

Out of Court Disposal Policy

Effective Date: 1st September 2022

Review Date: 1st October 2023

Owner: Shareen Bashir

Contents:

- 1. Referrals from the Police**
 - **Cases not currently open to YJS**
 - **Cases Currently open to the YJS**
 - **First possession of Cannabis offence**
- 2. Knife Crime/Offensive Weapon Cases**
- 3. Referrals from the Court**
- 4. Referrals from the Crown Prosecution Service**
- 5. Referrals from the British Transport Police**
- 6. OOCD Assessment**
- 7. OOCD Panel**
- 8. Delivery of Disposal and Intervention**
- 9. Compliance and Enforcement**
- 10. Review and Closure**

Appendices

- A – OOCD Process flowchart*
- B – OOCD Police Information Form*
- C – Proforma for CAPITA Event entry for Knife Crime Consultation*
- D – Referral Back from Court Form*
- E – OOCD Assessment*
- F - OOCD Assessment Summary for Current or Recently Open Cases.*
- G – OOCD Panel Decision Record*
- H – Nottinghamshire Out of Court Disposal Panel Terms of Reference*
- I – Traffic Light Tool*
- J - 10 Point Plan checklist*
- K – Children's Rights*

1. Referrals from the Police

1.1 Police Officers must make a referral to the YJS where they are considering giving a young person a Youth Caution or Youth Conditional Caution for any offence. Police Officers must also make a referral to the YJS where they are considering giving a young person a Community Resolution for an offence or situation which meets the criteria below:

- Sexual offence
- Violent offence
- Alcohol / drug related offence (includes first time possession of cannabis)
- Received a previous Community Resolution for a like offence in the last 2 years

- Received two Community Resolutions within last 12 months
- Low level offence but intervention/support is required to address offending behaviour

1.2 Referrals from the Police for an Out of Court Disposal (OOCD) Assessment will be received by the YJS Police team via the Police system 'Niche'. The YJS Traffic Light Decision Tool (Appendix I) will be considered to check the appropriate threshold will be met. The Police Administrator will screen the initial information received and check that all information required is available. This will include the young person's and parent/carers' contact details. If the child is Looked After in a residential care home and the YJS Police will check whether the Officer dealing with the matter has completed a 10 Point Plan checklist (Appendix J) or are in the process of doing so, and if the young person is currently open to the YJS. A 10 Point Plan checklist must be completed for any young person who is looked after, irrespective of where the offence has been committed.

1.3 Where there is information missing, the YJS Police team will request this from the Officer in the Case (OIC), and not process the referral until all required information is received.

Cases not currently open to the YJS

1.4 YJS Police will complete the **OOCD Police Information Form** (Appendix B), this will include initial address checks and any information regarding risk to staff visiting the young person's home.

1.5 They will email the OOCD Police Information Form and Police referral documents to the relevant Locality Team Secure Email Inbox, so the case can be allocated.

1.6 The allocating Team Manager (TM) or Advanced Practitioner (AP) will give the allocated Case Manager a minimum of 10 working days to complete the assessment and allow for the assessment to be gatekept and booked into the next available panel.

Cases currently open to the YJS

1.7 If the case is already open, or has closed within one month to the YJS, then the YJS Police team will complete the OOCD Police Information Form with the information regarding the new offences, and OOCD panel date, and send this to the relevant Locality Team Secure Email Inbox for allocation.

1.8 Unless there are exceptional circumstances and where possible, this will be allocated to the current/most recent allocated Case Manager to undertake assessment and analysis of the new offence/current situation.

1.9 If the young person has a current, or closed within the last month, AssetPlus or OOCD Assessment, the Case Manager can complete the **OOCD Assessment Summary for Current or Recently Open Cases** (Appendix F) to advise the panel.

1.10 The allocating TM /AP will give the Case Manager a minimum of 10 working days to complete the assessment summary, and the case will be booked into the next available O OCD Panel after the 10 working days.

First Possession of Cannabis Offence

1.11 Where a young person is referred to the YJS for a first-time possession of Cannabis offence, the young person will be offered a Community Resolution (CR) with Substance Misuse session (currently on a one-to-one basis but a group session may be offered).

1.12 The young person will not require an O OCD assessment but will be allocated to the YJS Police Officer or PCSO to deliver the CR and session on Cannabis.

1.13 YJS Police will inform YJS Locality Business Support of the referral and when the CR has been delivered so this can be updated on CAPITA.

1.14 The Police Officer/PCSO can make a referral to CGL (Change Grow Live) Substance Misuse Service, and/or to the YJS for My Future intervention if this is required, and the young person gives their consent.

1.15 If a young person is referred for a subsequent possession of Cannabis offence, then the referral will be made to the YJS for an assessment and follow the usual O OCD process, to ascertain if further intervention is required.

2. Knife Crime /Offensive Weapon Offences

Please refer to *Guidelines on the Investigation, Cautioning and Charging of Knife Crime Offences* current guidance document.

This can be accessed at: [Chief-Constable-guidance-knife-crime final.pdf](#)

3. Referrals from Court

3.1 A case may have been charged to Court, but whilst at the first hearing, the Court are of the opinion that the young person may be suitable for an O OCD. The Court will refer the case back to the YJS for an assessment of suitability for an O OCD.

3.2 The Court Officer will need to record the information on the **Referral Back from Court Form** (*Appendix D*) and send this to the YJS Police team and relevant Locality Business Support.

