

Juvenile record or Criminal record?

What is a criminal record?



A criminal record contains information about any contact you have had with the criminal justice system. This includes:

- An Garda Síochána,
- the courts, and
- prisons.

A criminal record can include:

- details of any offence you have admitted doing, and
- any offence you have been found guilty of.

The information is held on the Garda PULSE System. PULSE is a computer system used by An Garda Síochána to record all criminal activities.

A juvenile record includes all documents for any criminal activity in which anyone under 18 was involved. These are held by

- An Garda Síochána,
- the courts and
- the attorney general

Anyone under the age of 18 is referred to as a minor, a young person, a child, a juvenile or an adolescent. The term usually depends on the situation.



What is a juvenile record?

Did you know?

In Ireland, juveniles can be held responsible for a crime from the age of 12....

However, if they are 10 and 11 years of age a juvenile can still be found responsible for their actions if they carry out 4 different serious indictable offences such as:

1. Murder.
2. Manslaughter.
3. Rape.
4. Aggravated sexual assault.



The law in Ireland treats juveniles under 18 differently than adults in relation to crimes committed.

However, a juvenile would be officially accused of a crime and have to go through the criminal court process straight away in serious cases such as those dealing with juvenile murderers and sex offenders. In other words, people under the age of 18 are treated as adults for committing serious crimes.



A juvenile in the west of Ireland was recently convicted of manslaughter and sentenced to 5 years in prison after the 16-year-old killed a 17 year old by stabbing him in the heart.

Do you know why juveniles are referred to as, for example, case X or boy A in court proceedings?



This is because the Children Act 2001 protects the anonymity of any child involved in case for an offence against them or where a child is involved as a witness. So their name or photograph cannot be published anywhere.



**So what happens for other crimes?
If you are caught underage drinking for example....**

Information such as your name and details of the incident are uploaded to the PULSE system. If you are caught underage drinking again then you would be given the opportunity of the Juvenile Diversion Programme.

What is the Diversion Programme?

This gives the juvenile an opportunity to not go through the usual court process which adults are subject to straight away. The aim is that they are diverted or moved away from the criminal justice system. It offers youths a second chance.

The juvenile may also be supervised by a Juvenile Liaison Officer (JLO). A JLO is a type of garda who is specially trained to deal with young people and their families in relation to crime-prevention.

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A SECOND
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How does the Diversion Programme work?

In order to be included in the Diversion Programme and possibly receive a caution the juvenile must accept responsibility for their criminal behaviour and agree to engage with a JLO.

They may be required to stay in school or say sorry to the victim. They may also be supervised by a JLO for up to 12 months.

Juvenile record or criminal record?

Youths under the age of 18 who have committed a crime will usually have a juvenile record not a criminal record; However, youths who get an adult punishment will have a criminal record.

Therefore, if you go straight to court for your crime and serve time in detention school you can take it that you have a criminal record for life. Only these people can see someone's juvenile record, and they need a good reason to see it:

- the teenager's parents
- the guards
- the victims (if any)
- Juvenile Liaison Officer or youth social workers who work in such centers

A juvenile record can cause problems

The knock-on impact of getting a juvenile and criminal record can affect:

- Third level education as students might have to provide a certificate of good conduct or agree to a background check. This might be the case for students who will interact with children (teachers, social workers, medical staff) as part of their studies.
- It might also be a requirement for those who want to work and train with the defense forces, trainee Guards or a career in the legal field.
- Employers, insurance companies and visa applications for going abroad sometimes ask about a person's criminal record and prior convictions.

