



A Joint Protocol to Reduce the Offending of Looked After Children and their entry into the Criminal Justice System

A partnership between Bedfordshire Youth Offending Service, Luton Youth Offending Service, Bedfordshire Police, Crown Prosecution Service, Bedfordshire County Council, Luton Borough Council and Central Bedfordshire Council.

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1. Background

Department for Education figures from 2011 show that a relatively small minority of children who are looked after offend in any one year (7.9%). However, this is still more than twice the rate of the reported offences committed by children in the community (3%). The picture locally indicates that Children in Care are **xx** times more likely than their peers become involved in offending behaviour. Alongside this statistic are concerns relating to the numbers of children in custody who have previously been in care (between a quarter and a half of the secure population according to the Youth Justice Board (2008)) and the high incidence of adult prisoners who have had a care history as children (estimated at 27%, *Social Exclusion Unit, 2002*).

The links between being a looked after child and offending behaviour are well established (Schofield *et al.*, 2012). An independent review chaired by Lord Laming in 2016 examined the reasons for, and how best to address this over representation of Children in Care, or with experience of care, in the Criminal Justice System. Whilst the reasons behind this over representation are varied and complex, it is important not to make the simple assumption that the experience of 'being in care' in and of itself increases the likelihood of offending behaviour. Instead it is important to recognise that many of the 'risk factors' associated with pathways into offending behaviour also overlap with the factors identified for children who enter the care system, for example;

- Conflict within the family
- Poor parental supervision
- Attachment problems
- Living in relative poverty/deprivation
- Low achievement and low commitment to education
- Negative influence of peer group

(Hayden, 2012)

In order to achieve the best possible outcomes for all of our looked after children and young people we need to reduce the likelihood of them becoming involved in offending behaviour. We recognise that our children and young people often have a range of complex needs and behaviours that can make them vulnerable to becoming involved in the criminal justice system. We also recognise that some young people who enter care in their adolescence bring a history of offending behaviour with them.

We are committed to a multi-agency approach in order to support our children and young people to achieve the best outcomes, to divert them away from criminal and anti-social behaviour, to prevent reoffending and the escalation of offending, and to prevent them from being inappropriately criminalised.

2. Introduction and Purpose

The Protocol aims to develop and support clear processes for addressing offending behaviour of Looked After Children.

This document is based upon the good practice and professionalism already in place across Luton and Bedfordshire to meet the needs of Looked After Children. This protocol has been designed to reinforce and extend such practice and to contribute to a culture of continuous improvement.

There is a multiagency commitment and responsibility to reducing offending by Looked After Children and this protocol strengthens the links between the agencies to achieve our targets

and improve outcomes for looked after children and young people.

It is anticipated that the standards and guidance contained within the protocol will act as a framework for ensuring best practice for Looked After Children across the county.

The protocol aims to strike a balance between the rights and needs of the children and young people the rights of staff and foster carers and the decision to instigate police action.

3. Requirement for Police Involvement

Staff and carers need to consider the nature and seriousness of the incident before deciding whether to involve the police immediately, at a later stage, or whether to involve them at all. All residential homes should identify designated managers and verify police involvement, except in life threatening situations. It is crucial that communication between residential home staff, foster carers and the police regarding an incident is clear and evidence based.

The following situations are the most common ones in children's homes where police involvement might be requested:

3.1 Violence by a child or young person on another.

These are incidents between residents within the home range from minor disagreements through to serious assaults where physical injury is caused. Such incidents can be complicated by having two vulnerable parties.

In considering attendance at an incident, the Police Service will consider the following: This list does not reflect any order of priority:

- Wishes of the victim
- Severity of the injury sustained/nature of threat received by the victim
- Probability of a repeat incident
- Previous relationship between victim and offender
- Potential impact on the child/young person following formal police involvement
- Effectiveness of police action/court proceedings/consideration for out of court disposals
- Future best interests of both parties
- Message sent to other young people
- Availability of alternative causes of action, e.g. restorative approaches with the consent of the victim
- Previous behaviour or offending, bullying/peer pressure/duress

3.2 Violence to staff or foster carers by a child or young person

Violence towards staff members or carers can vary from verbal threats to physical acts amounting to assault. Whilst each home and placement has the responsibility of care towards the young people their welfare needs to be balanced with the rights of staff and carers not to be subjected to violence in the course of their duties.