3.3 Cases referred from Court will be allocated to a Case Manager for an O OCD Assessment.

3.4 The allocating TM /AP will give the Case Manager a minimum of 10 working days to complete the O OCD Assessment, and the case will be booked into the next available O OCD Panel after the 10 working days.

3.5 If the OOCD Panel decide an OOCD is suitable, this should, wherever is practical to do so, be administered prior to the next Court hearing. The CPS must be informed as soon as this has been completed so that the matters can be recorded as having been dealt with and the young person does not have to attend Court.

4. Referrals from the Crown Prosecution Service (CPS)

4.1 Sometimes the CPS will require an assessment of suitability for an OOCD prior to making a charging decision. The CPS can contact either the YJS duty team or the YJS Police to request this.

4.2 YJS Police will complete the OOCD Police Information Form with the information regarding the offences and any information regarding risk to staff visiting the young person's home and send this to the relevant Locality Team Secure Email Inbox, stating this is a CPS assessment for allocation.

4.3 Cases referred from the CPS will be allocated by TM/AP to a Case Manager for an OOCD Assessment to be completed with a minimum of ten working days being allowed for this.

4.4 Once completed and gatekept by the TM/AP, the assessment will be sent to the YJS Police to return to the CPS. Pre-charge CPS assessments will **not** be discussed in the OOCD panel.

4.5 If the CPS agree with the recommendation, and where applicable, an OOCD with intervention is required, this will not require a further assessment or discussion at OOCD Panel, but allocation to Case Manager (and YJS Police Officer if a YC/YCC) and OOCD is then delivered and an Intervention Plan is completed with the young person.

5. Referrals from the British Transport Police (BTP)

5.1 The British Transport Police will refer any young person that they are considering charging or dealing with by way of an OOCD. Their referral form will provide the recommendation of the OIC as an indication of the action that is proposed pending YJS assessment and recommendation. This is agreed with the Information sharing agreement [BTP YOT ISA Document v1 encrypted \(1\).pdf](#)

5.2 Cases referred from the BTP will be allocated by TM/AP to a Case Manager for an OOCD Assessment to be completed within ten working days.

5.3 If further time is needed to complete the assessment, the Case Manager should discuss and agree with their Team Manager and contact the Central Justice Unit for the BTP to communicate the delay and agree a revised timescale.

5.4 Once completed and gatekept by the TM/AP, the assessment will be sent back to the BTP with YJS recommendation inserted on the original referral form.

5.5 BTP assessments will **not** be discussed in the OOCD panel.

5.6 Locality Business Support will re-allocate the Case on CAPITA to an identified Pending caseload until notified by the BTP that the OOCD has been delivered/Outcome, and then close the case on CAPITA.

6. OOCD Assessment

6.1 The Case Manager will undertake a minimum of one face to face assessment visit to the young person and their parent/carers and complete the locally agreed **OOCD Assessment** (*Appendix E*), including recommended outcome to the OOCD Panel. The assessment encapsulates the young person's view of their actions and outlines the strengths and needs for the young person, with a recommendation of a suitable outcome to address them as identified. This takes into account the rights of the child and ensures these are considered. The Childrens right are added appendix

6.2 The Case Manager will attach the completed OOCD assessment to CAPITA and inform the Advanced Practitioner gatekeeping the assessment it is available at least 4 working days before the date of the OOCD Panel. Once the assessment has been gatekept, this will then be shared with the OOCD Panel Members (for the Panel date it has been booked into) that it is available to view by 9am 2 days **before the OOCD Panel**. Failure to submit the assessment to Panel Members by this time will result in the assessment not being heard at the panel.

6.3 The AP/TM who gatekeeps the OOCD Assessment will enter an Event on CAPITA to say it has been gatekept, and detail any feedback given to the Case Manager.

7. OOCD Panel

7.1 The OOCD Panel membership includes as a minimum, Police Representative (usually the YJS Police Officer) YJS TM/ AP (usually the AP), and a Restorative Justice (RJ) Practitioner from Remedi.

7.2 Additional OOCD Panel members may include Futures ETE workers, Family Service Parenting Workers, Community Panel Members and a representative from the mental health service.

7.3 The OOCD Panel is held weekly on a Thursday and rotates between the three YJS locality teams, with the TM/AP and RJ Practitioner from the locality usually in attendance.

7.4 Each week the OOCD Panel will discuss OOCD Assessments from all three locality teams. Up to 8 assessments will be discussed at each panel as a maximum, with the expected number to be at 6 per panel. This number is a guide to ensure enough time is allowed for all assessments to be gatekept and to be shared with all panel members by 9am 2 days before the panel is due to take place.

7.5 The OOCD Panel decision will be recorded by the TM/AP on the **OOCD Panel Decision Form** (*Appendix G*) on their laptop, this will then be signed (on laptop using touchscreen or with initials if undertaken virtually) by all panel members and then saved and attached to CAPITA (by the TM/AP). The TM/AP will also add an Event to CAPITA with the OOCD Panel decision.

7.6 The TM/AP OOCD Panel representative will inform the allocated Case Manager, copying in Locality TM/AP (if not in their team) and Locality Business Support of the agreed outcome.

7.7 **Possible outcomes from the OOCD Panel are:**

Being dealt with by another agency - Outcome 20/ 21/ 22.

