

<u>Title:</u>	<u>Nottinghamshire YJS Prevention and Diversion policies, processes and interventions</u>
<u>Description:</u>	<p>Section 37 of The Crime and Disorder Act 1998 puts a duty on all persons and bodies carrying out functions in relation to the youth justice system to have regard to principal aim of the youth justice system - to prevent offending by children and young persons. Additionally, it is a key accountability of youth justice partnerships to prevent children and young people (CYP) from unnecessarily entering the justice system.</p> <p>This document provides a comprehensive oversight of the work undertaken by Notts YJS in partnership with other services to prevent young people becoming in offending and criminal exploitation as well as efforts to divert them from the justice system when an offence has been committed. This document also includes details of other important early prevention services which operate independently of YJS but maintain important operational links.</p>
<u>Owner:</u>	Service Manager, YJS
<u>Version information:</u>	First issued in January 2022, due for review January 2023.

## **1.0 'Definitions for Prevention and Diversion' – YJB, November 2021:**

### **1.1 What is prevention?**

Prevention is support and intervention with children (and their parents/carers) who may be displaying behaviours which may indicate underlying needs or vulnerability. In practice this involves a tiered approach of **early** and **targeted** prevention. The aim being to address unmet needs, safeguard, promote positive outcomes and stop children entering the formal youth justice system.

### **1.2 What are the tiers of prevention?**

**Early Prevention** is support for children (with no linked offence) to address unmet needs / welfare concerns, usually delivered by mainstream and voluntary sector services. The YJS Management Board may have an oversight role in monitoring and advocating on behalf of vulnerable children. YJS's may also share youth justice / adolescent expertise to improve outcomes for children.

**Targeted Prevention** is specialist support for children who have had some contact with criminal justice services but are not currently being supported through diversion,

an out of court disposal or statutory order (this could include children who have had previous YJS intervention). This is to address unmet needs / welfare concerns. The aim is to improve outcomes through positive interaction while minimising harmful experiences for children.

### 1.3 What is diversion?


Diversion is where children with a linked offence receive an alternative outcome that does not result in a criminal record, avoids escalation into the formal youth justice system and associated stigmatisation. This may involve the YJS delivering support / intervention that may or may not be voluntary and/or signposting children (and parent/carers) into relevant services. All support should be proportionate, aimed at addressing unmet needs and supporting prosocial life choices.

### 1.4 What are the diversion options?

When dealing with offences committed by children the police have a range of outcomes available that avoid criminalising them, as per sections 135-138 of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012. These include (there may be variation in local terms used by YJS's and Police to describe these outcomes):

- **Community Resolution (Out of Court Disposal):** A diversionary police outcome that can only be used when children have accepted responsibility for an offence. It is an outcome commonly delivered, but not limited to, using restorative approaches.
- **No Further Action:** An outcome used when the police decide not to pursue an offence for various reasons. This may be because there is not enough evidence, or it is not in the public interest. Voluntary support may be offered to children to address identified needs.
- **No Further Action – Outcome 22:** A diversionary police outcome that can be used when diversionary, educational or intervention activity has taken place or been offered, and it is not in the public interest to take any further action. An admission of guilt or acceptance of responsibility is not required for this outcome to be used.
- **No Further Action – Outcome 21:** A diversionary police outcome used when further investigation, that could provide sufficient evidence for charge, is not in the public interest. This includes dealing with sexting offences without criminalising children.

The above sections are taken from YJB Definitions for Prevention and Diversion, 2021. The full document can be located here:

YJB Definitions for Prevention and Diversion, November 2021	 FINAL Definitions for Prevention and Divers
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Additionally, the Nottinghamshire panel may agree:

- **No Further Action – Outcome 20:** Action undertaken by another body/agency: Further action resulting from the crime report will be undertaken by another body or agency other than the police, subject to the victim (or person acting on their behalf) being made aware of the action being taken.


## **2.0 The Nottinghamshire prevention and diversion offer**

### **2.1 Processes supporting prevention**


**YJS MASH Protocol:** This is a one-page protocol outlining agreed process for the YJS and the MASH to work collaboratively in the case of CYP referred into services to prevent duplication or confusion arising for the workers and families involved.