Such incidents are affected by factors similar to those listed above, and staff and carers should be encouraged to report any incidents that cannot be dealt with through restorative approaches and behaviour management strategies.

Staff and carers should also ensure risk assessments and behaviour management

strategies/plans are updated or completed in relation to the risk of violence or injury to themselves or colleagues. A professionals meeting could be a useful method by which to assess these risks and look at ways this risk could be reduced.

3.3 Criminal Damage within the Home or Placement

The majority of criminal incidents involving Police relate to damage to the children's home or placement. Factors to consider are listed and the list does not reflect any order of priority:

- Level/value of damage caused
- Previous incidents of a similar nature by the same child or young person
- Suitability or effectiveness of police involvement
- Impact of police involvement of the child's overall care plan
- Message sent to other young people if applicable
- Availability of alternative courses of action, for example appropriate consequences addressed by the home or carer or referral to the Youth Offending Service

It is important to see these in the context of the needs of the child and whether involving the police is an effective and proportionate response. Information contained in the behaviour management plan should inform decisions to involve the police.

This can include a referral to the relevant Youth Offending Service for prevention, which will give consideration to the necessary intervention. If the young person is currently supervised by the Youth Offending Service information should be shared with the relevant Service. This however, does not remove the individual's right to involve the police. Any decision to involve the police in such circumstances needs to be carefully thought through to ensure it achieves the best outcome for the staff member and the young person. Following such incidents it is important that staff and carers utilise standard de-briefing processes

3.4 Theft within the Home or Placement

The full factors should be considered in the context of a restorative approach

- Wishes of the victim
- Nature and seriousness of the allegation
- Requirement for formal investigation, e.g. insurance claim requires a crime reference report
- Strategies identified in the young person's behaviour management plan

3.5 Criminal Damage to Carers' Property

Factors for consideration should be similar to those at 3.3 listed above, and again this list does not reflect any order of priority:

- Nature and seriousness of the allegation
- Requirement for formal investigation, e.g. insurance claim
- Wishes and best interest of the victim
- Availability of alternative courses of action, e.g. restorative approaches

3.6 Disorder in or around the Home

The area of disorder is subjective. The main factors to be considered prior to police intervention are:

- Nature and seriousness of the disorder
- Risk of violence
- The wishes of and impact on the immediate community
- The availability of alternative courses of action (e.g. restorative approaches)

Prior to this, the home should have referred to their own behaviour management strategy and exhausted its own resources.

3.7 Substance Misuse

3.7.1 Reducing the risk of drug taking

The misuse of illegal substances within a home is a serious issue and it is essential that the response is prompt and effective. In response to incidents staff and carers will be guided by the homes policies and procedures which are supported by:

a) **HM Government Drug Strategy 2010 Reducing Demand, Restricting Supply, Building Recovery; Supporting People to live a Drug Free life.** This work is structured around three themes:

- **Reducing Demand** : The best possible start, early intervention for young people and families, intensive support for young people; liaison and diversion services available in police custody suites and courts by 2014; Youth Diversion programmes
- **Restricting Supply**: addressing issue of so called 'legal highs'
- **Building recovery in communities**: Keeping children safe and rebuilding families

The strategy has two overarching aims:

- Reduce illicit and other harmful drug use
- Increase the numbers recovering from their dependence

b) **HM Government Alcohol Strategy 2012**; a radical reshape in the approach to alcohol. Specific to children and young people the Government aims to have :

- A sustained reduction in both the numbers of 11-15 year olds drinking alcohol and the amounts consumed.

All carers will need to balance these principles with their duty of care for the young people in the home and their role in managing young people's behaviour as part of their care responsibilities as well as their responsibilities to the wider community.

3.7.2 The discovery of drugs within the placement setting

Residential care staff must read this protocol in conjunction with the National Minimum Standards and Children's Homes Regulations (2011 (amended) regulation 17). Foster Carers should refer to the National Minimum Standards: Fostering Services.

Residential staff and carers must inform the police immediately if illegal substances are found on the premises. It is important that all action taken is recorded.

All materials must be removed from the young person. Drugs and drug related material must be stored securely before handing to the police. These must NOT be disposed of by staff or carers. The signature of the police officer removing the material must be obtained. However,

repeated incidents of removal of illegal substances from the same young person may require positive police action thus protecting the young person and other young people, as well as staff/carers.

Illegal substances must be securely stored until handed over to the police.