➤ This type of outcome is appropriate where an assessment has identified that the young person has significant learning difficulties, a disability or emotional and mental health needs which would prevent the young person from engaging/benefitting from an OOCD, and the young person has appropriate agencies involved providing interventions/support to address the young person's needs. Alternatively, where the young person has support/intervention from other agency(s) which will address criminogenic factors and support desistance from further offending or a plan of intervention from YJS will be beneficial, one of the following outcomes can be imposed:

Outcome 20 – Following an Out of Court assessment, The panel members acknowledge the behaviour has already been dealt with in an alternative way by another agency and sufficient support is in place to manage any concerns identified.

Outcome 21 - Not in the public interest to prosecute. This is limited to enabling Police forces to deal with sexting offences without criminalising children and young people. An outcome 21 would be dealt with by the OIC and would not be required as necessary to refer to the OOCD panel.

Outcome 22 - When it is decided, following an Out of Court Disposal assessment completed by the YJS, that a criminal disposal is not required, but interventions/diversionary activities have been identified which need to be completed. This can be set as specific intervention such as educational sessions delivered by YJS/ Police/ Schools/ Family Service etc. (See here for more information: [Deferred prosecution – Outcome 22 \(yjlc.uk\)](#))

Community Resolution (CR) no YJS Intervention

➤ This should only be used where there is evidence of Restorative Justice intervention having already taken place or interventions being delivered by others which address criminogenic needs/risk factors.

Community Resolution (CR) with YJS Intervention

➤ Wherever possible, a young person should have an opportunity to engage with intervention preferably as part of a CR, before the imposition of an YC/YCC. Whilst the Police have to refer to the YJS where a young person has been issued a number of CR's previously, this does not prevent a further CR being given if the YJS are of the opinion that this is the most appropriate outcome, including intervention from YJS to address offending

behaviour, which may not have been available as part of previous CR disposals delivered by the Police.

Simple Youth Caution (no YJS Intervention)

➤ This should only be used in exceptional cases such as where the young person has had a number of previous CR's with intervention, or the offence is of a more serious nature, but there is evidence that the young person is already receiving interventions to address criminogenic needs/risk factors.

Youth Caution (YC) with YJS Intervention

➤ This should only be used in exceptional cases such as where the young person has had a number of previous CR's with intervention, or the offence is of a more serious nature, but there is evidence that the young person will engage with intervention on a voluntary basis.

Youth Conditional Caution (YCC)

➤ This should be used in cases where the young person has previously received CR/YC(s), the offence is of a more serious nature, or engagement on a voluntary basis is unlikely and conditions are required to promote compliance.

7.8 The Police Representative will add an OEL to Niche to inform the OIC of the outcome.

7.9 YJS Locality Business Support will re-allocate the Case on CAPITA to an identified Pending caseload until notified by Police colleagues that the CR/YC has been delivered, and then close the case on CAPITA.

7.10 The OOCD Panel will not decide the number of, or type of interventions, but may make recommendations to the Case Manager of what they think should be included (recorded on the OOCD Panel Decision Record).

8. Delivery of Disposal and Intervention

Being Dealt with by another agency – Outcome 20 and 22

8.1 Where the OOCD panel members have agreed an outcome 20, or 22 is appropriate, the Case Manager will inform the young person of this outcome. Agencies already involved should be notified by the case manager at the earliest opportunity to ensure they are aware of the outcome and detail any expectations of the agency or agencies involved. Where the requirement is for YJS involvement, this will be delivered under the provision of a My Futures Youth Support Plan. Business Support will allocate this programme accordingly to Capita following the outcome of the panel.

CR/YC No YJS Intervention

8.2 The designated YJS Police Officer/PCSO will arrange for the young person to either attend their local police station, a community venue, or for them to visit the young person at their home to deliver the CR/YC (PCSO can only deliver CR's not YC). Occasionally some

cases may be referred to the OIC to deliver, due to limited YJS Police capacity, or where the young person is known to the OIC.

CR with YJS Intervention

8.3 The YJS Police Officer/PCSO will complete the relevant CR paperwork and pass this onto the allocated Case Manager (unless exceptional circumstances require a re-allocation of Case Manager post assessment/Panel).

8.4 The Case Manager will visit the young person to administer the Community Resolution and have the relevant documentation signed. The Case Manager will also develop an action plan with the young person.

8.4 The Case Manager will scan and attach the CR paperwork to CAPITA and then email Locality Business Support and the YJS Police team that the CR has been delivered and paperwork attached.

YC with YJS Intervention

8.5 YJS Police will arrange for the young person to either attend their local police station, community venue, or visit them at their home to deliver the YC. Where possible a joint visit with the Case Manager to complete the action plan is good practice.

8.6 YJS Police will inform the Case Manager and Locality Business Support that the YC has been delivered.

8.7 If a joint visit is not possible, the Case Manager will visit the young person to complete an action plan with the young person.

Youth Conditional Caution (YCC)

8.8 The YJS Police Officer and Case Manager will arrange to meet with the young person jointly to complete an action plan. The targets in the action plan will form the basis of the conditions for the YCC which will be added to the MG14, and the YJS Police Officer will deliver the Conditional Caution

8.9 The YJS Police Officer or Case Manager will inform Locality Business Support that the YCC has been delivered.

All OOCDS with Intervention

8.10 The Locality Business Support will update CAPITA with the outcome and set up an Intervention Programme. The PLAS will update Police records.

8.11 The Case Manager will complete the Troubled Families Outcome Plan, if applicable, put a Troubled Families Characteristic on CAPITA.

8.12 The Action Plan should be child focused, built on existing factors for desistance (Good Lives), address factors against desistance, and consider what is achievable during a short period of intervention. Case Managers should also consider other support networks to help the young person to achieve their goals.

