



**YOUTH
JUSTICE
SERVICE**

Tower Hamlets and the
City of London

Tower Hamlets and City of London Youth Justice Service

Out of Court Disposal Policy

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Contents

Introduction	3
Aim	3
Context.....	3
Out-of-Court Disposal Descriptions	4
Community Resolution/Initial Police-Led:.....	4
Community Resolution/Triage:	4
Youth Caution (YC):	4
Youth Conditional Caution (YCC):	5
Prevention	5
Out-of-Court Disposal Suitability	5
Practice Framework	6
Equality, Diversity & Disproportionality	7
Referrals and Information Sharing between Police and TH+C Youth Justice Service	7
Referrals via Court	8
Allocation.....	8
Voice of Child	8
Assessment.....	9
Out-of-Court Disposal Joint Decision-Making Panel	10
Specific Offences	12
Multiple Out-of-Court Disposals	13
Escalation Process.....	13
Out-of-Court Disposal Delivery & Intervention Planning.....	13
Team around Family Meetings	14
Implementation & Delivery	14
Reviews & Closure	14
Engagement, Compliance and Enforcement.....	15
Safeguarding Children & Others	15
Management Oversight.....	17
Out-of-Court Disposal Scrutiny Panel.....	17

Introduction

The purpose of this policy is to outline the arrangements for providing a high-quality and evidence-based out-of-court disposal service for Tower Hamlets & City of London children that effectively promotes diversion of children from the criminal justice system and supports sustainable desistance from offending.

This policy has been developed in conjunction with key stakeholders in relation to out-of-court work to ensure that the partnership effectively meets the needs of Tower Hamlets & City of London children, victims and the wider public. This includes police, children's social care, early help, education and health.

This policy should be read in conjunction with TH+C Youth Justice Service Out-of-Court Disposal Operating Procedure which supplements this policy by detailing the operational and practice arrangements.

Aim

The principal aim of the youth justice system, established by section 37 of the Crime and Disorder Act 1998, is to prevent offending by children. Out-of-Court disposals are designed to provide swift and proportionate responses for children who have committed (usually) low-level offences.

An out-of-court disposal does not involve trial or sentencing in a Court. Instead, the aim is to divert the child from future involvement in the criminal justice system, in the best interests of both the child and justice. They are generally most suited to children who do not regularly offend but have committed a low-level offence. It is therefore rare for out-of-court disposals to be used for more serious offences or with children whose offending behaviour is of greater frequency and severity.

Diverting children from the criminal justice system and preventing children's offending behaviour becoming entrenched, is good for potential victims, good for the children themselves, and saves the considerable costs incurred if further offences happen. As such, effective out-of-court work is an essential and important strategic priority of TH+C Youth Justice Service and multi-agency partners. In doing so, TH+C Youth Justice Service and multi-agency partners are committed to dealing with the holistic needs of the child, not just those needs most directly linked to offending behaviour, informed by the central guiding principle of 'Child First'.

This policy is for the TH+C Youth Justice Service, Multi-Agency Partners, TH+C Youth Justice Operational Board and TH+C Youth Justice Executive Board.

Context

The current framework regarding out-of-court disposals is laid out in the [Legal Aid, Sentencing and Punishment of Offenders \(LASPO\) Act 2012](#). This legislation saw the repeal of Reprimands and Final Warnings, which were replaced with two statutory out-of-court disposals for children - Youth Cautions (YC) and Youth Conditional Cautions (YCC). There is also a non-statutory option commonly referred to as a

Community Resolution (CR). Within London, community resolutions are also known as 'Triage'.

Prior to the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO), youth justice sanctions escalated from reprimands through to final warnings and on to court sentences. LASPO removed this automatic escalator, which means that out-of-court disposals can be used whenever they were appropriate, irrespective of previous sanctions. This legislation also introduced a requirement for joint decision-making between TH+C Youth Justice Services and the Police for out-of-court disposals.

Out-of-court disposals are often the earliest point of a child's entry into the criminal justice system, and the intervention is designed to be short. They are not a soft option for children as sometimes portrayed and enable children to move away from criminal justice intervention, such as TH+C Youth Justice Service, into universal and targeted services which can meet their needs.