A record of the removal must be kept by staff or carers, which includes:

- The name of the person removing the material
- Description of the material
- The circumstances of the removal
- The time and date of the removal
- The time and date the material was placed in a secure storage
- The signature of the person putting the article into storage, countersigned by a second member of staff
- The time and date of notification to the police and the message number notified by the police control room
- The time and date the material was removed by the police

To ensure that controlled substances are not stored in the children's home or placement any longer than necessary it is important that every effort is made to ensure that the police attend at the earliest possible time. Staff and carers must first contact the Police Area Control Room (Tel number 101) to arrange for the safe disposal of the substance.

The officer attending is then responsible for recovering the suspected controlled substances into police possession and, if appropriate, conducting any subsequent investigation in line with existing police policy. A receipt will be issued as evidence that the substance has been handed over.

Alcohol and canisters can be disposed of by staff or carers. It is important that the disposal is witnessed and a record kept which includes:

- Name of the person removing the material
- Description of the material
- The circumstances of the removal
- The time and date of the removal
- The time and date and means of disposal

3.8 Hate Crime (Racist, Religion, Homophobic, Gender, Disability)

The following guidelines should be adhered to:

- All possible steps should be taken by the police at local level, in consultation with local government and other agencies to encourage the reporting of racist incidents in crimes.
- It is important that the agency that receives reports of racist incidents is well equipped to deal with them and no one should be given the task without adequate training.
- It should be made clear that all behaviour policies held within Homes should cover the areas as indicated as hate crime and it be made clear how staff, carers and residents should deal with it. Homes and placements should themselves handle low level daily occurrences and their management of this aspect of discipline should be subject to inspection.
- A multi-agency approach to such incidents can ensure that help is provided to victims of these incidents providing them with a range of options for reporting and

- ensuring that the young person is sufficiently supported.
- When dealing with racist incidents, whether or not the incident amounts to a crime, the person reporting should be asked to consent to the disclosure of this information to other agencies for the sole purpose of prevention or detection.

In the recording of racist incidents the minimum data content required should be as follows:

- Reported to: (The person receiving the report such as Registered Manager, Home Staff, Police Officer, Social Worker)
- At: (Location reported at): (i.e. Home, Police Station, etc)
- Referred by: (the Agency or other person referring the victim to the Police if the incident is being referred)
- Time and date of report and nature of incident.

3.9 Information Exchange

This protocol is agreed within the context of the provisions of the Data Protection Act and Crime and Disorder Act 1998, Section 115 (see guidance at Appendix A).

4. Categories of Response

It is recognised that caring for, and managing young people with difficult or challenging behaviour is an integral feature of residential care work. Carers will generally manage problematic situations except where they are so severe that immediate police involvement is essential in order to avoid physical assault or damage. The Protocol identifies three categories.

- High
- Medium
- Low

A flow diagram is listed as Appendix B.

4.1 High

Incidents of violence requiring an immediate police response where children/young persons or staff are:

- At risk of immediate serious physical harm
- Significant disorder within the home or placement.

In such situations the senior member of staff on duty should contact the police using the 999 system. Prior to this, the home should have referred to their own behaviour management strategy and exhausted its own resources. Foster Carers should also use the 999 system in these situations and contact the Emergency Duty Service for further support.

4.2 Medium

An incident where no immediate police response is required, for example where an assault or damage has occurred and there is no risk of further incident/significant harm to people, or incidents of theft. The incidents should be reported to the Registered Manager who then has the responsibility of identifying the appropriate course of action. In addition staff within the home should inform the child/young person's Social Worker at the first opportunity.

It is important to avoid any unnecessary reporting of incidents to the police. Should the

Registered Manager decide and/or the victim wishes that formal police involvement is necessary; contact should be made with the local Neighbourhood Police Officer via regular liaison.

4.3 Low

It is anticipated that relatively minor incidents will be addressed using routine behaviour and management policies and procedures.

5. Liaison

Best practice calls for regular liaison with the Police Service in order to discuss ongoing issues and the appropriate method of resolution, including:

- Internal action by Residential Staff with no police involvement
- Formal police investigation
- Addressing safeguarding concern
- Sanction or restorative approach

It is important to avoid any unnecessary reporting of incidents to the Police. Should the Registered Manager decide (and/or the victim wishes) that formal Police involvement is necessary, where possible this should be through the Local Neighbourhood Officer or Beat Manager and where possible at a liaison meeting held between the Local Neighbourhood Officer or Beat Manager and the Registered Manager every four weeks. This liaison meeting will also provide an opportunity to share more general views and information and to develop a better understanding of each agency's responsibilities and practices

When a situation involving a young person is to be discussed at the liaison meeting, their social worker and YOT worker should be informed, as it will be beneficial for them to join in the discussion.