8.13 The Case Manager or other YJS representative (i.e. Interventions Worker, RJ Practitioner, Substance Misuse Worker) will offer the young person a minimum of fortnightly intervention sessions over a 12-week period unless a set number of specific sessions have been agreed.

9. Compliance and Enforcement

9.1 If the young person fails to comply with voluntary intervention, efforts should be made to re-engage the young person, but if unsuccessful, then the case can be closed (see points 10.2 and 10.3 below).

9.2 Should the young person not be able to engage with the conditions of their YCC, having provided the support to address any identified needs to do so, the YJS warning /enforcement process will apply, including TM/AP visit for a Back on Track Panel. If the young person continues to fail to comply, they will be referred to the next available OOCD Panel to decide on breach action.

9.3 The Case Manager will complete a Back on Track Report for the OOCD Panel.

9.4 The OOCD panel may decide to give the young person further opportunity to engage in interventions or return the case to the OIC with a recommendation to charge to Court as the young person has failed to comply with their YCC.

10 Review and Closure

10.1 At the end of the intervention, the Case Manager will complete a review of an action plan with the young person to ascertain the young person's views on the intervention received, record progress made and discuss exit strategies.

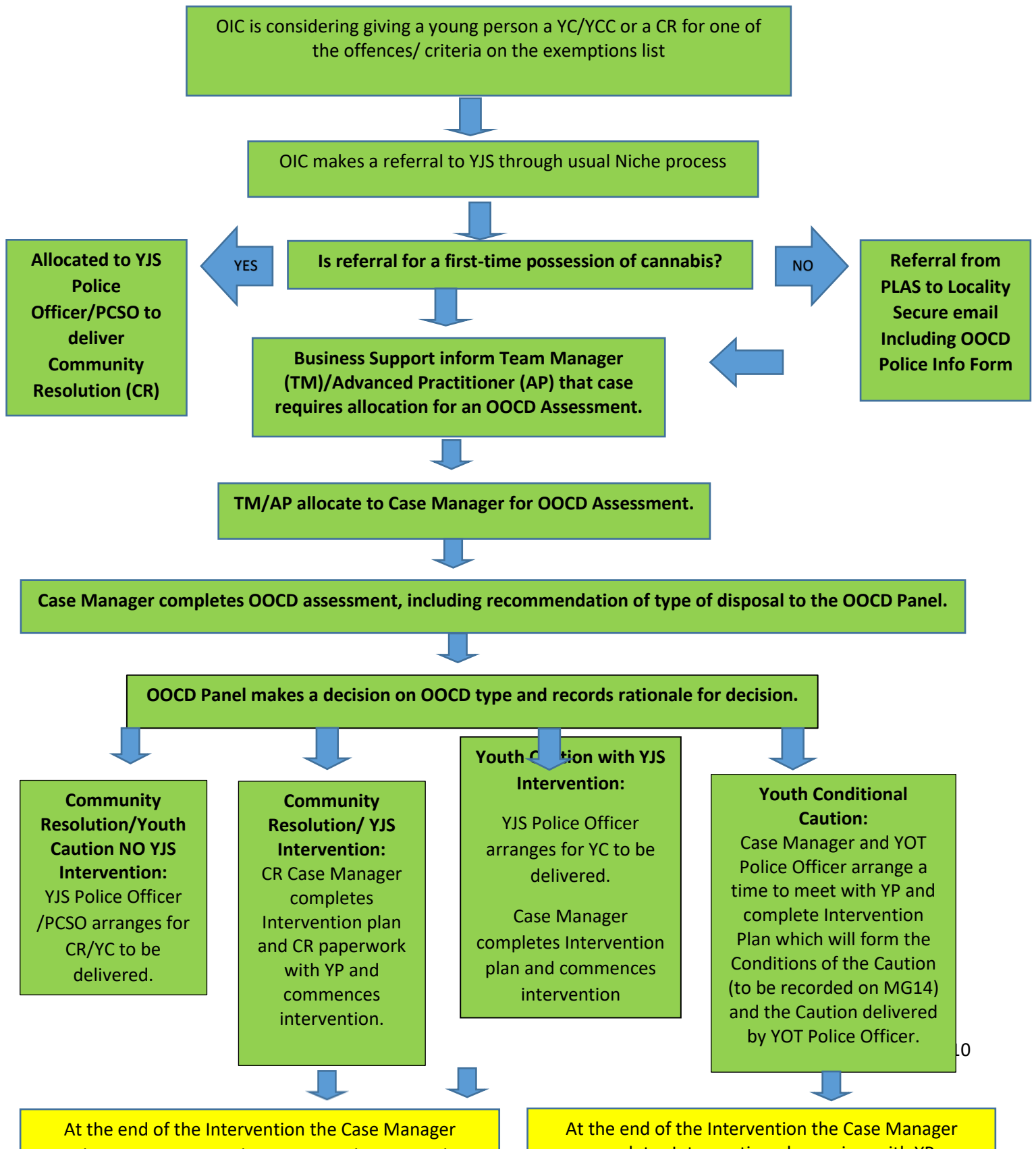
10.2 The Case Manager will complete the Review OOCD Assessment (at the end of the OOCD assessment Form) and attach this to CAPITA titled Closure OOCD Assessment.

10.3 The Case Manager will update the Troubled Families Outcome Plan, if applicable, and update all relevant Characteristics on CAPITA.

