**Youth Justice Out of Court Disposal Panel (OOCD)**

**Terms of Reference**

The Out of Court Disposal (OOCD) panel is a multi-agency panel that aims to divert children from future involvement in the criminal justice system in the best interests of the child, victims and the Criminal Justice System as a whole. A Child First approach requires the Panel to consider all diversionary outcomes for children.

The Panel will make recommendations in respect of children who have made full admissions to committing offences that are relevant to NPCC Child Gravity Matrix Score 4 or below. The OOCD panel will also consider an out of court disposal for offences which hold a Gravity Matrix score of 5 once the Crown Prosecution Service have confirmed that the offence is eligible and relevant to be dealt with by way of an OOCD.

OOCD panels will convene fortnightly on either side of the County. They will usually be held virtually via Microsoft Teams. In exceptional circumstances, where a virtual panel is unable to take place, the meeting will convene at an identified Police station. The frequency of panels will be responsive to the numbers of cases relevant to the fortnightly panel so can increase to weekly as necessary.

OOCD Panel core membership:

* Avon and Somerset Police (Early Intervention Team) EIT Sergeant
* Somerset Youth Justice Team Leader
* Somerset YJT Restorative Justice worker
* Somerset YJT Police intervention worker
* Somerset YJT Police Officer
* Family Intervention Service (FIS) representative
* YJT Turnaround coordinator
* Community representative (YJT volunteer)
* Somerset Drug and Alcohol Service representative
* YJT Teachable Moments Education representative
* Access to health information (ASCC / YJT Clinical Psychologist)

The OOCD panel will be jointly chaired by the Avon and Somerset Police Sergeant and Somerset Youth Justice Team Leader.

Panel core members have access to documentation relevant to cases which have been referred to the panel and are expected to have completed necessary preparation for the OOCD panel, to be able to share pertinent information to support informed decision making.

If members cannot attend, they should send an alternative representative or share relevant information with OOCD administrator or panel chair prior to the panel.

All members of the OOCD panel will provide relevant information from their service or position (e.g. victim voice, community volunteer). The panel will discuss recommendations and agree appropriate disposals for all cases. The panel will consider the facts of the case (mitigating and aggravating factors), the welfare and status of the child, the views of the victim and any other agencies involved in order to come to a panel decision to reduce the likelihood of the child entering the criminal justice system in the future.

All cases requiring an assessment; whether to provide a holistic understanding of a child and their circumstances, due to the seriousness of the offence, if considering a package of youth justice intervention or for any child relevant to statutory assessment, (has previously received a Youth Caution), the case will be adjourned for a minimum 2 week period and allocated to a member of the YJT.

Restorative justice will underpin all decisions made at the OOCD panel. The OOCD panel will ensure that any offence with an identified victim will defer decision making, to provide opportunity to receive victim feedback. Victim view and wishes will be taken into consideration for all relevant cases.

The outcomes that can be recommended by the panel are:

* No further action (which can include sign posting or referral to identified support/diversionary services)
* Outcome 22 – Deferred Youth Caution (DYC) with identified interventions
* Community Resolution (CR) with/without identified interventions
* Simple Youth Caution
* Youth Caution with voluntary intervention
* Youth Conditional Caution (YCC)
* Charge/summons to Court

The panel also has the decision-making ability to return referrals to the police should the case not meet the criteria for an outcome (i.e. no admissions made).

Cases can be referred back to the panel following a disposal if there is non-compliance within a 12-week period (Outcome 22 – DYC and YCC). This gives the panel the opportunity to review the case and make an appropriate decision which can include a opportunity for re engagement, an alternative OOC disposal or referral to Crown Prosecution Service for consideration of a charge to Court. For summary only

offences, where the matter is considered for a charge to Court, the case must be laid before the Court within 6 months of the date of the commission of the offence.

For all cases which have been assessed, decisions and related rationale will be clearly recorded in the decision-making section of the Prevention and Diversion Assessment tool (PAD). For disposal decisions without a PAD, the OOCD monitoring log will be used to evidence the decision of the panel and the rationale which supports this. The decision making section / monitoring log will be shared with the YJT administrator and police officer in the case (OIC) and uploaded on the police case management system (NICHE), and the Somerset Youth Justice Team case management system (Pathways).

The OOCD panel chairs will meet six monthly to review a percentage of cases that have been relevant the OOCD panel, to ensure parity of decision making across the County. The panel chairs will also monitor the length of time for offences to reach panel, to consider the impact of timely justice for children committing offences and their victims.

The panel will comply with legislation and guidance regarding Out of Court work with reference to:

Legal Aid, Sentencing and Punishment of Offenders Act 2012

https://www.legislation.gov.uk/ukpga/2012/10/contents/enacted Youth Justice Board Case management guidance,

<https://www.gov.uk/government/publications/how-to-use-out-of-court-disposals>

Child Gravity Matrix: <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/criminal-justice/2023/child-gravity-matrix-v2.2---september-2023.pdf>

Youth Justice Board Youth Out of Court disposals guide for police and youth offending services

[https://www.gov.uk/government/publications/youth-out-of-courtdisposals-guide-for-police-and-yots](https://www.gov.uk/government/publications/youth-out-of-court-disposals-guide-for-police-and-yots)



These terms of reference will be reviewed and amended on a yearly basis.

Lynne Pickup and Lara Mellor Sergeants Charmaine Dyne and Pete Tilley

Somerset Youth Justice Team Avon and Somerset police