality of the votes cast for and against, the status quo shall prevail.

The Secretary shall call a special meeting of the Board of Trustees upon receiving a written request from more than half the Trustees. Notice of the special meeting shall be given in writing by the Secretary to all Trustees no less than 28 days in advance of the meeting.

### **Section 9: ELECTION OF TRUSTEES**

The Board of Trustees shall consist of a minimum of six and a maximum of fifteen Trustees. Up to fifteen Trustees shall be elected by the Membership at the Annual General Meeting.

Nominations for election, duly seconded must be submitted to the Secretary by 10 a.m. of the day of the Annual General Meeting. Those nominating and seconding a candidate must be different from the candidate.

The Committee shall appoint a returning officer for the purpose of conducting the election.

The election shall be by secret ballot.

The candidates receiving the most votes in the ballot shall be elected. The returning officer shall declare the results during the Annual General Meeting.

Where fewer than 15 Trustees are elected at an AGM, the Board shall have the power to co-opt additional Full Members, up to that number. Any co-options shall require the approval of a majority of the Trustees. Co-options will be for the remaining term of the vacancy. At the Board's discretion, co-opted members may join the board as Observers rather than as full Trustees.

### **Section 10: ANNUAL GENERAL MEETING**

The Board of Trustees shall convene an Annual General Meeting open to all members of the Association. This meeting will be held within eighteen calendar months of the previous Annual General Meeting.

Members of the Association will receive at least sixty days notification of the Annual General Meeting and at least twenty-one days notice of all resolutions, including Constitutional amendments.

All resolutions and other agenda items for the Annual General Meeting agenda must be submitted to the Secretary of the Association at least thirty days before the Annual General Meeting.

The Trustees shall preside over the Annual General Meeting which shall:

- receive the outgoing chair's report;
- receive the Treasurer's Report and annual accounts;
- receive the Membership Secretary's report;
- receive reports from any Sub-Committees.

The Annual General Meeting shall have the opportunity to consider any matter relevant to the Statement of Charitable Purpose and Objectives and activities of the Association and pass resolutions duly proposed and recorded regarding these.

For all business a motion duly proposed and seconded, will be considered carried by a simple majority of all members present and eligible to vote; in the case of equal votes, a second count shall be taken. and in the event of a continuing equality of votes the status quo shall prevail.

### **Section 11: EXTRAORDINARY GENERAL MEETINGS**

A special general meeting may be convened at any time by a resolution of the Board of Trustees or upon a request signed by 5% or 25 of the full members, whichever is the smaller and stating the purpose of the meeting.

At least thirty days notice of the meeting shall be given to Association members. The conduct of the meeting will be in accordance with Section 11 above and Section 12 below.

### **Section 12: AMENDMENTS TO THE CONSTITUTION**

Amendments to the Constitution may be proposed by the Board of Trustees or by any Full Member.

Amendments to the Constitution shall be considered at the Annual General Meeting or at an Extraordinary General Meeting held in accordance with Sections 10 and 11 above.

A Quorum shall consist of 5% of the membership, or 25 full members, whichever is the smaller.

**Section 13: FINANCE**

All monies raised by or on behalf of the Association shall be applied to further the Statement of Charitable Purpose and Objectives of the Association.

The Treasurer shall ensure that all monies raised are promptly paid into the Association's bank account(s).

The Treasurer shall ensure that proper accounts are kept and shall arrange for the accounts to be approved in accordance with the regulations laid down by the Charity Commission.

The annual accounts shall be presented to members for their approval at the Annual General Meeting.

The Board of Trustees shall authorize four Trustees as signatories to its accounts. Two of those four Trustees shall be the Chair and Treasurer. All payments must be approved, and all cheques signed, by two of the four authorized Trustees, at least one of whom shall be the Chair or the Treasurer. In the event of the Chair and / or The Treasurer being incapacitated, the Board of Trustees may authorize alternative signatories.

The Treasurer will provide Trustees with a detailed financial report at every Board of Trustees meeting. The Board of Trustees shall have the right to commission an immediate audit at any time.

**Section 14: DISSOLUTION OF THE ASSOCIATION**

The Association may at any time be dissolved by a resolution approved according to the same procedures, as those required for amending the Constitution as set out in Sect. 12.

If a resolution to dissolve the Association is passed, the Board of Trustees shall have power (subject to any other special resolutions) to dispose of any surplus assets held by, or in the name of, the Association to other organizations whose aims are the same or similar to those of the Association.

## **Amendments to 2012 Constitution**

### **Deletions**

**Section 2 Interpretation – 4<sup>th</sup> Bullet point – delete (b)**

**Section 10 last paragraph – delete – “other than amendments to the Constitution (as Sect. 13 below)**

**Section 13 – 3<sup>rd</sup> paragraph delete the words “...externally...” and “.....and / or audited annually.....”**

### **Insertions**

**Section 9 – Election of Trustees – end para 2 insert “Those nominating and seconding a candidate must be different from the candidate.”**