Out-of-Court Disposal Descriptions

The term out-of-court disposal is used to refer to all disposals where a child has admitted to committing an offence(s) and the offence(s) are recorded as a disposal on the police system. This will always include Youth Cautions and Youth Conditional Cautions, and in most cases, also include a form of community resolution.

Community Resolution/Initial Police-Led: The police can decide to independently administer a child's first community resolution at the time of an incident without requiring a formal referral to TH+C Youth Justice Service. In this circumstance, the seconded police officers within TH+C Youth Justice Service notifies the service and multi-agency partners that a child has been issued with an initial police-led community resolution.

Community Resolution/Triage: Many local areas have developed a diversionary out-of-court disposal, which is not recorded on the police national computer and receipt of a community resolution does not lead to a formal criminal record for the child. Locally, this is known as 'Triage' and they are a key component of out-of-court work. A child receiving a Triage with no previous offences is not considered a first-time entrant into the youth justice system. The child's involvement in a community resolution is voluntary and as such are distinctly and substantially different from formal out-of-court disposals.

Youth Caution (YC): This is a formal police disposal that is recorded on the police national computer and forms part of a child's criminal record. A youth caution does not have specific conditions attached to it for the child to comply with and the child's involvement in a youth caution is voluntary. The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 set out the requirement for TH+C Youth Justice Service to provide assessment and intervention for Youth Cautions.

Youth Conditional Caution (YCC): A youth conditional caution is like a youth caution but in addition it has specific conditions attached that the child is required to adhere to. This is a formal police disposal that is recorded on the police national computer and forms part of a child's criminal record. The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 set out the requirement for TH+C Youth Justice Service to provide assessment and intervention for Youth Conditional Cautions.

Prevention

TH+C Youth Justice Service and wider partnership provide targeted support to intervene earlier and improve outcomes for children on the cusp of entering the youth justice system. This is provided by the youth service, early help and voluntary & community sector organisations.

As part of the Ministry of Justice 'Turnaround' programme, additional multi-year grant funding has been provided over three years further supporting the targeted preventative offer for children and families. The overall aims of the Turnaround programme are to:

1. Achieve positive outcomes for children with the ultimate aim of preventing children entering the youth justice system.
2. Build on work already done to ensure all children on the cusp of the youth justice system are consistently offered an assessment of their needs as well as the opportunity to receive additional support.
3. Improve the socio-emotional, mental health and wellbeing of children.

Whilst there is a clear eligibility criteria for the Turnaround programme, the approach to delivery is flexible allowing for variation informed by local need and resources.

Out-of-Court Disposal Suitability

Generally, suitability for a child to be considered for an out-of-court disposal includes:

1. Tower Hamlets or City of London resident
2. Aged 10 - 17 Years Old
3. Gravity score of offence is 1-3
4. Admission of offence

To help police assess the seriousness of an offence, the Association of Chief Police Officers (ACPO) has devised a Youth Gravity Factor Matrix [metro viewer \(yjlc.uk\)](http://metro.viewer.yjlc.uk), under which all offences can be given a gravity score of between one (for the most minor offences) and four (for the most serious offences). The Youth Gravity Factor Matrix is used by the police to assess whether a child is suitable for consideration of an out-of-court disposal and if so, the child should be referred to the TH+C Youth Justice Service. The matrix reflects the public interest principles in the [The Code for Crown Prosecutors | The Crown Prosecution Service \(cps.gov.uk\)](http://www.cps.gov.uk).

Practice Framework

TH+C Youth Justice Service is committed to child centred practice informed by the central guiding principle of 'Child First' and applying this throughout out-of-court work. This will support children's desistance by providing a personalised, responsive approach based on children's strengths and with their active involvement. We believe that a strengths-based approach, tailored to the needs of the child, is likely to have a positive impact on desistance and will help create safer communities with fewer victims.

As children: Recognising how children are developmentally different from adults and require unique support;

Building pro-social identity: Promoting children's individual strengths and capacities to develop a pro-social identity, focusing on positive child outcomes rather than just trying to manage offending;

Collaborating with children: Involving children meaningfully to encourage their investment, engagement and social inclusion;

Diverting from stigma: Promote supportive diversion from the criminal justice system where possible, or minimising stigma within it, as we know that stigma can contribute towards causing further offending.