6. Legal Context and Recording of Incidents

6.1 Recording of Incidents in Children's Homes

All incidents involving criminal behaviour or the suspicion of criminal activity should be recorded in accordance with the Children's Homes Regulations Amendment 2011 and National Minimum Standards for Children's Homes 2011. In the event of an allegation relating to a serious offence and incidents that necessitate the police being called to the children's home, notifications must be given in accordance with Regulation 30, Schedule 5.

In all instances, concerns relating to a child's offending behaviour, or suspected offending behaviour should be shared with the Registered Manager and the child's social worker at the earliest opportunity.

6.2 Recording of Incidents by Foster Carers

Foster carers should record events and concerns in relation to children and young people in their care in accordance with the Fostering Services: National Minimum Standards (2011) – Standard 26. In the event of an allegation relating to a serious offence and incidents that necessitate the police being called to the foster home notifications must be given in accordance with Regulation 36, Schedule 7 of the Fostering Services Regulations (England) 2011.

In all instances, concerns relating to a child's offending behaviour, or suspected offending

behaviour should be shared with the fostering social worker and the child's social worker at the earliest opportunity.

7. Prosecution of Incidents by Crown Prosecution Service

7.1 Offending Behaviour in Children's Homes

The decision to prosecute Looked After Children for offences committed within a placement is a major decision and should be taken by a youth specialist.

The Police are more likely to be called to a children's home than a domestic setting to deal with an incident of offending behaviour by an adolescent. The Crown Prosecution Service should bear this in mind when dealing with incidents that take place in a children's home. It is important that all people feel safe in the place that they live, whether that is in a family home or a children's home, and have confidence in the criminal justice system to intervene and protect them where it is necessary.

A criminal justice disposal, whether a prosecution, out of court disposal such as a youth cautions or youth conditional cautions, should not be regarded as an automatic response to offending behaviour by a looked after child, irrespective of their criminal history. This applies equally to a persistent offender and adolescents of good character. A criminal justice disposal will only be appropriate where it is clearly required by the public interest.

Out of court Disposals such as community resolutions will be referred to the relevant Youth Offending Service Prevention Service. Restorative justice conferencing, reparation, acceptable behaviour contracts and disciplinary measures by the home may be sufficient to satisfy the public interest and to reduce the risk of future offending.

7.2 The Decision to Prosecute

Youth Specialists should consider all the circumstances surrounding the offence and the circumstances of the child/young person before reaching a decision, and apply all relevant CPS Policies.

Factors that should be considered include:

- Behaviour Management Policy of the home
- An explanation from the home regarding their decision to involve the police
- Information from the home about the recent behaviour of the child or young person including similar behaviour, any incidents in the child or young person's life which could have affected their behaviour, any history between the child/young person and the victim, any apology or reparation, history of the incident and any action taken under the disciplinary policy of the home.
- Views of the victim, including their willingness to attend court to give evidence and/or participate in a restorative justice or other diversionary programme.
- Views of the key worker, social worker, counsellor, CAHMS worker on the effect of a criminal justice intervention on the child or young person, particularly where the child or young person suffers from an illness or disorder.
- Any explanation of information about the offence from the child or young person.
- Provided the child or young person wishes it to be considered, information about the Local Authority's assessment of his/her needs and how the placement provided by the home is intended to address them

Aggravating and mitigating features should be considered when deciding on the appropriate

outcome. Aggravating factors include:

- The offence is violent or induces a genuine fear of violence in the victim
- The offence is sexual
- The offence is motivated by hostility based on gender, sexuality, disability, race, religion or ethnicity of the victim
- The victim is vulnerable
- The damage or harm caused is deliberate and cannot be described as minor
- The offence forms part of a series of offences
- Informal measures have been ineffective in preventing offending behaviour

Mitigating features include:

- The damage or harm caused is at the lower end of the scale and has been put right
- Appropriate action has already been taken under the disciplinary procedure or other informal disposal
- Genuine remorse and apology to victim
- The behaviour is a symptom of a disorder or illness that cannot be controlled by medication or diet
- Isolated incident, or out of character
- The child or young person is under extreme stress or appears to have been provoked and has over-reacted

The reasons for the charging/diversion decision should be clearly recorded to show the factors that have been considered by the youth specialist to determine how the public interest is satisfied by a criminal justice disposal

8. Monitoring

Data from Bedfordshire and Luton concerning Looked After Children, offending and outcomes will be used as a benchmark to measure success over a 12 month period. This period will be formally reviewed twice within 12 months from implementation

Signed.....Date.....

