



Railway Crime – legal/social consequences for young people and their families in England and Wales

Under 10 years old

- Not considered criminally responsible for their actions
- Visit to school and/or parents/guardians by a British Transport Police officer to give warning
- Persistent wrong doers may be subject to a Local Child Curfew (applies to children up to the age of 16) where children can be banned from being in a public place during specified hours (between 9pm and 6am)
- If the Curfew is ignored the child may be the subject of a Child Safety Order (applies to children under the age of 10)
- If the Safety Order is ignored the child may be the subject of a Care Order

10 years old – Under 18 years old

First/second less serious offence

- Possible visit to school by British Transport Police Officer
- Young person visited at home by British Transport Police Officer and interviewed in front of their parents/guardians
- Formal reprimand or final warning at police station by a British Transport Police Officer with the parents/guardians in attendance. Fingerprints and DNA may be taken.

Further less serious offence

- Referred to a Youth Offending Team for a suitable programme that addresses the needs of the young person in order to prevent further offending
- Possible Acceptable Behaviour Contract where the young person and their parents/carers agree a contract to stop certain patterns of behaviour
- If the contract is breached, a possible Anti-Social Behaviour Order that stops the young person from going to particular places or doing particular things on the railway system. If they do not comply with the order they can be prosecuted in a Youth Court.

Serious offence/persistent offenders (Youth Court)

Examples of more serious offences and their consequences for the under 18's are:

- **Criminal damage:** Ranging from fines to a prison sentence depending on severity of offence
- **Endangering safety, track obstruction and throwing stones at trains:** Ranging from fines to a prison sentence (max of life imprisonment) depending on severity of offence
- **Trespassing:** Fines of up to £1,000 depending on number of previous offences

Criminal record: If a crime is committed on the railway the perpetrator may get a Criminal Record that can be active from 5 years up to life and may have to be disclosed when applying for a job.

For further details about the Youth Justice system in England and Wales visit:

<http://www.yjb.gov.uk/en-gb/>

Over 18 years old

First/second less serious offence

- Formal caution at police station by a senior British Transport Police Officer.

Serious offence/persistent offenders (Magistrates or Crown Court)

- **Criminal damage:** Ranging from fines to prison sentence (max of 10 years) depending on severity of offence. For arson, max of life imprisonment
- **Endangering safety, track obstruction and throwing stones at trains:** Ranging from fines to prison sentence (max of life imprisonment) depending on severity of offence
- **Trespassing:** Fines of up to £1,000 depending on number of previous offences

Criminal record: If a crime is committed on the railway the perpetrator may get a Criminal Record. The record is active for life and under some circumstances, may be disclosed (eg. when applying for a job).