The Supporting Families Division which the TH+C Youth Justice Service is situated, is committed to applying the 'Better Together' practice framework in out-of-court work which compliments 'Child First'. This helps to ensure a consistent practice framework is embedded throughout the division which is particularly significant as a number of children allocated in the TH+C Youth Justice Service also receive support from children's social care and early help services. The 'Better Together' practice framework consists of the '6Cs'.

Connect with children & their families through developing positive and impactful relationships;

Staying **Curious** by seeking to understand the experiences and view of children & their families;

Building a **Community** around a child to support sustainable change;

Co-produce a plan with children, families and multi-agency partners;

Collaborate for change and;

Check back.

Equity, Diversity & Disproportionality

TH+C Youth Justice Service and partnership will have due regard of the need to achieve the following in its commitment to promoting Equity and Diversity as well as addressing Disproportionality in out-of-court work. By not doing so effectively, this can contribute to greater inequality and poor outcomes for children.

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
2. Advance equity of opportunity between people who share a protected characteristic and those who do not;
3. Foster good relations between people who share a protected characteristic and those who do not.
4. To meet these, TH+C Youth Justice Service will ensure when working with children subject to out-of-court disposals that:
5. As part of the assessment and intervention process consideration will be given to meaningfully identifying, understanding and addressing diversity factors.
6. Actively consider disproportionality in the use of out-of-court disposals and take action taken to deal with this.
7. Remove or minimise disadvantages suffered by children due to their protected characteristics.
8. Take steps to meet the needs of children from protected groups where these are different from the needs of other children.
9. Encourage the engagement of children from protected groups to participate in ways that meet their needs.

All staff in the TH+C Youth Justice Service and partnership should take a personalised approach to working with children and their families, taking account of the child's protected characteristics and personal circumstances, regardless of the status of the intervention.

TH+C Youth Justice Service provides a range of training for all staff team members including in relation to equity, diversity, inclusion and disproportionality. This forms part of the services approach to recognising and responding to children's diverse needs.

Referrals and Information Sharing between Police & TH+C Youth Justice Service

A primary source of referrals for children to be considered for an out-of-court disposal are received from the police who are a statutory partner within the TH+C Youth Justice Service multi-disciplinary team.

TH+C Youth Justice Service police should share information regarding children to be considered for an out-of-court disposal by notifying the TH+C Youth Justice Service within one working day of receiving the referral. If there is an identified victim(s), the TH+C Youth Justice Service police should also contact the identified victim(s) to explore the victim(s) consent for their details to be shared with the TH+C Youth Justice Service Restorative Justice Officer within three working days as part of informing the assessment and intervention process.

The minimum information to be provided by the police includes police research (up to 5 years) and relevant MG forms.

Referrals via Court

Consideration for an out-of-court disposal can be agreed at Court with agreement from the Court and Crown Prosecution Service. The case will be adjourned for the out-of-court disposal to be considered and a timescale provided. If an out-of-court disposal is administered by the police in these instances, it is the responsibility of the TH+C Youth Justice Case Prevention Officer to inform the Court in advance so that the child does not have to return on the pre-scheduled date.

In addition to this, it is the responsibility of the TH+C Youth Justice Team Manager as part of the pre-court meeting to identify children who have been charged to Court and may be eligible for an out-of-court disposal. In this circumstance, the TH+C Youth Justice Team Manager should make enquiries with the police to understand the rationale for charging the child to inform suitability as well as informing liaison between the youth justice service and Crown Prosecution Service at Court.

Business support officers should review proceeding sheets received into the service from Court and where consideration for an out-of-court disposal has been stipulated the business support officer should notify TH+C Youth Justice Service police and TH+C Youth Justice Team Managers via email.

Allocation

Upon receiving information from police, TH+C Youth Justice Team Managers will allocate children to a TH+C Youth Justice Case Prevention Officer within one working day. This is to ensure that the assessment can promptly commence and completed within identified timescales. In the circumstance a child is already allocated in TH+C Youth Justice Service the practitioner will remain the same to support continuity.