Name, Director of Children Services Bedford Borough Council

Signed.....Date.....

Name, Director of Children Services Central Bedfordshire Council

Signed.....Date.....

Name, Director of Children Services, Luton Borough Council

Signed.....Date.....

Liz Clarke, Head of Service, Bedfordshire Youth Offending Service

Signed.....Date.....

Dave Collins, Youth Justice Strategic Manager, Luton Youth Offending Service

Signed.....Date.....

Name, Role, Bedfordshire Police

Signed.....Date.....

Name, Chief Crown Prosecutor, Crown Prosecution Service Bedfordshire

Appendix A THE CRIME AND DISORDER ACT 1998

Crime & Disorder Act – Guidance on Information Sharing

The following guidance on information sharing between agencies under section 115 of the Crime and Disorder Act 1998 was issued in November 1998 in a joint statement by the Home Office and Data Protection Registrar:

Before public or statutory bodies can disclose information, they must first establish whether they have power to do so and/or whether they have a responsibility to do so. Once the question of power is resolved, they must carry out the disclosure in a lawful manner.

The Power to Disclose

The police have an important and general power at common law to disclose information for the prevention and detection of crime. Indeed, both the public and the Government expect them to use their powers and their knowledge to prevent crime and to reduce crime and disorder. There are no restrictions on the disclosure of information, which does not identify individuals.

The Crime & Disorder Act 1998

The Act introduces a number of measures to control crime and disorder, all of which depend on close co-operation, including the proper exchange of information:

- section 17: duty to prevent crime and disorder;
- sections 6&7: formulating and implementing strategy;
- section 39: youth offending teams;
- section 1: anti-social behaviour orders;
- section 2: sex offender orders;
- section 15: local child curfew schemes;
- section 16: contravention of child curfew notices.

Public bodies collect information, which will be central to the Act's partnership approach; but they may not previously have had power to disclose this information to the police and others. Section 115 provides that any person can lawfully disclose information 'for the purposes of the Act' to the police, local authorities, probation service or health authority (or persons acting on their behalf), even if they do not otherwise have this power.

Section 115 ensures all agencies have a power to disclose: it does not impose a requirement on them to exchange information, and so control over disclosure remains with the agency which holds the data. Information exchange, whether carried out under the power in section 115 or under any other common law or statutory power, is therefore controlled by the normal data protection regime and common law. The public rightly expects that personal information known to public bodies will be properly protected. However, the public also expects the proper sharing of information, as this can be an important weapon against crime. Agencies should, therefore, seek to share information where this would be in the public interest.

Lawful Exercise of the Power to Disclose

Any disclosure of personal data must have regard to both common and statute law, for example defamation, the common law duty of confidence, and the data protection principles - unless and to the extent that any Data Protection Act exemptions apply. The principles require that such information is obtained and processed fairly and lawfully; is only disclosed in appropriate circumstances; is accurate, relevant, and not held longer than necessary; and is kept securely.

The best way of ensuring that disclosure is properly handled is to operate within information sharing protocols carefully formulated by the agencies involved. Section 115 of the Crime and Disorder Act 1998 can be used to reinforce the many and existing and successful protocols for the sharing of information for crime and disorder purposes between, for example, the police and probation service. The Home Office and the Office of the Data Protection Registrar have issued guidance on the preparation and use of protocols.

Further guidance may be obtained from the Criminal Policy Strategy Unit at the Home Office or the Compliance Manager at the Office of the Data Protection Registrar.

