Deter Young Offenders
Joint Agency Protocol

May 2012
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1. Introductions

1.1 YOT Purpose

The purpose of the Deter Young Offender (DYO) protocol is to provide operational and best practice guidance for those agencies and partner organisations involved in the management of DYOs in the Borough of Bromley.

The protocol sets out:

- The criteria for a child / young person to be defined as a DYO.
- The roles and responsibilities of individual agencies.
- Governance and performance measurements.

1.2 Objectives

The primary objective of the DYO process is to:

- Reduce the re-offending rate of those identified as DYOs.

Further objectives include:

- Providing a sustainable approach to the management of DYOs that can evolve over time as new procedures and best practices are identified.
- Promoting informed and consistent decision making at all stages of managing DYO.
- Determine the most appropriate responses to the offending behaviour of those identified as DYO.
- Ensure that the information required for effective decision-making and the supervision of individual cases is shared in line with existing countywide agreements relating to the use and recording of personal data.
- Engage parents/carers of DYO’s with a view to them taking greater responsibility for managing the behaviour of their child / young person.

1.3 YOT Performance Indicators

Performance will be measured by creating a fixed cohort of children / young people who are identified as DYOs.

Performance Indicators fall into one of the two categories detailed below and are reported quarterly.

1.3.1 Cohort Measurements

- Rate of re-offending.
- Number of further offences. (Exclude offences pre dating DYO status)
- The seriousness (gravity scores of their offences) and the rate of re-offending compared with the pattern of offending in the 12 months prior to their identification as a DYO. Total DYOs Identified Throughout the Year
- Changes in risk profile during the course of an intervention (this will be measured by
comparing the before and after scores attributed to each of the 12 dynamic factors making up the ASSET tool – Core Profile). The outcome sought is a reduction in the level of risk in each individual case.

2 DYOs & Definitions

2.1 DYO

DYOs are those young people who are identified as having reached the designated re-offending rate to trigger inclusion on the DYO Cohort list.

The DYO population and their needs

Analysis of the DYO population has shown that the majority are likely to have experienced a very difficult start to their lives with poor parenting and early involvement with Children’s Social Services in order to ensure their welfare is effectively safeguarded.

The findings suggest, in addition to family based work, the service requirements of a DYO will be complex. These are likely to include:

- ETE - improving their numeracy and literacy skills. Over three quarters of them are likely to have been assessed as having Special Educational Needs.
- Mental Health & Emotional Wellbeing – the majority at any one time will have been referred to Child and Adolescent Mental Health (CAMHS).
- Substance Misuse – many of the DYO population will have histories involving misuse of drugs and alcohol.

2.2 What Does the DYO Process mean for a child / young person

2.2.1 DYO

- Managed by the YOT Case Manager.
- Jointly supervised by the YOT Case Manager and Bromley Police.
- Subject to a higher level of supervision and surveillance
- Intelligence sharing between the Youth Offending Service and Bromley YOT Police.
- Parents / Carers will be made aware of their child / young persons DYO status. This will include the parents / carers and the child / young person being given a formal letter detailing what they can expect to see happen as a result of the DYO status and what is expected of them. Copies of these letters are shown in Appendix A.

2.2.2 Agencies

- Jointly agreed selection criteria.
- A closely co-ordinated approach between the Youth Offending Team and Bromley YOT Police.
- Shared planning and the decision making from initial identification to removing DYO status.
- All electronic information will be shared between partners using secure email.
2.3 Selection Criteria

The identification of the child / young person as a DYO will be based on:

- The professional judgement of the YOT Team Manager and the Bromley YOT Police.

The key criteria will be that the child / young person:

- Has been identified as problematic. One indicator of this is an Asset score of 28 or more requiring a child young person to be supervised by YOT at the intensive level.

3 Identification

3.1 Nomination Process

1. A young person can be identified as a DYO at any point during their time in criminal justice system.
2. YOT Police intelligence suggests a young person, under the supervision of YOT, is involved in offending behaviour and the risk of them continuing to behave in a similar vein appears high. YOT Young people identified as DYO's and their parents/carers will be made aware of this decision to include them on the DYO Cohort list and the implications this will have for them in terms of their supervision.

3.2 YOT Team Managers & Bromley YOT Police:

1. YOT Team Manager and Bromley YOT Police will jointly agree the children and young people to be included on the DYO list and ensure they have procedures for notifying each other of young people who are seen as meeting the criteria for DYO status. The decision for inclusion must be based upon:
   - Multi agency information.
   - The nature and volume of their offending.
   - The harm assessed as being caused to the local community as a result of their offending.
2. Enable the Police attached to the YOT to provide a strong communication link between the operational roles of the Services.

