

# Up to date knowledge and skills

Keeping your knowledge and skills up to date is an essential part of:

- Providing a competent service
- Getting the best possible outcomes for child defendants, witnesses and victims
- Assisting the court in the administration of justice and making sure children can participate effectively in proceedings.

## *Your obligations*

All solicitors must keep their knowledge and skills up to date. Read our Good practice guide [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/youth-court-advocacy/good-practice-guide/>] to understand what this means for you.

## *How to keep your knowledge and skills up to date*

Our continuing competence resources

[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/continuing-competence/>] set out the practical steps you should take to keep your knowledge and skills up to date. They also include information about how to complete each step and a learning and development template.

[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/continuing-competence/templates/>]

Reflecting on the questions below can help identify if your knowledge and skills are up to date:

- Do you understand the key principles of the youth justice system, including 'child first, offender second', safeguarding and the prevention of re-offending?
- Do you understand the measures that can help divert children from the criminal justice system? These are often called pre-court measures or out of court disposals and include youth cautions, community resolution and triage.
- Do you have the knowledge and skills to effectively identify and adapt your services to a range of vulnerabilities, communication needs and safeguarding concerns?
- Do you understand key youth court case law, legislation and guidance concerning the allocation of cases in youth courts and magistrates courts?



- Do you understand the rights of young and vulnerable witnesses to effective participation?
- Do you understand the range of special measures, participation directions and related adjustments that can help children participate in proceedings?
- Do you understand how intermediaries, screens, live links and other communication aids can help children participate in proceedings?
- Do you understand the purpose of ground rules hearings, the topics they should cover and when they are mandatory?
- Do you have the knowledge and skills to effectively adapt your questioning to vulnerable child witnesses? This is especially important if you are cross examining a child.
- Do you understand the policies applicable to children in care or with looked after status, including the 10 Point Checklist [<https://yjlrc.uk/resources/legal-updates/forgotten-10-point-checklist-decision-prosecute-offending-childrens-homes>] ?
- Do you understand the range of protections available to victims of trafficking?
- Do you understand the relevant bail and remand legislative framework, including remand to youth detention and local authority accommodation?
- Do you understand the full range of sentencing options and relevant guidance, including the Overarching Principles for Sentencing Youths [[https://www.sentencingcouncil.org.uk/wp-content/uploads/Sentencing-Children-and-young-people-Definitive-Guide\\_FINAL\\_WEB.pdf](https://www.sentencingcouncil.org.uk/wp-content/uploads/Sentencing-Children-and-young-people-Definitive-Guide_FINAL_WEB.pdf)] ?
- Do you understand the approach to sentencing people with mental disorders, developmental disorders or neurological impairments?

### *Useful resources*

You can use these resources to help keep your knowledge and skills for practising in the youth justice system up to date. The list is not exhaustive and links were valid at the time of publication.

### *Forms of training*

- The Youth Justice Legal Centre provides training for solicitors who represent children [<https://yjlrc.uk/training-and-events/youth-justice-training/training-solicitors>] and has a range of legal guides and toolkits [<https://yjlrc.uk/resources/legal-guides-and-toolkits?page=0>] which can help keep your knowledge and skills up to date
- The Advocacy and the Vulnerable training course [<https://www.icca.ac.uk/post-qualification-training/cpd/advocacy-training/advocacy-the-vulnerable-crime/>] is run by the Inns of Court College of Advocacy and facilitated by organisations including The Law Society [<https://www.lawsociety.org.uk/topics/advocacy/advocacy-and-the-vulnerable-training>]

### *Essential reading*

The following resources cover a range of issues in the youth justice system, from the backgrounds and needs of children through to questioning and sentencing.

- The Youth Court Bench Book [<https://www.sentencingcouncil.org.uk/wp-content/uploads/Youth-Court-Bench-Book-June-2020.pdf>] by the Sentencing Council
- The Equal Treatment Bench Book [<https://www.judiciary.uk/about-the-judiciary/diversity/equal-treatment-bench-book/>] (The second chapter deals with children, young people and vulnerable adults)
- Youth Justice Board for England and Wales has produced case management guidance [<https://www.gov.uk/guidance/case-management-guidance/how-to-work-in-court>] about how to work effectively in the youth courts

### *Communicating, engaging and questioning*

We have listed resources in the communication and engagement [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/youth-court-advocacy/communication-engagement/>] section.

### *Allocation of cases*

- High Court: decision to send child to Crown Court is best made after trial' [<https://yjl.c.uk/resources/legal-updates/high-court-decision-send-child-crown-court-best-made-after-trial/>] by the Youth Justice Legal Centre

### *Sentencing*

- The Overarching Principles for Sentencing Youths [[https://www.sentencingcouncil.org.uk/wp-content/uploads/web\\_overarching\\_principles\\_sentencing\\_youths.pdf](https://www.sentencingcouncil.org.uk/wp-content/uploads/web_overarching_principles_sentencing_youths.pdf)] by the Sentencing Council
- Youth Offenders [<https://www.cps.gov.uk/legal-guidance/youth-offenders>] by the Crown Prosecution Service
- Restorative Justice [<https://www.cps.gov.uk/legal-guidance/restorative-justice>] by the Crown Prosecution Service
- Sentencing offenders with mental disorders, developmental disorders, or neurological impairments [<https://www.sentencingcouncil.org.uk/overarching-guides/magistrates-court/item/sentencing-offenders-with-mental-disorders-developmental-disorders-or-neurological-impairments/>] by the Sentencing Council

### *Working with other organisations*

We have listed resources in the working with other organisations [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/youth-court-advocacy/other-organisations/>] section to help you do this.