Voice of Child

The voice of the child is paramount to our practice and is a core element of the C-Change practice framework. The child's voice should be evident throughout the assessment and intervention. Children's engagement in out-of-court disposal work (other than for Youth Conditional Cautions) is voluntary and so not enforceable. It is

therefore especially important that hearing and responding to children is given priority. This includes:

1. The child's views on the causes of, and potential solutions to, their offending behaviour including what from their perspective is most likely to help support desistance in the future;
2. The child's level of acknowledgement and reasons for their behaviour to understand any underlying causes;
3. Understand the likelihood of the child engaging with a voluntary intervention, to inform the disposal decision. This includes greater understanding of the child's ability to engage and how we can change our practice to support their engagement in the intervention;
4. The child's view in relation to recommendations for interventions and services as part of their out-of-court disposal so that this is collaborative;
5. The child's view about the impact interventions and services are having upon their desistance, wellbeing and safety as well as the need for continued support beyond TH+C Youth Justice Service intervention;
6. The child's self-assessment should be completed and meaningfully reflected throughout all stages of out-of-court work.

Assessment

All children referred to TH+C Youth Justice Service for consideration of an out-of-court disposal will be allocated to a TH+C Youth Justice Case Prevention Officer for an assessment to be undertaken. The assessment will be completed by the TH+C Youth Justice Case Prevention Officer within 15 working days and must include a home visit and informed by sources of information from multi-agency partners. If this cannot happen within the identified timescale, then this needs to be agreed by the relevant TH+C Youth Justice Team Manager with management oversight recorded on the child's file. The completed assessment will be quality assured by the relevant TH+C Youth Justice Team Manager within 3 working days.

Evidence suggests that meeting with children and their parents & carers and assessing them in advance of the disposal decision achieves much greater engagement by providing an early opportunity to begin relational and motivational work. It also means that information is available to the out-of-court disposal joint decision-making panel about the child's acknowledgement of responsibility, understanding and likelihood of engaging with voluntary interventions and providing an analysis of strengths, needs and risks. It also supports our key aim of ensuring that the child's voice is evident and provides the child with an opportunity to feed into the intervention that is being sought for them.

A copy of the assessment should be shared with the child as well as their parents and carers in advance of the out-of-court disposal joint decision-making panel and a contact should be recorded on the child's file to reflect that the assessment has been shared.

In relation to Youth Conditional Cautions, the assessment will advise and inform the appropriate conditions.

Out-of-Court Disposal Joint Decision-Making Panel

All children referred to TH+C Youth Justice Service for consideration of an out-of-court disposal will be discussed at the out-of-court disposal joint decision-making panel which occurs weekly. This will generally be within twenty days from point of referral and will be informed by an assessment of the child which is undertaken by the TH+C Youth Justice Service.

The out-of-court disposal joint decision-making panel is chaired by the Deputy Head of Youth Justice and the deputy chair is the TH+C Youth Justice Team Manager leading on out-of-court disposals. Membership consists of key multi-agency partners and provides a forum for collaborative decision making when determining the most appropriate disposal for a child. The panel is accountable for ensuring that decision making is collaborative, consistently applied and defensible arriving at the most appropriate decision for the child. The panel also contributes towards recommendations for areas of intervention which support the child's desistance, safety of the child and safety of others.

It is not appropriate for the disposal decision to be decided between a TH+C Youth Justice Service police officer and TH+C Youth Justice Service manager before the panel meets.

Member	Role
Chair	The chair of the out-of-court disposal joint decision-making panel is the Deputy Head of Service for the TH+C Youth Justice Service. In the absence of the Deputy Head of Service, the chair will be the TH+C Youth Justice Team Manager leading on out-of-court disposals.
Police	The police will share information regarding the offence for which an out-of-court disposal is being considered as well as sharing relevant information and intelligence available to the police. The police will administer the out-of-court disposal with the child, parents/carers and allocated TH+C Youth Justice Case Prevention Officer following the out-of-court disposal joint decision-making panel.
TH+C Youth Justice Case Prevention Officer	<p>The TH+C Youth Justice Case Prevention Officer will summarise the assessment undertaken with the child and their parents & carers so that panel members are sufficiently well informed. This will be facilitated by TH+C Youth Justice Team Manager leading on out-of-court disposals in the absence of the allocated practitioner.</p> <p>This includes:</p> <ul style="list-style-type: none"> ▪ The child's level of acknowledgement and reasons for their behaviour to understand any underlying causes; ▪ The ability of the child to engage in the process and what we can do to actively support engagement with the out-of-court disposal suggested by TH+C Youth Justice Service; ▪ Information and ratings for risk of reoffending, safety & wellbeing and risk of harm to others;