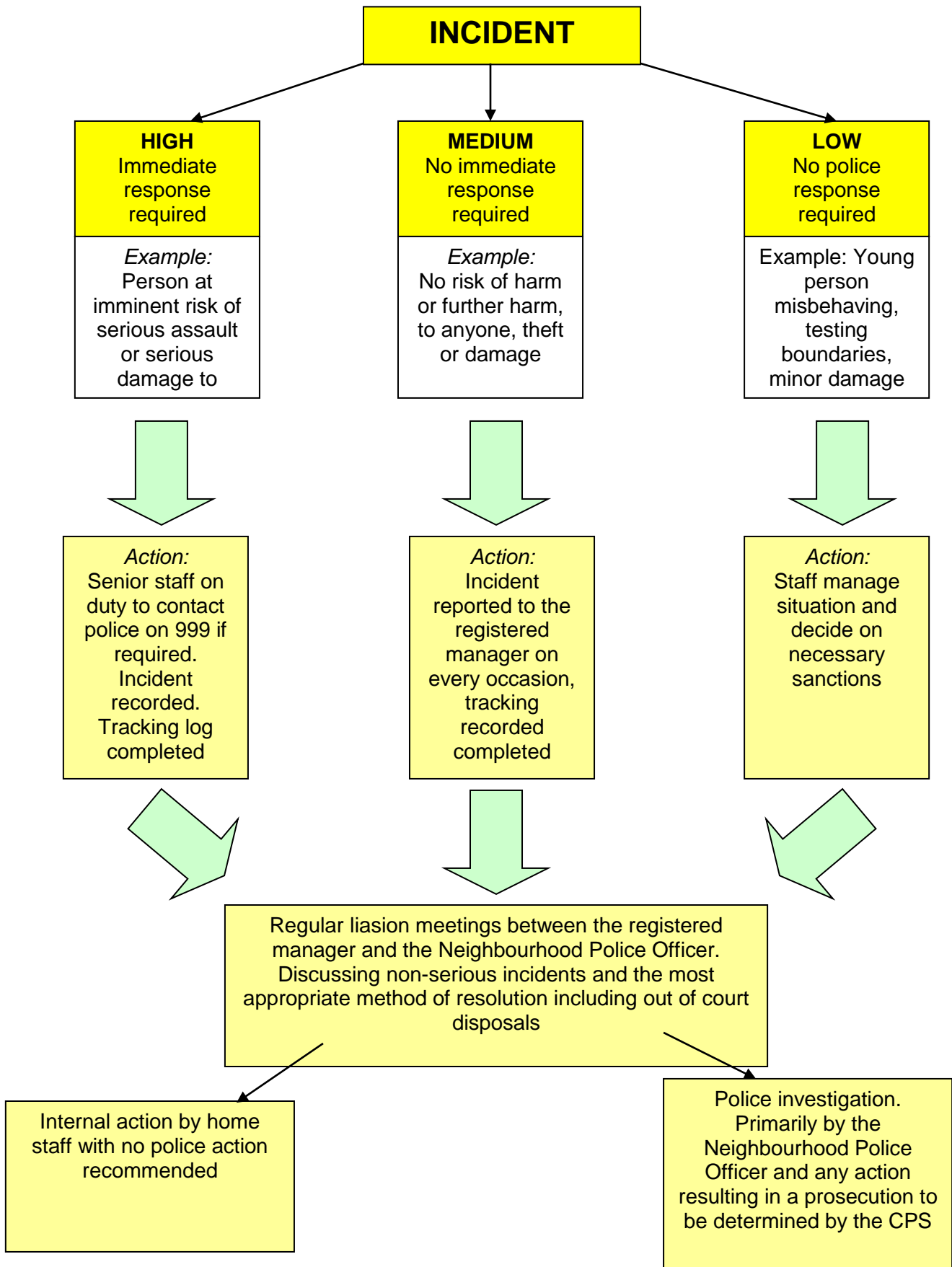
Legal Aid, Sentencing and Punishment of Offenders Act 2012

Sections 135 – 138 outline guidance for the use of out of court disposals.