10.4 The Case Manager will request closure via the Advanced Practitioner as per closure guidance. This includes seeking feedback from both the young person and the responsible adult to understand their experience of the input from YJS.

Please see Appendix A for flowchart of above process

Appendix A





Out of Court Disposal Police Information Form

Name and D.O.B of Young Person			
Referral for an open YJS Case	(tick if applicable)	CAPITA Number:	Date of OCD panel:
Referral from the CPS	(tick if applicable)	Young Person and Parent/Carers Contact details:	
Offence Details:			
Victim Information:			
Additional Police Information: <i>If not an open YOT Case to include relevant risk to staff information</i>			

Appendix C

Event recording for Knife Crime Discussion

As Duty worker I was contacted by (Insert name and contact details of officer) for YCC knife Crime Consultation for (insert name of young person)

Check of (insert YP's name) on CAPITA identified: (insert summary of CAPITA information, open case, , previous offending/intervention, RoSH and SaW levels etc)

Check of (Insert YP@s name) on MOSAIC identified: (insert summary of MOSAIC information, current or previous CSC intervention, LAC, CP, CiN, SEND, etc)

Discussion with (Insert name of Case Manager if an open case and able to speak to them) identified: (insert summary of Case Manager view of YP and YCC)

If unable to contact case Manager state this.

Discussed above information with (Insert name of AP/TM) and agreed that recommendation to Police will be (Summary of agree recommendation and rationale for this).

Contacted (Insert name of Police officer) with YOT recommendation. Police officer action was (insert what Police decide to do).

The Duty Case Manager will be required to complete the Knife Crime Decision Record and attach this to documents. This document can be located on Sharepoint [KCDR July 2022.docx](#)

Referral Back from Court Form

REFERRAL BACK FROM COURT FOR POSSIBLE OUT OF COURT DISPOSAL (OCD)

NAME OF COURT:

COURT DATE:

NAME OF COURT DUTY OFFICER:

NAME OF YOUNG PERSON:

DOB:

ADDRESS:

CONTACT NO:

PARENTS NAMES/CONTACT NO:

OFFENCE:

DATE OF OFFENCE:

COURT LEGAL ADVISOR:

NAME OF CROWN PROSECUTOR/CONTACT NO:

NAMES OF DEFENCE SOLICITOR/CONTACT NO:

DATE YP TO RETURN TO COURT:

REASONS FOR CPS /COURT DECISION FOR REFERRAL FOR OCD:

DATE THIS REFERRAL SECURE EMAILED TO YJS POLICE ADMIN':.....

ATTACH TO CAPITA FOR FUTURE REFERENCE.

Out of Court Disposal Assessment

Full Name of child/young person:	
Date of Birth and Age:	Click or tap here to enter text.
Address including postcode:	Click or tap here to enter text.
Contact Telephone Number:	Click or tap here to enter text.
PARENT CARER DETAILS	
Parent/Carer Full Name:	Click or tap here to enter text.
Relationship to child/young person (e.g. mother/sister/uncle etc.):	Click or tap here to enter text.
Address (if different from the child/young persons):	Click or tap here to enter text.
Please confirm contact telephone numbers and email addresses:	

Referred for YJ Assessment to consider suitability for an O OCD for;	
Offence(s)	Date(s)

SOURCES OF INFORMATION		
<input type="checkbox"/> Child/Young Person	<input type="checkbox"/> Mental Health Service	<input type="checkbox"/> CSC
<input type="checkbox"/> Parent / Carer / Family	<input type="checkbox"/> Substance Use Service	<input type="checkbox"/> Victim Statement
<input type="checkbox"/> School	<input type="checkbox"/> Youth Justice Records	<input type="checkbox"/> Police/CPS
<input type="checkbox"/> Family Service Worker	<input type="checkbox"/> Residential Staff	
<input type="checkbox"/> Other: Click or tap here to enter text.		
SCREENING TOOLS USED		

<input type="checkbox"/> SLCN	<input type="checkbox"/> Physical and Mental Health	<input type="checkbox"/> Drug and Alcohol Screening
<input type="checkbox"/> Self-Assessment		
<input type="checkbox"/> Other: Click or tap here to enter text.		

Other agencies involved, and services already being provided

Offence Analysis <i>Include attitude towards the offence and motivation for offending; patterns of behaviour.</i>

Victim Considerations <i>Please consider anyone that has been impacted by the child/young person's behaviour. Are there any restorative interventions that would be appropriate for them and their circumstances (e.g. victim contact/reparation etc) Where possible a discussion should have taken place with the RJP?</i>

Assessment of the child/ young person
<ul style="list-style-type: none"> - Accommodation - Lifestyle - Emotional and Health issues - Positive factors - Education/Employment - Substance Misuse - Motivation to Change - Parent/Carer view
<i>Also consider a young persons self-identity (What are the key influences on the young person's sense of self-identity and what impact do they have? e.g. race/ethnicity, faith, family, experience of discrimination/victimisation, group membership, offending lifestyle.)</i>

Desistance Factors:	
Main Factors For Desistance	How can these be promoted?

Main Factors Against Desistance	How can these be addressed?

Assessment of Risk of Serious Harm (RoSH) *Is the behaviour likely to cause serious harm? (consider what is the behaviour, context it is likely to occur, likelihood and imminence. Consider the protective factors that stop it from being higher)*

What is the behaviour/context?