	<ul style="list-style-type: none"> ▪ Provide a clear recommendation of out-of-court disposal to be considered by the panel including the rationale; ▪ Recommended intervention and support to support the child's desistance, safety & wellbeing as well as risk of harm to others including the child and parents & carers views.
TH+C Youth Justice Team Manager	The TH+C Youth Justice Team Manager leading on out-of-court disposals will contribute to the assessment summary, recommendation of out-of-court disposal as well as recommended interventions where appropriate alongside the allocated TH+C Youth Justice Case Prevention Officer. Attendance and participation in the panel will also further inform and support management oversight following the panel.
Child and Parents/Carers	The purpose of the out-of-court disposal joint decision-making panel should be explained to children and their parents/carers in advance of the panel convening. In addition, children and their parents/carers should be offered the opportunity to attend the out-of-court disposal joint decision-making panel as part of TH+C Youth Justice Service 'nothing about me without me' approach to collaboration and participation. It is not mandatory that children and their parents & carers attend.
Multi-Agency Safeguarding Hub (MASH)	The multi-agency safeguarding hub representative will provide information, advice and guidance to the panel in relation to the safeguarding of the child and any siblings as well as agreeing areas of responsibility for any identified actions regarding safeguarding children. As well as contribute towards the out-of-court disposal decision making process.
Early Help	The Early Help representative will provide information, advice and guidance to the panel in relation to the Early Help services available to support the identified needs of the child and family as well as agreeing areas of responsibility for any identified actions regarding the Early Help offer. As well as contribute towards the out-of-court disposal decision making process.
TH+C Youth Justice Restorative Justice Officer	The restorative justice officer will represent the views, wishes and feelings of the victim in relation to the offence so that their voice is heard as part of decision making. Also, to advise of any opportunities for the child to participate in direct or indirect restorative justice at the request of the victim. To advise of any identified risks to the victim and action(s) being taken as part of risk management. As well as contribute towards the out-of-court disposal decision making process.
TH+C Youth Justice Education Officer	The education officer will provide information regarding the child's education status, attendance, special educational needs and details of the education representative to be included in the team around family meeting should this be convened. This is informed by the education screening routinely undertaken in advance of the out-of-court disposal joint decision-making panel. The education officer will also provide information, advice and guidance to the panel in relation education matters as well as agreeing areas of responsibility for any identified actions regarding education. As well as contribute towards the out-of-court disposal decision making process.
TH+C Youth Justice CAMHS Clinician	The clinician will provide information regarding the child's mental health needs as well as any previous or current involvement with the child and adolescent mental health service. The clinician will also provide information, advice and guidance to the panel in relation to the child's emotional wellbeing and mental health needs as well as agreeing areas of responsibility for any identified actions regarding mental health needs. As well as contribute towards the out-of-court disposal decision making process.
TH+C Youth Justice Speech and Language Therapist	The therapist will provide information regarding the child's speech, language and communication needs as well as any previous or current involvement with the speech and language service. The therapist will also provide information, advice and guidance to the panel in relation to supporting the child's speech, language and communication needs as well as agreeing areas of responsibility for any identified actions regarding this. As well as contribute towards the out-of-court disposal decision making process.
Safe East	The health and wellbeing practitioner will provide information regarding the child's substance misuse needs as well as any previous or current involvement with the Safe East service. The health and wellbeing practitioner will also provide information, advice and guidance to the panel in relation to the child's substance misuse needs as well as agreeing areas of responsibility for any identified actions regarding substance misuse needs. As well as contribute towards the out-of-court disposal decision making process.

Break the Cycle	The team manager will provide information regarding any previous or current involvement with the Break the Cycle team. The team manager will also provide information, advice and guidance to the panel in relation to targeted support available as well as agreeing areas of responsibility for any identified actions. As well as contribute towards the out-of-court disposal decision making process.
Business Support	Responsible for booking meeting rooms which support hybrid attendance, circulating agenda and assessments to panel members, advising of apologies received and creating a record of out-of-court disposal regarding individual children.