Appendix B

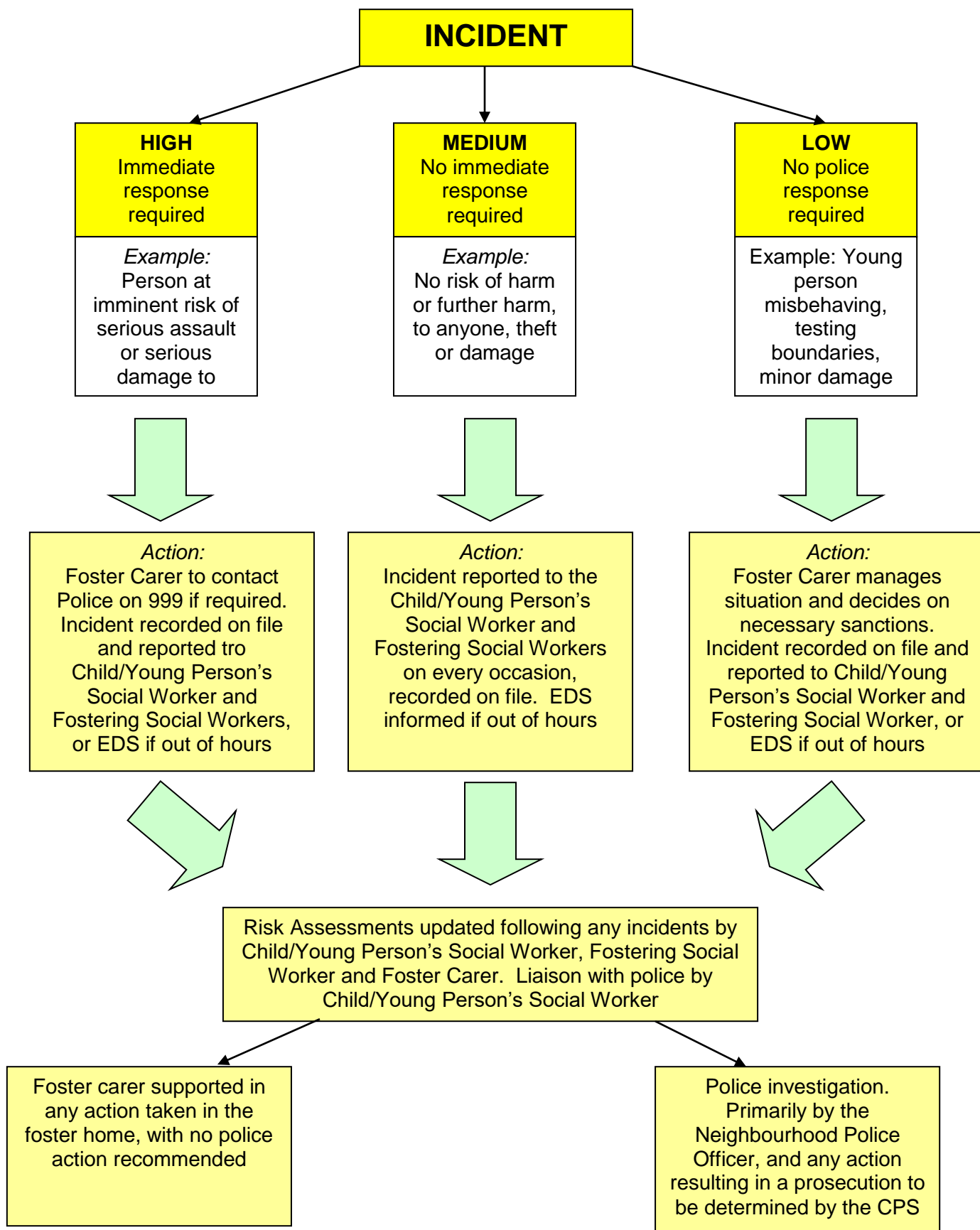
Children's Homes Categories of Response

This policy must be followed when any member of staff is considering contacting the Police.



Foster Carers Categories of Response

This policy must be followed when a Foster Carer is considering contacting the Police.



Appendix C – Links and Reference Sheet

References

Department for Education (2011) *Children looked after by local authorities in England (including adoption and care leavers), year ending March 2011.*

Department for Education (2011), *National Minimum Standards: Children's Homes.*

Department for Education (2011), *National Minimum Standards: Fostering Services.*

Hayden, C. (2010) 'Offending behaviour in care: is residential care a 'criminogenic' environment?', *Child and Family Social Work*, Vol. 15, pp 461-472.

Schofield, G., Ward, E., Biggart, L., Scaife, V., et al. (2012) *Looked After Children and Offending: Reducing Risk and Promoting Resilience*, University of East Anglia.

Social Exclusion Unit (2002) *Reducing offending by ex-prisoners*, London: SEU.

Youth Justice Board (2008) *Education, Training and Employment*, London: YJB.