Likelihood/imminence:

Level of Rosh	Low	Medium	High	Very High

Assessment of Likelihood of Re-Offending *please clearly state levels for LoR including your rationale (consider what is the behaviour, context it is likely to occur, likelihood and imminence. Consider the protective factors within the justification that keep it from being higher)*

What is the behaviour/context?:

Likelihood/imminence:

Level of LoR	Low	Medium	High	Very High

Based on your assessment are there any concerns about the young person’s Safety and Well-being? *please outline the nature and reasons for your concern? (what is the adverse outcome, context, likelihood and imminence. Protective factors)*

What is the behaviour/context?:

Likelihood/imminence:

Level of Concern	Low	Medium	High	Very High

Dealing with changing circumstances *Consider factors or changes in circumstances which would result in a significant increase in Rosh or Saw.*

(Please state: If X happens then Y must be done, and why, by when)

Case Manager Recommendation to the OOCD Panel
Having assessed this case I consider the following outcome to be appropriate
PLEASE SELECT FROM DROP DOWN BOX BELOW (Click on Choose an Item)
Youth Caution NO Intervention
Rationale for Recommendation
Outline rationale for proposed outcome and conditions, making reference to work already completed or being carried out by other agencies

Completed By:
Job Title:
Date Completed:

Review Assessment at the end of OOCD Intervention



Assessment of the young person; please include any key changes/progress (e.g. accommodation, education, training and employment, lifestyle, substance misuse, emotional and health issues, motivation etc)

Review of Risk of Serious Harm (RoSH) and Likelihood of Re-Offending (please clearly state levels for RoSH and LoR; including your rationale)

Review of the child/young person’s Safety and Well-being

--

Progress made against actions identified in the Intervention Plan.

Exit Plan -What desistance factors are still to be addressed / supported and how is this going to be achieved? -What other agencies are involved/referrals made?

Completed By:

Job Title:

Date Completed:

Appendix F



OOCD Assessment Summary for Current or Recently Open Cases

Date of OOCD Panel:

CAPITA number:

Child/Young Person Details

Full name:

Date of Birth:

Age:

This assessment summary of offence for OOCD Panel should be read in conjunction with

Most Recent Assessment on CAPITA	Date
Asset Plus	
OOCD Assessment	

Referred for YJS assessment for the offence(s) of / date(s)

Offence(s)	Date(s)

Offence Analysis

Including attitude towards the offence / victim(s) and the impact of the offence on the victim(s), community, family and self; motivation for offending; and patterns of offending behaviour

--

Desistance Factors

Main Factors For Desistance	How can these be promoted?

Main Factors Against Desistance	How can these be addressed?

Assessment of Risk of Serious Harm (RoSH) please clearly state levels for RoSH including your rationale (consider what is the behaviour, context it is likely to occur, likelihood and imminence. Consider the protective factors that stop it from being higher)

What is the behaviour/context?:

Likelihood/imminence:

Level of Rosh	Low	Medium	High	Very High
---------------	-----	--------	------	-----------

Assessment of Likelihood of Re-Offending please clearly state levels for LoR including your rationale (consider what is the behaviour, context it is likely to occur, likelihood and imminence. Consider the protective factors within the justification that keep it from being higher)

What is the behaviour/context?:				
Likelihood/imminence:				
Level of LoR	Low	Medium	High	Very High

Based on your assessment are there any concerns about the young person’s Safety and Well-being? please outline the nature and reasons for your concern? (what is the adverse outcome, context, likelihood and imminence. Protective factors)

What is the behaviour/context?:				
Likelihood/imminence:				
Level of Concern	Low	Medium	High	Very High

Dealing with changing circumstances Consider factors or changes in circumstances which would result in a significant increase in Rosh or Saw. (Please state: If X happens then Y must be done, and why, by when)

Case Manager Recommendation to the O OCD Panel

Having assessed this case, I consider the following outcome to be appropriate

Being dealt with by another agency	
Community Resolution: YOT intervention	
Youth Caution: no YOT intervention	
Youth Caution: Voluntary YOT intervention	
Youth Conditional Caution	
Return to OIC for Prosecution	

Rationale for Recommendation

Outline rationale for level of interventions and conditions, making reference to work already completed or being carried out by other agencies

--

Date Completed:

Completed By:

Job Title:

Appendix G



**Nottinghamshire
County Council**

Out of Court Disposal Panel Decision Record

Date of Panel		
Name and CAPITA number of young person		
Out of Court Disposal Recommendation made by Case Manager		
Panel Agreed Out of Court Disposal	Being dealt with by another agency	
	CR – with YJS Intervention	
	YC no intervention	
	YC with YJS intervention	
	YCC	
	Refer back to OIC for Charge to Court	
Rationale for Panel decision		
Any other Panel comments/recommendations to the Case Manager		

O OCD Panel Members in attendance		
Role	Name	Signature

Team Manager /Advanced Practitioner (delete as appropriate)		
YJS Police Officer		
RJ Practitioner		



Appendix H

Nottinghamshire Out of Court Disposal Panel Terms of Reference

1. Purpose of the Out of Court Disposal Panel

1.1 The Nottinghamshire Out of Court Disposal (O OCD) Panel is, as agreed by Nottinghamshire Police and Nottinghamshire Youth Justice Service (YJS), a Multi-Agency Panel that has the authority to make the decision as to the most appropriate outcome based on all the information made available at the panel, irrespective of the type of offence, or other Police Policies relating to Out of Court Disposals, which in the main pertain to adult offenders.