Specific Offences

The out-of-court disposal joint decision-making panel allows for discretion to be applied in relation to decision making however decisions must be defensible and consider diversion factors with the need to protect the public and reduce further offending. Whilst this is not specifically limited to the parameters of the offence there are offences where additional considerations are required when considering specific disposals.

Offence	Summary
Possession of an offensive weapon or sharply pointed blade	<p>The first arrest of a child aged under 16 years old for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors, will usually result in a Youth Caution or a Youth Conditional Caution. This must be supported by an appropriate intervention with elements focused on anti-knife crime education.</p> <p>In exceptional circumstances, if a community resolution (e.g., Triage) is deemed the most appropriate disposal by the out-of-court disposal joint decision-making panel this can be given with clear rationale and justification. In these instances, the police sergeant in the TH+C Youth Justice Service should review and ratify the decision with oversight from an inspector where required.</p> <p>The second arrest of a child aged under 16 years old for simple possession of an offensive weapon or sharply pointed blade will result in a charge (unless, in exceptional circumstances, such as two years have passed and it is considered appropriate to give another Youth Conditional Caution), whether or not there are aggravating features.</p> <p>The first arrest of a child of any age (10-17) for possession of an offensive weapon or sharply pointed blade, with aggravating factors, (circumstances of possession, fear caused, degree of danger) will result in a charge.</p> <p>The first arrest of a child aged 16 years or over, for simple possession of an offensive weapon or sharply pointed blade, with no aggravating factors will normally result in a charge.</p>
Motoring Offences	Where a child has committed a minor road traffic offence, a fixed penalty notice remains an appropriate response for 16 and 17-year-olds. If a young person receives such a penalty, this has no bearing on the capacity of the police to consider an out-of-court disposal where appropriate.
Sexual Offences	The panel should consider whether an out-of-court disposal is suitable for children who have displayed sexually harmful behaviour. This should be informed by the use of relevant tools and training that helps professionals to identify, understand and respond to sexual behaviours displayed by children.

Multiple Out-of-Court Disposals

Section 136 of the LASPO Act permits the use of out-of-court disposals in cases where previous formal disposals have been given. These previous disposals must be considered in any further disposal decisions. When considering an informal disposal such as community resolution (Triage), the number of previous informal and formal disposals given should also be considered as well as the child's previous engagement and period of desistance to help determine whether that is the most appropriate course of action.

Escalation Process

There are likely to be few occasions when the panel cannot achieve a consensus. This may happen, however, and it is important that in such cases there is a clear and agreed escalation process that ensures a speedy resolution.

In instances there is a discrepancy in relation to the out-of-court disposal decision the panel can utilise the escalation process by deferring the decision. The chair of the out-of-court disposal will notify the TH+C Youth Justice Head of Service and TH+C Youth Justice Police Sergeant within one working day that the panel has not reached a joint decision. The chair, youth justice head of service and police will liaise with each other to collaboratively review the escalation. Ultimately, the police can make the final decision on out-of-court disposals.

The extent to which, and reasons why, agreement could not be reached is to be monitored by the chair through the escalation process to inform any work that needs to take place, such as training.

Out-of-Court Disposal Delivery & Intervention Planning

As part of the assessment process, TH+C Youth Justice Case Prevention Officers should pre-book an appointment with the child and parents/carers for the out-of-court disposal to be administered and intervention plan developed. Generally, this should take place the day after the out-of-court disposal panel where the case is discussed to avoid unnecessary delay.

The TH+C Youth Justice police will routinely be available every Thursday between 3pm-6pm at the Town Hall to administer out-of-court disposals. It's recognised that there will be circumstances that a child/family is not able to attend the Town Hall (e.g., safety reasons) therefore alternative arrangements will need to be made for the youth justice service police to administer the disposal.

The administering of the out-of-court disposal and intervention plan should be recorded on the child's file by the TH+C Youth Justice Case Prevention Officer.