3.3 YOT will:

1. Use the assessment of young people and the subsequent review processes to identify the DYO Cohort.
2. Involve case managers in the decision making as to the notification of a young person to a DYO.
3. Be transparent with the young people as to the implications for them of their DYO status. (See Appendix A for copies of letters to be given to the parents / carers and the young person detailing what they can expect to see happen as a result of the DYO status and what is expected of them).
4. Record the DYO status on the electronic case record of those young people to whom it is attributed.
4 Targeting

4.1 General

Plans will be developed, in consultation with relevant agencies and should include options for disrupting offending, providing intensive engagement and support, and responding to any suspected offending.

4.2 Bromley YOT Police will:

1. Relevant actions are fed into operational tasking, and co-ordination processes and prioritised wherever possible.
2. Where necessary to up date on relevant information such as curfews, exclusions zones etc.
3. Task Police officers on patrol to maximise intelligence gathering and carry out regular checks on bail conditions and curfews.

4.3 The YOT will:

1. The YOT Case Manager will liaise with partner agencies on a regular basis to share and obtain multi agency information to ensure DYO's are appropriately managed.
2. The YOT will consult with the court when DYO's are either appearing before a Court for sentencing or, being prepared in custody for a return to the community, regarding the use of possible sentencing and Licence options to support joint supervision of the DYO

These options are either:

- Requirements which may be included as part of a Youth Rehabilitation Order (YRO):
- Conditions which may be inserted into a Detention & Training Order (DTO) Licence.

The relevant YRO requirements which need support from the Police if they are to be enforced effectively are:

Curfew (not electronically monitored) - this may be relevant when the DYO has a clear identified time-based pattern of offending behaviour and the curfew would prove effective in disrupting this pattern.

Exclusion - this will prohibit a DYO from entering a place(s) specified in the YRO for a specified period (no longer than 3 months). This may be relevant when the DYO has an identifiable geographical association to their offending

Prohibited Activity - this will mean that a DYO cannot participate in activities, including contact with certain people, specified in their Order on the day or days specified or during a specified period of time

The conditions which YOT may agree with the Secure Establishment, where the DYO is serving their sentence, for inclusion in the DTO Licence may include all of the above and:
Prohibited Contact – requiring the DYO to make no contact with the victim or with members of the victim’s family

Non Association – requiring the DYO not to associate with named individuals who are linked with their previous offending or individuals with whom if they associate re-offending is more likely.

5 Transfer Arrangements

In cases where a young person is currently on the Deter strand of the Priority and other Prolific Offenders (PPO) strategy, is approaching 18 years and is at risk of becoming an adult PPO, potential transfer to the borough adult PPO scheme should be sought. The YOS should refer the case to the relevant borough PPO panel approximately six months before the date of expected transfer. If the case is accepted by the panel as a PPO (Catch and Bring to Justice), a formal transfer plan should be agreed between the YOS case manager and the borough PPO team. The Probation offender manager within the borough PPO team will take on case management responsibility for the young person. A three-way meeting should always be convened prior to transfer.

If the case does not meet the criteria for acceptance onto the adult PPO (Catch and Bring to Justice) scheme, then transfer to the generic borough probation offender management unit should be arranged as normal.

Formal transfer occurs only once a three-way transfer meeting has taken place, otherwise case responsibility stays with YOS.

The DYO Scheme Management Framework¹ should be adhered to

6 Court Processes

6.1 General

1. The Youth Offending Team and the Bromley YOT Police will work together to enable the Courts to:
   - Understand the child’s / young person’s offending behaviour.
   - Receive a clear and deliverable proposal as to how it should be responded to.

2. The Magistrate will not be made aware of any DYO status a child / young person may have but the Legal Advisor will be during the Pre Court meeting.

6.2 The YOT will:

1. Attend Pre Court meetings on Youth Court days with Legal Advisors, Prosecutors and the Defence representatives in order to discuss children and young people on the list and the most appropriate management of their cases.

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¹ DYO_Scheme_Management_framework.pdf
2. If a guilty plea is made at first hearing or during the trial or if the DYO is proven guilty at trial, complete the PSR within 15 working days.

NB. There may be discussion between a Magistrates Bench in the Youth Court and the Youth Offending Service Court Duty Officer as to the feasibility (e.g. a recent report is available and relevant, it would be in the interests of the child / young person, the outcome is in essence agreed) in certain cases of the PSR being prepared and submitted within 10 working days.