2. Frequency and Duration

The O OCD Panel meets weekly on a Thursday morning at 9.30am

The Duration of Panel will be dependent on the number of children and young people who have been referred and listed for that panel. There should be a maximum of 10 cases per panel unless there are exceptional circumstances which require more cases to be heard.

The Panel is held virtually using Microsoft Teams

3. Panel Membership

The panel will have a YJS representative, Police Representative, and includes membership from partner agencies who can assist in providing information, advice and guidance to assist the decision-making process.

The Quorum for a panel to go ahead will be minimum representation from Notts YJS, Notts Police, and Remedi.

The OOCD panel membership has been increased, with attendance from other partner agencies, to ensure that the service representative is able to bring something of benefit to the panel discussions and the outcomes for the children and young people being discussed. Additional membership will need to be agreed by YJS Leadership team and Notts Police.

Youth Justice Service - The YJS representative will be a Team Manager or Advanced Practitioner (AP), with this usually being shared between the three locality AP's on a Rota basis.

Police - The Police representative will be at Police Officer Grade or higher and will usually be the YJS Designated Police Officer, but in their absence may be the Children in Care Police Officer, IOM Sergeant, or IOM Inspector. (The Police representative may also be supported at panel by the YJS PCSO).

Remedi – Restorative Justice Organisation providing Restorative Justice and Victim Liaison Services to the victims of youth crime. OOCD Panel Representative will be one of the Restorative Justice Practitioners on a rota basis.

Futures – Education, Training and Employment (ETE) agency providing ETE services to young people in the YJS. OOCD Panel Representative will be one of the three ETE Advisors or the ETE Coordinator on a rota basis.

Liaison and Diversion – NHS Child and Adolescent Mental Health Service providing early intervention in the Police Stations when young people are arrested and offering early intervention services to young people known to Police/YJS. OOCD Panel Representative will be one of the Practitioners on a rota basis.

Head 2 Head, CAMHS - NHS Child and Adolescent Mental Health Service providing intervention and support to young people who have a statutory outcome as a result of a Police charge or a Court sentencing outcome. OOCD Panel Representative will be one of the Practitioners on a rota basis.
Family Service – The Family Service provide support to families who a range of needs. This includes support for parents to develop their parenting skills and/or adapt them to support the needs of their child. OOCD Panel Representative will be one of the Practitioners on a rota basis.

Additional panel members can be considered should their service offer or address an established need from the panels.

4. Roles and Responsibilities

The overall decision-making sits with all panel members to collaboratively agree an outcome. Where the Panel members are unable to reach a consensus on the most appropriate outcome, there is an escalation procedure (see section 6 below).

Youth Justice Service

The YJS will aim to undertake an assessment of the child or young person referred for an OOCD within 10 working days, in line with their internal policy and procedures. This assessment will be presented at the next available (post 10 working days assessment period) Multi-Agency OOCD Panel.

The YJS representative will Chair the meeting and will be responsible for:

- Sending out the meeting invite on Microsoft Teams
- Quality assuring the YJS assessment prior to panel
- Recording the Panels' Decision and rationale on the OOCD Panel Decision Record during the panel
- Updating YJS colleagues and the YJS client database of the outcome of the panel

Police

The Police representative will provide the following information to the panel:

The gravity score of the offence (see ACPO Youth Gravity Matrix)

Any relevant risk flags on PNC and Niche

Previous criminal history

Matters currently pending in court

Any offences still under investigation, and/or relevant Police intelligence

The Police Representative will be responsible for updating the Officer in the Case (OIC) and Police Records post panel.

Remedi

The Remedi representative will represent the voice/views of the victim specifically where known, or more generally where not known. Where possible Remedi will have spoken to the victim prior to the OOCD panel and will update the victim of the decision post panel where this has been requested by the victim.

Futures

The Futures representative will provide information, advice, and guidance in relation to education, training, employment, including issues impacting on young people such as Special Education Needs or Disability (SEND), and Speech, Language and Communication Needs (SLCN) where known.

Liaison and Diversion

The Liaison and Diversion Representative will provide information, advice, and guidance on emotional and mental health issues, including signposting to other services or a referral to their service where appropriate.

Head 2 Head

The Head 2 Head Representative will provide information, advice, and guidance on emotional and mental health issues, including signposting to other services or a referral to their service where appropriate.

Family Service

The Family Service Practitioner will provide information, advice, and guidance on previous or current involvement with the Family Service and access the Social Care database, including signposting to their service for support for the parents and/or the needs of the family.

5. Outcomes from the Out of Court Disposal Panel

The possible outcomes that can be agreed at the OOCD Panel are:

Outcome 20: Action undertaken by another body/agency: Further action resulting from the crime report will be undertaken by another body or agency other than the police, subject to the victim (or person acting on their behalf) being made aware of the action being taken.

Outcome 21: Not in the public interest – suspect identified: Further investigation resulting from the crime report that could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest – police decision.

Outcome 22: Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action’.

Community Resolution (CR): A nationally recognised term for the resolution of a less serious offence or anti-social behaviour incident, where an offender has been identified, through informal agreement between the parties involved as opposed to progression through traditional criminal justice process.

Youth Caution (YC): A formal out-of-court disposal that can be used as an alternative to prosecution for young offenders (aged 10 to 17) in certain circumstances. A Youth Caution may be given for any offence where the young offender admits an offence, there is sufficient evidence for a realistic prospect of conviction, but it is not in the public interest to prosecute.