Team around Family Meetings

If there is not allocated children's social care involvement with the family, within 5 working days of the out-of-court disposal joint decision-making panel, a team around the family meeting is to take place facilitated by the allocated TH+C Youth Justice Case Prevention Officer. The purpose of the team around the family meeting is to effectively coordinate the implementation and delivery of interventions and services which supports the child's desistance, wellbeing and safety. At this stage, consideration should also be given to identifying a lead professional to continue supporting the child beyond the youth justice service involvement. There is not a requirement to routinely convene a review Team Around Family meeting however this can take place if deemed necessary by the TH+C Youth Justice Case Prevention Officer and/or TH+C Youth Justice Team Manager.

If it is deemed that a team around family meeting is not required (e.g., the child's needs can be met by a singular agency) management oversight is to be recorded on the child's file by the relevant TH+C Youth Justice Team Manager providing the rationale for a team around family meeting not being convened.

Implementation & Delivery

The duration of out-of-court disposals should be proportionate to the nature of the case and the seriousness of the offence. They should be achievable within a maximum of three months from the point of case allocation but could often be achieved within a shorter time.

Interventions provided as part of out-of-court disposals should be focused on approaches most likely to lead to desistance from offending, promote the safety & wellbeing of the child as well as the safety of others. Interventions and services should be in keeping with the nature of the offence and needs of the child with consideration given to tailoring these to meet the needs of individual children.

Delivery of services should start promptly and a disposal should not extend beyond the three-month period simply because there was a delay in planning and delivering services. The only exception to this is when there have been delays in setting up a restorative process.

Reviews & Closure

A review of the assessment should be undertaken if there is a significant change in the child's circumstance.

Once the out-of-court disposal intervention has ended, a case closure summary must be completed and recorded on the child's file so that information on engagement and progress is available if the child became known to the TH&C Youth Justice Service again in the future.

Exit planning is especially important in out-of-court disposal cases, as the opportunity TH+C Youth Justice Service involvement is often very brief, and therefore, where appropriate, children should be made aware of or referred to other

services that could work with them in the longer term. This should include consideration for continued targeted support via the Breaking the Cycle offer.

Engagement, Compliance and Enforcement

Following a Community Resolution (Triage) or Youth Caution, the child and family involvement with the TH+C Youth Justice Service is voluntary. The skills of the TH+C Youth Justice Case Prevention Officer will contribute towards achieving engagement with the child. The TH+C Youth Justice Team Manager providing management oversight should consider the skills and tenacity of the TH+C Youth Justice Case Prevention Officer before concluding the case.

There are no direct consequences of non-compliance with Community Resolutions (Triage) and Youth Cautions but non-compliance with interventions can be referred to in any future criminal cases.

Following a Youth Conditional Caution, the child involvement with the TH+C Youth Justice Service is mandatory and can be enforced, including through charges for the original offence. The engagement of the child can be cited in future court proceedings concerning them. It is the responsibility of the allocated TH+C Youth Justice Case Prevention Officer and TH+C Youth Justice Team Manager to monitor compliance with the conditions. If there are concerns regarding a child's compliance consideration should be given to convening a 'Back on Track' meeting with the child and their parents & carers to explore barriers to engagement and develop approaches to improve compliance and participation.

If the child does not comply with these conditions, then the police may choose to recommend prosecution. It is likely to be used in cases where prosecution is not in the public interest, but the police consider that specific actions are required to reduce the likelihood of further offending, to protect the specific victim, or where previous out-of-court disposals have not been effective.

Any decision to allow the Youth Conditional Caution to remain in place despite the child's non-compliance should be clearly recorded. It should take account of the safety of others and be in the child's best interests. The youth justice case prevention officer must inform the police when the child completes the requirements of a YCC successfully.

Safeguarding Children & Others

TH+C Youth Justice Service and partnership should be proactive in keeping children and others safe. A personalised, responsive approach to meeting safety and wellbeing needs effectively should be evidenced.

Assessment: As part of the assessment undertaken by the TH+C Youth Justice Service there is an expectation that the safety of the child is robustly assessed as well as the risk of harm to victims and others. This will include reviewing and providing an analysis of the status and nature of children's social care involvement with the child and family. If a child is currently allocated in children's social care, there is an expectation that the TH+C Youth Justice Case Prevention Officer liaises directly with the allocated social worker to inform the TH+C Youth Justice Service

assessment of the child's needs, risk and safety. It is the responsibility of TH+C Youth Justice Team Managers when quality assuring the assessment to ensure that the safety of the child and others has been robustly assessed including evidencing information and liaison with children's social care where appropriate.