During the preparation of either a Referral Order or a Pre Sentence Report

1. Use the Police as an information source via the Officers attached to each Youth Offending Team. The areas of interest will be:
   - Who the child / young person is associating with.
   - Whether they are suspected of involvement in activity for which they have yet to be charged.

2. If the young person already has DYO status, inform Bromley YOT Police with the requirements (e.g. exclusion, prohibited activities, curfew), would lead on if a Youth Rehabilitation Order is to be proposed.

7 Interventions

7.1 Planning and Supervision

7.1.1 The Youth Offending Team and the Bromley YOT Police will:

1. Work together to promote the service requirements, in line with the learning from assessment outcomes, of DYO with other partners. These will include those responsible for:
   - Housing
   - Children’s social care
   - Health – both mental and physical
   - Education and training.
   - Constructive leisure

2. Enable the supervisory relationship with individual DYO to be informed by good quality “intelligence”

3. The YOT Police Officer to have regular contact with all DYO being supervised at the “intensive” level” – the objectives for their role in each case will be detailed in the Intervention Plan.

4. Ensure all DYO are supervised in line with:
   - Their assessed level of risk (re-offending, serious harm to others)
   - The frequency required by National Standards 2009
   - The objectives included in either a Referral Order contract, the Initial / Post Review Plan, or the Post Release / Resettlement Plan Meeting Initial Plan.

5. Team Managers and Bromley YOT Police to agree a local process which meets local need and available resources to discuss:
   - Reviews of existing DYO and newly-proposed young people, which are supported by information from the case manager, the Police Officer and other appropriate sources regarding concerns.
   - Progress being made towards the objectives in their Intervention Plan / Referral Order contract.
   - Compliance with the requirements of their Order / DTO Licence.
- Any assessed changes in level / type of risk (to others, or re-offending).
- Any previous assessment, which resulted in the allocation or removal of DYO status that has not been shared by all parties.

7.2 Supervision

7.2.1 Youth Offending Team Case Managers will:
1. Co-ordinate the planning of the joint Police/YOT engagement with an individual child / young person – will invite the Police Officer to all planning and review processes and detail their work in the Intervention Plan.
2. Consider with the Police Officer the relevance of joint contact with DYOs, including home visits.
3. Actively review their caseload and will share any assessment of either an increase or decrease in the risk of reoffending, where the child / young person may be a possible / is an existing DYO with the Team Manager and the Police Officer.
4. Provide the YOT representative and the Police Officer with an update two days before the main DYO Meeting.
5. Ensure those in custody remain on the DYO list if they were DYOs prior to their sentences, and that they are aware of their DYO status and its implications before their return to the community.
6. Include the Police Officer in discussions when breach proceedings are being considered for any DYO.
7. Seek opportunities to use restorative processes with the DYO population with a view to achieving strong engagement with the victims of youth crime and by doing so encourage public confidence in community based supervision.
8. Review with individual DYOs the impact of their DYO status on their behaviour and on the outcomes from their statutory supervision.

7.2.2 The Police Officers attached to the Youth Offending Team will:
1. Liaise with the case manager sharing any current and relevant information that may assist assessments, reviews, Pre-Sentence Report preparation and the day to day supervision of a DYO.
2. Assist the case manager to supervise DYOs in line with their level of risk and the specific objectives and requirements / conditions of any Order / Licence they are subject to.

7.3 Enforcement

1. The enforcement processes relating to DYO cases must be swift and well co-ordinated by the Police, the Courts Service and the Youth Offending Team.
2. The Police will update the PNC at the earliest possible point having become aware that a warrant (with / without Bail) has been issued by a Court.
3. Assist in the arresting of youths within 10 working days of the issue of a Warrant.
4. The Youth Offending Team will via case audits monitor practice and administrative processes relating to enforcement with a view to achieving a consistent approach across all Teams.

7.4 Removal of the DYO Status

1. Bromley YOT Police and the relevant YOT Team Manager will jointly agree the children and young people to be removed from the DYO list.
2. The decision for removal will be based upon:
Multi agency information supporting the view that the child or young person is no longer a problematic offender.

There is no intelligence available suggesting that the DYO is involved in offending behaviour or associating with peers understood to be offending.

The risk factors associated with the previous offending behaviour are being successfully addressed (NB reflected in reduced scores on the core profile ASSET).

When the DYO turns 18 the majority are transferred to the Probation Service and continue to be managed as an adult within the IOM process.

