



Handout: Summary of Statement of a Young Person Form

Time: _____

Date: _____

Place: _____

Name of officer(s) taking the statement: _____

Name of Young Person: _____

Address: _____

Telephone: _____

Date of Birth: _____

Name of Parent(s): _____

Address of Parent(s): _____ Telephone: _____

We are investigating the offence(s) of...

And

you have been charged

you may be charged

The law requires that you be told about your rights before I can ask you if you want to make a statement. That is what is going to happen now. I will explain your rights to you and ask you if you understand what I have said.

A. If you do not understand a word or something that I have said, tell me and I will explain it to you. It is important that you understand what I am saying. If you do not understand something, stop me at any time and ask.

Do you understand? Answer: _____

B. You do not have to make a statement. This means that you do not have to say anything to me. But, if you make a statement, anything that you have to say, write, or do can be used as evidence in court or in other proceedings.

Do you understand? Answer: _____

- C. Even if you have already talked to the police or someone else, you do not have to make a statement now.

Do you understand? Answer: _____

- D. You should not make a statement because of a favour given or a promise made to you. You should not make a statement because you hope for something in return.

Do you understand? Answer: _____

- E. You should not make a statement because you feel threatened or afraid that someone will hurt you or anyone else.

Do you understand? Answer: _____

- F. You have the right to retain and instruct counsel in private, without delay. This means that you can talk to and get advice from a lawyer now without the police present. A lawyer's job includes telling you what your rights are and giving you advice about whether you should answer my questions or sign this form.

Do you understand? Answer: _____

- G. You have the right to consult your parent, an adult relative, or another appropriate adult in private, without delay. This means that you can talk to and get advice from that person now without the police present. If you decide to talk to a lawyer or parent or another adult, you can choose the order in which you contact them.

Do you understand? Answer: _____

- H. You have the right to have a lawyer and the adult with whom you consult here with you. This means that you can ask a lawyer or an adult or both of them to be here with you while we are talking to you and to be with you if we take a statement from you.

Do you understand? Answer: _____

- I. You may consult any lawyer you want for immediate legal advice. You can also ask a lawyer to be here with you. I can give you a telephone book or a list of lawyers to call. Or, I can help you to reach a free lawyer, through legal aid or duty counsel. I can help you reach a lawyer now. Once you do, police will leave. Your conversation with the lawyer is private.

Do you understand? Answer: _____

- J. Do you want to talk to a lawyer in private now? Answer: _____

Record details of outcome (If yes...; If no...) and any other relevant information.





K. If the young person does not want to contact a lawyer or has contacted a lawyer but does not want a lawyer present...You may consult your parent, an adult relative, or another appropriate adult, in private now. You can also ask that person to be here with you. I can help you reach the person now. Once you do, the police will leave. Your conversation is private.

Do you understand? Answer: _____

L. If the young person is waiting to contact a lawyer or waiting for a lawyer to arrive...While you are waiting for a lawyer, you may consult your parent, an adult relative, or another appropriate adult, in private now. You can also ask that person to be here with you. I can help you reach the person now. Once you do, police will leave. Your conversation is private.

Do you understand? Answer: _____

Do you want to talk to your parent or another adult in private now? Answer: _____

Record details of outcome (If yes...; If no...) and any other relevant information.

POLICE MUST STOP NOW IF..

THE YOUNG PERSON WANTS TO TALK TO A LAWYER/PARENT/OTHER ADULT BUT HASN'T BEEN ABLE TO DO SO

- OR -

THE YOUNG PERSON WANTS TO HAVE THEIR LAWYER/PARENT/OTHER ADULT PRESENT AND THAT PERSON HAS NOT ARRIVED.

THE POLICE MUST NOT MOVE ON TO THE NEXT STEP UNTIL THESE CONDITIONS ARE MET.

M. Do you want to make a statement now? Answer: _____

If yes, have appropriate waivers signed. If no, STOP.

Waiver of Rights

My rights have been explained to me.

_____ [initial] I do not want to talk to a lawyer now. I know I have the right to talk to and get advice from a lawyer now, without the police present.

_____ [initial] I do not want to have a lawyer here with me. I know I have the right to have a lawyer here with me.

_____ [initial] I do not want to talk to my parent or another adult now. I know I have the right to talk to and get advice from my parent, another adult relative, or another appropriate adult now without the police present.

_____ [initial] I do not want to have my parent or another adult here with me. I know I have the right to have my parent, another adult relative, or another appropriate adult here with me.

[signature of young person]



N. I want to remind you that if you decide to make a statement and say, write, or do anything now, you can stop at any time. The police will stop asking you questions. You can also, at any time, talk to a lawyer and have a lawyer here with you and talk to a parent or other adult and have that person here with you.

Do you understand? Answer: _____

Do you have any questions? Answer: _____

As I told you at the beginning we are investigating the offence(s) of: _____

Time: _____

I am making this statement freely. This is my statement.

- My statement has been read to me.
- I have read my statement over.
- I have listened to the audiotape.
- I have watched the videotape.
- I have _____ [other review of statement]
- I do not want to review my statement.

Name and signature of young person: _____

Name and signature of witness: _____

Name of other person(s) present: _____

Time statement concluded: _____