Useful Links

Children's Homes Regulations (2011) <http://www.legislation.gov.uk/ukxi/2011/583/made>

The Government Alcohol Strategy 2012 <http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/alcohol-strategy?view=Binary>

HM Government Drug Strategy 2010 Reducing Demand, Restricting Supply, Building Recovery; Supporting People to live a Drug Free life <http://www.homeoffice.gov.uk/publications/alcohol-drugs/drugs/drug-strategy/drug-strategy-2010?view=Binary>

The Crime and Disorder Act 1998 <http://www.legislation.gov.uk/ukpga/1998/37/contents>

Legal Aid, Sentencing and Punishment of Offenders Act 2012 <http://www.legislation.gov.uk/ukpga/2012/10/contents/enacted>

Fostering Services: National Minimum Standards (2011) – Standard 26 <https://www.education.gov.uk/publications/eOrderingDownload/NMS%20Fostering%20Services.pdf>

Children's Homes - National Standards <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00030-2011>

National Minimum Standards: Fostering Services <https://www.education.gov.uk/publications/standard/Adoptionandfostering/Page1/DFE-00029-2011>

Appendix D – Glossary

Admissible evidence

Any testimonial, documentary, or tangible evidence that may be introduced to a judge or jury is called admissible evidence. It is used to establish or to strengthen a point put forward by either the defence or prosecution in the proceedings.

The submitted evidence is only admissible if it is relevant (not all evidence introduced by the parties may be allowable in court), is must not be prejudicial, and it must be reliable.

Aggravating circumstances (see also Mitigating)

Commonly used in Court and in police decision making, these are circumstances associated with an offence that make it viewed to be more serious.

An example would be; around the offence of dwelling house burglary - that the offence was committed at night, when the house was occupied, and if the victim was vulnerable e.g. elderly. Mitigating circumstances (referred to later) are the opposite.

Alcohol Abuse

Is the drinking of alcoholic drinks to the excess; this could be either on individual occasions (binge drinking) or as a regular practice.

A young person's offending behaviour could be connected with the use of alcohol, contributing to risk-taking behaviour's, role impairment, relationship or legal problems.

Apology

Is a written or spoken statement that tells someone that you are sorry for doing something wrong or for causing a problem/harm. It is used to express a person's regret and remorse.

Behaviour Management

Behaviour management captures the processes and policies by which establishments manage challenging and difficult behaviour and promote positive behaviour amongst young people in the secure environment.

Helping young people understand their own behaviour and what makes them offend, offering ways of changing their behaviour.

Corporate Parent

The whole council/elected members are 'corporate parents' to all the children who are looked after. The Council, as a whole, need to actively promote 'our' children's life chances by providing loyal support similar to what good parents would, ensuring 'our' children get a good start in life, all aspects of children's development should be nurtured.

Crown Prosecution Service

The **Crown Prosecution Service**, or **CPS**, is a non-ministerial department of the Government of the United Kingdom responsible for public prosecutions of people charged with criminal offences in England and Wales.

Disorder

A breach of civic order or peace. A disturbance that show serious risk of escalation causing harmful impact on self, others or community.

Diversion

This is a form of thinking and policy which concludes that it is worthwhile to attempt to divert young people from entry into the criminal justice system. Once within the criminal justice system young people may perceive themselves as offenders and act accordingly.

Hate Crime

A crime/offence motivated by racial, gender, disability, religion, or other prejudice.

Mitigating circumstances (see also aggravating)

A term used in the criminal justice system used to describe circumstances surrounding an offence which tend to make the offence be deemed less serious. An example might be where an offence of assault has been committed but the person responsible for the assault was, prior to the offence, subject to considerable provocation.

Neighbourhood Police Officer

These are officers who are dedicated to working in designated neighbourhoods and who are not abstracted to duties elsewhere unless in extraordinary circumstances. They are familiar and accessible to their local community, helping to identify local priorities and working with residents and partner organisations such as the local authority to find solutions to local crime and disorder problems.

Out of court disposals

These are a collection of sanctions which are designed to reduce the risk of processing children through the court system. Examples are youth cautions, youth conditional cautions and community resolutions.

Restorative Approach

A Restorative Approach is the process bringing together victims and offenders in order to establish what happened, who was harmed and to work out what can be done to make things better.

Restorative Justice

Restorative justice is an approach that focuses on the needs of the victims, the offenders, as well as the involved community.

Victims take an active role in the process, while offenders are encouraged to take responsibility for their actions. This could be through apologising, returning stolen money, or community service. In addition, it provides help for the offender in order to avoid future offences.

Youth Offending Service

Multi agency team working with young offenders and young people at risk of offending.