3. The Police will remove the DYO Warning and Interest Party Marker from PNC.

4. The Youth Offending Team will remove the DYO status from the electronic case record held on the relevant case management system.

8 Appendix A

8.1 Parent / Carer Letter

Date:

Dear ,

Deter Youth Offender Panel

Within the Youth Justice System is a forum known as the Deter Youth Offender (DUO) Panel. The remit of the DYO Panel is to identify re-offenders within the Youth Offending service and to find ways of addressing their offending, their behaviour and attitude towards offending. The DYO Panel is made up of representatives from, amongst others, the Police, Health, Drugs intervention and the YOT.

This letter is to inform you that you have been identified as a young person who would benefit from the support of the DYO Panel.

The aims of the DYO Panel are:

- to address the concern that you may re-offend and to help you avoid the possibility of committing further offences.
- to find ways of addressing your offending behaviour.
- to offer additional support for you and your family in reaching your full potential and be involved in positive and constructive activities.

What does being on the DYO list mean to you:

- you will receive regular joint planned home visits by the YOT and the police
- you maybe liable to stops by the police in your area, including checks on who you are associating with.
- relevant information will be shared with the YOT and if necessary curfews, exclusion areas and non associations of certain people could be imposed.
How long will you be on the DYO list?

The decision to keep you as a DYO or remove you from the DYO list will be influenced by your offending behaviour. It is important therefore that you endeavour not to re-offend and co-operate fully with the YOT.

Your YOT Officer will meet with you to discuss this letter and any concerns you or your family may have about the DYO Panel.

Yours sincerely,

YOT Operations Manager

Deter Young Offenders

What a Parent or Carer Needs to Know

Information from Bromley Police & The Youth Offending Team

Your child has been identified as meeting the criteria as a Deter Young Offender (DYO). We are, therefore, writing to you to explain what this will mean both for you and for them.

Who is a DYO?

A DYO is a child or young person who is seen by the Police and the Youth Offending Team (YOT), because of their recent behaviour, as being likely to get themselves in trouble again.

Information for Your Child

Your child has been given a letter by their YOT worker explaining what this change will mean for them. We are keen for you to support your child in working towards having their DYO status removed.

Information from Bromley Police & YOT

The YOT Manager and Bromley Police will decide together which children and young people should have a DYO status. This is based on:

- The type and frequency of their offending.
- The harm being caused to the local community.
- An assessment as to the likelihood of them getting themselves into further trouble.
What we want to achieve with children and young people who are DYOs is to make it less likely that they will re-offend by:

- Providing a more intensive level of supervision.
- Having better access to services that will help them with the reasons that we see for their offending.
- Helping you to take greater responsibility for managing the behaviour of your child / young person.

What this Means for your Child and for You

The Police Officers working in your area will be more aware of your child and will be targeting their attention towards them.

S/he will be required to meet, in addition to seeing their YOT worker, on a regular basis with the YOT Police Officer and with other services in line with their intervention plans.

The YOT Police Officer will let you know about any concerns about your child coming to the attention of the Police and will also inform you if all is thought to be going well for her / him.

To help your child to stop offending, and ensure they are clear about the behaviour that is causing most concern, YOT may ask the Court at the time of sentence to add requirements to their Youth Rehabilitation Order (YRO) or the establishment to add conditions to their Detention and Training Order (DTO) Licence.

These may include some or all of the following:

- **Curfew:** This will be proposed if your child’s offending has taken place at particular times i.e. at night.
- **Exclusion:** This will require your child not to enter a specific place/s for up to three months.
- **Prohibited Activity:** This will prevent your child from getting involved in certain activities, including contact with certain people. This will be at certain times for specific days.
- **Prohibited Contact:** If it is thought best that your child doesn’t have contact with a victim, we may include this as a requirement. It can also include members of the victim's family.
- **Non Association:** If your child has a co-defendant, or are thought to be spending time with individuals who increase the risk of them offending, we may ask for this to be added to the Order or Licence.

What Support You can Give

Your role as parent or carer, is essential in encouraging your child to co-operate with the requirements of their work with us.

Your assistance in supporting them keep their YOT appointments; to turn up on time or to be available for home visits; ensure they have undertaken any work or tasks we have set with a view to helping them change their thinking and behaviour are critical to their success.
How your child or young person can have their DYO status removed

The YOT Team Manager and Bromley Police will jointly agree the names of children and young people to be removed from the DYO list. Their decisions will be based upon:

- Our partner agencies supporting the view that they are no longer offending.
- The areas which we think increase their risk of offending are being addressed and are no longer such a problem.
- They have moved out of the Borough of Bromley and / or their supervision on an Order or Licence has been transferred to another area.