Youth Conditional Caution (YCC): A YCC allows an authorised person (usually a police officer) or a relevant prosecutor (usually a member of the CPS) to decide to give a caution with one or more conditions attached. When a child is given a conditional caution for an offence, criminal proceedings for that offence are halted while the child is given an opportunity to comply with the conditions. Where the conditions are complied with, the prosecution is not normally commenced. However, where there is no reasonable excuse for non-compliance, criminal proceedings may be commenced for the original offence and the conditional caution will cease to have effect.

Return to OIC: When the panel do not feel that an OOCD is an appropriate outcome and a CPS/supervisor charging decision is required. As the YJS cannot authorise a charge or report for summons, the case will be returned to the OIC to action this.

No Further Action

6. Escalation Procedures

Where the YJS and Police panel members are unable to reach a consensus on the most appropriate outcome, the following escalation procedures should be implemented.

Stage One: Escalation to County IOM Sergeant and YJS Team Manager with Police lead.

Stage Two: Escalation to IOM Inspector and County YJS Service Manager

Stage Three: Escalation to OOCD Scrutiny Panel

7. Information Sharing and Data Protection

Agencies with access to the YJS Database will access the OOCD assessment recorded on this.

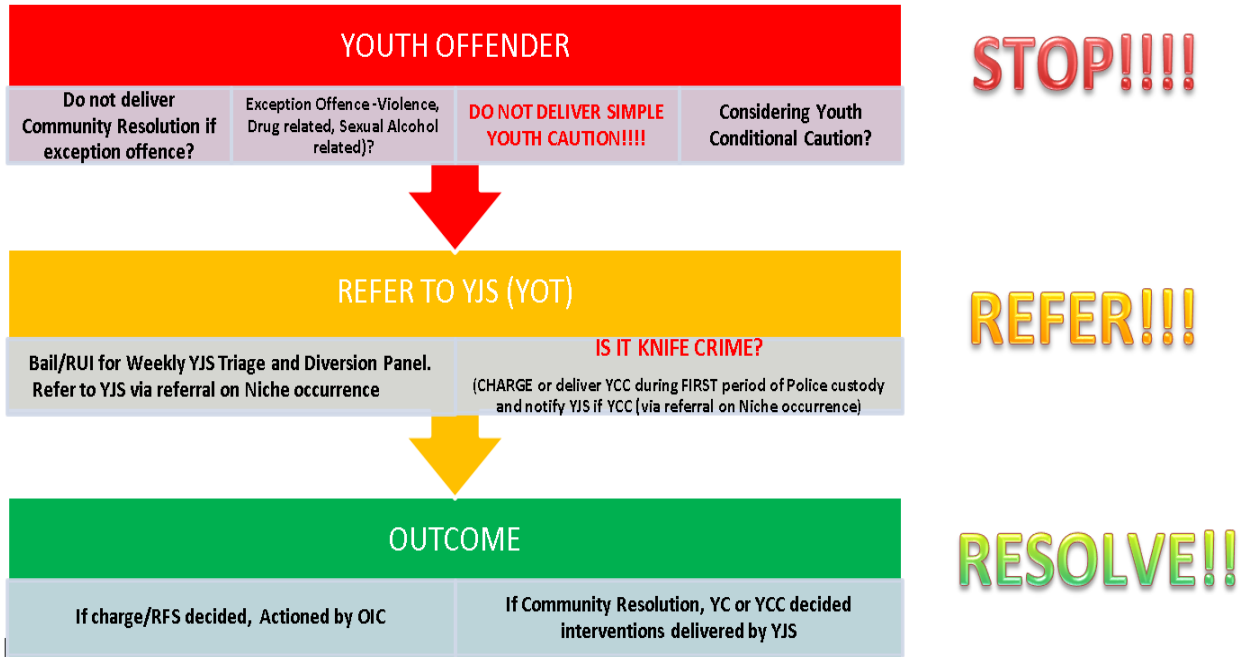
Agencies without access will be securely sent an electronic copy of the O OCD assessment prior to the panel (usually two days before unless circumstances have delayed completion of assessment). These should be deleted post panel.

Information shared for the purpose of the panel should not be saved to local systems without the permission of the YJS Service Manager.



Appendix I

Youth Justice Traffic light System



Appendix J

10 Point Plan Checklist:


Completion by Police, Social Worker, carers *Local interpretation of CPS Guidance for reference and information*

	Input from:	
1	Carers	Disciplinary Policy of Children's Home?
2	Carers	Why have the police been involved and is it as agreed in the policy?
3	Carers	Any informal action/disciplinary action already taken?
4	Any relevant professional	Any apology/reparation?
5	Police led	Victim's views?

6	Social Worker	Social Worker's views (including views of key worker and CAMHS practitioner where appropriate)
7	Social Worker Carer	Care Plan for Looked After Child?
8	Social Worker Carer	Recent behaviour/incidents re looked after child?
9	Young person	Information about incident from looked after child (interview or other)?
10	Police	Aggravating and Mitigating Features? <i>Is there anything that is particularly concerning about this young person's behaviour i.e. violence, hate offence, targeting vulnerable victim, use of weapon?</i> <i>Is there anything that explains or provides a context to this behaviour?</i>

Appendix K

Useful references:

United Nations Convention on the Rights of the Child (UNCRC) Youth Justice Legal Centre (yjlc.uk)
UNCRC Articles Archive - The Children and Young People's Commissioner Scotland (cypcs.org.uk)
<p>THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD – THE CHILDREN’S VERSION</p>  <p>convention-rights-child-text-child-friendly-</p>