Planning & Delivery: The allocated TH+C Youth Justice Case Prevention Officer should be clear about how the safety and wellbeing needs of children they are working with are being met. If a child is currently allocated in children's social care, there is an expectation that the TH+C Youth Justice Case Prevention Officer liaises directly with the allocated social worker to ensure that there is a collaborative approach to planning including agreeing areas of responsibility and preventing duplication. The TH+C Youth Justice Service and children's social care should actively contribute towards planning by attending and contributing towards each other's meetings should they occur during the period of out-of-court intervention (e.g., child in need meetings, child protection meetings, children looked after review meetings and strategy meetings,). It is the responsibility of TH+C Youth Justice Team Managers to ensure that intervention plans developed with and for children sufficiently addresses the child's safety and the safety of others.

Review & Closure: The allocated TH+C Youth Justice Case Prevention Officer should maintain effective communication with the allocated social worker in children's social care to support collaboration. At the case closure stage, the TH+C Youth Justice Case Prevention Officer should provide the allocated social worker with an overview of the progress and outcome of the out-of-court disposal intervention.

Where there are concerns regarding the delivery of interventions and services intended to safeguard and promote the welfare of the child the allocated TH+C Youth Justice Case Prevention Officer and TH+C Youth Justice Team Manager must use escalation routes where necessary and be confident in doing so. This would include the TH+C Youth Justice Team Manager escalating to the respective manager in the other service or agency. Should this not be resolved then the TH+C Youth Justice Team Manager should escalate to the TH+C Youth Justice Deputy Head of Service. If at any stage during TH+C Youth Justice Service involvement a safeguarding concern is identified the TH+C Youth Justice Case Prevention Officer is responsible for notifying the team manager and in their absence the duty manager immediately without delay. A referral should be made without delay to the local authority multi-agency safeguarding hub (MASH).

Tower Hamlets

If you have a concern about the welfare or safety of a child during the office hours of 9am-5pm, you should contact the Tower Hamlets MASH:

Tel: 020 7364 5006 option 3

Email: Mash@towerhamlets.gov.uk

Professionals are asked to download and complete the [Tower Hamlets Multi-Agency Referral Form \(MARF\)](#).

Emergency Duty Team (EDT) – Out-of-Hours

Tel: 020 7364 4079 (after 5pm and at weekends).

If a child is in immediate danger, please call the police on 999.

City of London

Tel: 020 7332 3621 (Monday to Friday, 9am-5pm)

Email: children.duty@cityoflondon.gov.uk

If you need to make a referral outside office hours, phone the Hackney Emergency

Duty Team: Tel: 020 8356 2710

Management Oversight

The TH+C Youth Justice Service has a Team Manager who directly line manages all TH+C Youth Justice Case Prevention Officers who are generally responsible for out-of-court work. The Team Manager has a vital role in ensuring sufficient attention is given to the quality and effectiveness of out-of-court disposals. This includes giving specific attention to the safety and wellbeing of the child, safety of others and to addressing offending-related behaviour. This is achieved through targeting oversight to ensure that the quality of work is assured at assessment completion stage, reviewed in response to a significant change in the child's circumstance and case closure stage to determine impact as well as exit planning.

It is expected that every child allocated to a TH+C Youth Justice Case Prevention Officer is provided with case supervision at least once within a 4-week cycle. This is to ensure there is the necessary time and space to ensure reflective supervisions. Any management oversight provided outside of supervision session needs to be recorded.

Out-of-Court Disposal Scrutiny Panel

To ensure there is transparency, consistency and accountability in the use of out-of-court disposals TH+C Youth Justice Service has an established scrutiny panel which is chaired by Hackney Youth Justice Service.

The purpose of the scrutiny panel is to independently assess, scrutinise and quality control the use of out-of-court disposals. Scrutiny panels are an important tool for ensuring that police and partners are held accountable for their use of out-of-court disposals as well as ensuring that difficult decisions to administer such disposals are justified. The findings from TH+C scrutiny panel is utilised to inform best practice, identify potential learning, inform policy development and training needs for the police and partnership.

While the scrutiny panel can make recommendations to inform future decision making, they cannot change the original outcome of the case being reviewed.



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