

**Fixed Penalty Notices to Juveniles**

Officers will have to have regard to the DEFRA guidance on issuing Fixed Penalty Notices (FPN) to juveniles.

In relation to litter/graffiti/fly posting any potential youth offender between the ages of 10 - 17 will have their name, address, age, date of birth taken together with the name and address of parents/legal guardian. The juvenile will be told that information will be shared with YOT (page 5, paragraph 7 DEFRA guidance). Officers will notify Youth Offending Team (YOT) of intention to issue FPN and/or confirm that a FPN was issued. On notification the YOT will advise as to any matters officers should be aware of in relation to the young person.

In cases relating to 16 or 17 year olds – officers can issue FPNs in the same way as if they were dealing with an adult. Where there is any doubt as to age officers will revert to procedure for 10 –15 year olds. In any case where a youth has learning difficulties/mental disorder/mentally vulnerable or other vulnerability impairing understanding - officers will not issue the FPN. In these cases officers would need to decide with the YOT what would be the best course of action in any of these cases (page 5, paragraph 8 DEFRA guidance).

In relation to 10-15 year olds - where no vulnerability issues/learning/mental disorder issues - officers would after taking the details, if the young person lives in York, advise that a meeting will be arranged with them and their guardian/parent. Having notified YOT and taking into account any matters raised officers will at that meeting issue FPN unless there is a legitimate reason not to do so (considering all the circumstances including taking into account street environment enforcement policy and page 6, paragraph 13 of DEFRA guidance). If the youth does not live in York - officers would issue the FPN in writing, notifying parent/guardian.

Should the situation arise that a young person for whatever reason does not pay their FPN or is a persistent offender (caught more than once) – then officers would revert to YOT to take this forward. Taking the youth offender to court would be the last resort after all other interventions have failed. The principle will be that officers will work with YOT - some reparation activity being the preferred alternative option, although there are a number of other options available which could be considered after taking into account the individual circumstances of the young person.