



# **Gateshead Youth Justice Service**

## **Out of Court Disposal Panel Process**

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## 1. Introduction

This document outlines the out of court disposal procedures for young people in Gateshead. The primary aim of these procedures is to ensure that:

- There is joint decision making between the police and Gateshead Youth Justice Service in relation to all out of court disposals except for police led community resolutions.
- To reduce the possibility of inappropriate repeat cautioning and unnecessary formal entry to the Criminal Justice System with particular reference to at risk groups like Looked After Children and children with additional needs.
- To promote the use of Restorative Justice in diverting young people from the Criminal Justice whilst addressing the causes of their offending behaviour.

Responses to youth offending must be proportionate and defensible. The views of the victim should be an integral part of the process and an important factor in determining the seriousness of the offence. The victim views alone however, will not be conclusive in determining the appropriate disposal.

For those under the age of 18 the police have a range of options for dealing with an offence:

- No further action
- Outcome 22
- Triage
- Community resolution
- Youth Caution
- Youth Conditional Caution
- Charge

All young people subject to an out of court disposal should be made aware that although such disposals are not court sentences or criminal convictions they could still be included on a standard or enhanced disclosure by the Disclosure and Barring Service (DBS) if deemed appropriate to do so.

Meeting preparation:

- Case Manager to contact family within 24 hours to arrange a home visit at earliest convenience.
- VLO to obtain victim views and complete safety plan within 5 working days, to be included in assessment.
- Case manager shares assessment with ATM / Senior Prac for QA at least 3 working days prior to Panel
- Case Manager shares assessment with YJS Business Support at least 2 working days prior to Panel.
- YJS Business Support shares the redacted assessment with YJS team, victim worker, police and volunteers for pre-reading at least 2 days prior to Panel (no later than the Friday prior to Panel).
- Those attending should take responsibility to read the documents in advance of the meeting.

- Any change of date of Panel must be agreed by ATM / TM prior to Panel and management oversight recorded on childview.

#### At Panel

- All members present agree to the confidentiality agreement at the beginning of the panel.
- Previous minutes agreed as accurate.
- Police present overview of the offence
- VLO shares victim views
- Case manager presents the case focusing on factors for and against desistance. No questions are allowed during this presentation.
- The ATM, Senior Prac or TM chairing the meeting then invites questions and allows the Case Manager to respond.
- Police share previous offences and outcomes
- The chair then presents recommendation for disposal and rationale for the OOC.
- The chair then goes around the Panel to request that each member present gives a view on recommended disposal.
- My plan discussed and intervention plan agreed in.
- The agreement and rationale are recorded in the Panel minutes.

#### Post Panel

- YJS Business Support to update childview;
  - record the Panel discussion and decision as a contact
  - Process box to be updated with Decision Making Panel
  - YJS Business Support to change the intervention type from 'Needs Assessment' to Disposal type and frequency to be updated.
  - If intervention is a Youth Caution or Youth Conditional Caution, incident to be changed to an offence
  - If high risk in LOR or ROSH, to be added to next Cases of Concern agenda.
- YJS business support will record the data in an excel spreadsheet consisting of young person personal details, offence type, police ACPO (Association of Police officers) gravity score and agreed decision re disposal type.
- Panel Minutes to be saved in OOC Panel folder and within young person's individual childview record.
- VLO will update victim of the outcome.
- Case Manager to open Asset Plus assessment if young person receives a YC2 or YCC within 2 working days.
- Case manager will inform the family of the outcome within 24 hours and ensure they have their appointment for the disposal surgery.
- Police will deliver the disposal decision to the young person and carer at a disposal surgery the following week.

#### Post Surgery

- Police will update the decision making screens on the Police Local Computer.

- Police to share contact recording with Business Support
- Business Support will update Childview and Mosaic case diary and process box.
- Case Manager to undertake home visit within 8 working days

#### Intervention End

- Once intervention plan is completed and end assessment has been done, Case Manager to present case to panel and update on progress on plan.
- YJS Police to update Police Local Computer if successfully completed.
- VLO to update the victim.
- Successful complete letter sent by admin

#### Non Compliance

- All efforts must be made to engage with young person and family
- Case discussion to be had with ATM / TM and Case Manager prior to case being returned to YJS Police Officer and management oversight recorded in Childview.