*You will receive a letter from YOT confirming the removal of the DYO status.*

When they become 18, if they are still subject to an Order, the supervision is likely to be transferred to the Probation Service.

*At this point, their names will be removed from the DYO list but they may become subject to a similar scheme designed for adults.*

Questions

If you have any questions about the DYO scheme please do ask your YOT worker or the Police Officer.
8.2 Young Person Leaflet

Becoming a Deter Young Offender (DYO)

What You Need to Know

Becoming a Deter Young Offender – Why?

Bromley Police and YOT have decided together to treat you as a Deter Young Offender.

The reason for this is our worry that you are, at the moment, likely to get yourself into further trouble.

We want to provide you with a lot more attention with the hope that we can help you not to offend.

This information sheet tells you what will happen to you during the period you are a DYO.

If you are living with one or both of your parents or with carers they will also receive information about you becoming a DYO.

What This Will Mean For You

The most obvious change for you will be having the Police Officer based in the YOT team supervising you along with your YOT worker.

They will let you and those caring for you know about any concerns coming to their attention from the Police and about any thoughts they have about good progress you may be making.

So the other Police in your area will also will be targeting their attention towards you and checking on your activities and who you are mixing with. This will be reported back to your YOT worker.
Things You May Be Required To Do

As part of our efforts to help you to stop offending, and ensure you are clear about the behaviour which we are most worried about, YOT may add requirements to your Youth Rehabilitation Order, (YRO) or Detention and Training Order (DTO) Licence.

These additional requirements may include one or more of the list below:

- **Curfew**: this will be proposed if your offending has taken place at particular times - i.e. at night after a certain hour.

- **Exclusion**: this will require you to not enter a specific place or places for up to three months. It may be added if you have offended in the same place - i.e., high street or a certain road.

- **Prohibited Activity**: this will prevent you from getting involved in certain activities, including contact with certain people. This ban will be for certain times or for specific days.

- **Prohibited Contact**: if we think it is best you don't have contact with a victim of your offending we may include this requirement. It can also include members of your victim's family.

- **Non Association**: this may be used if you are thought to be spending time with other individuals, including any co-defendant, who we think could make it more likely for you to re-offend.

Review

Our decision to keep you as a DYO, or remove you from the list, will be influenced by **YOUR BEHAVIOUR**.

As well as meeting with you on your Order or Licence, YOT and the Police will review your progress with you on a monthly basis.

Some of the areas we will consider in deciding whether you continue to be treated as a DYO are:

- Your progress towards achieving the targets agreed in your Intervention Plan/Referral Order contract.

- How well you are co-operating with your Order and any of its requirements - i.e., meeting with YOT and partners as directed; keeping to the requirements in your Order or Licence. The more you report as directed, and work with us, the better it will be and the shorter the time will be for you staying as a DYO.

- Our thinking and that of others working with you as to how likely it is that you will re-offend in the near future.
Removal of the DYO Status

The YOT Team Manager and, the Bromley YOT Police will jointly agree the names of children and young people to be removed from the DYO list. This decision will be based upon:

- The view of those who know you is that you are no longer offending.
- There is no information from the Police to suggest that you are involved in offending, or are associating with people who are understood to be offending.
- The issues which we think increase your risk of offending are no longer seen as such a problem.
- You have moved out of the Borough of Bromley and your supervision has been transferred to another area.

You will receive a letter from YOT confirming your DYO status has been removed.

Becoming 17 Years Old

Your permission will be requested by YOT before there is any contact with parents/carers.

Becoming 18 Years Old

When you become 18, if you are still subject to an Order, you are likely to be transferred to the Probation Service who will then be responsible for your supervision.

At this point, your name will be removed from the DYO list, but you may become subject to a similar scheme designed for adults.

Questions

If you have any questions about the DYO scheme please ask your YOT worker.
Dear

I am writing to inform you of the following.

**Your DYO Status has been removed**

A decision has been made by the YOT Team Manager and Bromley Police to remove your name from the DYO list.

This decision has been made because:

- We (the Police and YOT) think you are no longer offending as you were previously

- There is limited or no information being received by YOT from the Police to suggest that you are involved in any offending or are associating with people who are thought to be offending

- You are making good progress towards the actions set out in your Intervention Plan that we agreed to tackle as we thought they had a lot to do with your offending

We hope that you continue the progress.

Yours Sincerely

Youth Offending Service