DRAFT protocol – with MASH for checking; agreed in principal	 YJS and MASH 'new referral' Liaison Proto
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**YJS Public Protection Notice (PPN) screening:** All Police issued PPNs for knife and CCE matters are duplicated to the YJS police mailbox from where they are sent to the appropriate locality team manager for consideration. This primes the manager regarding the pending s.47 strategy meeting and enables the CYP to be considered for a MyFuture referral see below).

YJS PPN Guidance (due for review by February 2022)	 PPN Guidance v2.docx
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**YJS attendance at s.47 strategy meetings:** The process has been formalised with Children’s social Care (CSC) and safeguarding colleagues to ensure YJS are invited to appropriate s.47 strategy meetings to enable CYP’s needs and a potential MyFuture referral to be considered. This applies to circumstances: any incident occurring involving a child or young person (CYP) open or recently open to YJS; incidents occurring involving CYP and suspected Child Criminal exploitation (CCE); incidents occurring involving CYP linked to ASB or criminal peers / associates; incidents occurring relating to knife or weapon possession / offences; and CYP being involved in any serious violence incident.

YJC circular, YJS involvement in Child Protection Enquiries, June 2021	 YJS Circular 2021.04 - YJS involvement in C
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**Youth Support Group (YSG):** This is a cross YJS / Youth Service which meets on a fortnightly basis to consider new allocations to mentors operating in both services and to consider appropriate step up / down of CYP.

Youth Support Group Terms of Reference, July 2021	 YSG - Terms of Reference and YSG pæ
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**Early Police Alert to Schools (EPAS):** This system ensures early notification to education partners where pupils are involved in an incident involving a knife, be that as an alleged perpetrator, witness or victim. This cross-authority process *is currently suspended in the County owing to staff resource issues; matter raised with YJ Partnership Police representative January 2022.*

EPAS information sharing form	 Early Police Alert to Schools Form (EPAS).r
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**Harmful Sexual Behaviour (HSB) panel:** this is a monthly multi-disciplinary panel involving CSC, CAMHS H2H, YJS, Educational Psychology and the Independent chair Service which applies scrutiny to children involved in CYP. Outcomes from the panel may include recommendation for preventative or diversionary intervention by YJS with full regard to the needs, risks and other agencies involved.



Link to online procedures	<a href="http://cyp_who_harm.pdf">cyp_who_harm.pdf</a> <a href="http://proceduresonline.com">(proceduresonline.com)</a>
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**Completion of Serious Youth Violence & child Criminal Exploitation (SYV&CCE) assessments and multi-agency meeting (MAM) attendance:** YJS work closely with CSC to promote good outcomes for CYP open to both services. Referral to YJS may be submitted at an earlier stage (PPN screening, strategy discussion – see above), with subsequent joint working allowing for a more cohesive / synchronised approach to assessment, planning and delivery. Review SYV&CCE assessments should be jointly completed for CYP open to both services. CSC MAMs (CiN reviews, CIC placement planning meetings; CPCs, etc) and YJS case management meetings (CMMs) should be sufficiently co-ordinated and joined up to enable clarity around agency roles while avoiding duplication. ‘High’ rated assessments lead to CYP being discussed at the monthly ‘High Risk Youth Violence and Criminal Exploitation Panel’ chaired by the Early Help and Youth Justice Group Manager.

<b>Nottinghamshire CCE Pathway</b>	 cce-pathway-v11 (1).docx
<b>Serious Youth Violence and Child criminal Exploitation Screening Assessment Tool</b>	 nottinghamshire-high-risk-yv-and-cce-risk

## **2.2 Targeted prevention intervention**

**MyFuture Youth Intervention Programme:** This is the main YJS prevention offer and provides CYP with a dedicated case worker. Where a referral is received from CSC or the Family Service and that service is retaining involvement then YJS will operate on a plan only basis, working in parallel. Where there is not an existing lead worker then intervention and planning will be backed by a full YJS MyFuture assessment. Intervention is usually for an initial three months' period, though may be extended according to need. Referrals may be submitted for MyFuture intervention in a variety of circumstances and from a variety of agencies where there is evidenced concern in relation to risk of offending or criminal exploitation.

MyFuture workflow	 My Futures workflow June 2021v1 (2).docx
MyFuture Thresholds and referral form	 MyFuture Thresholds and Referral v1 feb 21

**MyFuture Youth Mentoring (violence & exploitation):** Where a CYP would benefit from support around esteem and constructive use of their time then a referral to the YJS mentor maybe appropriate. This service is particularly focused on CYP presenting with needs or risks linked to youth violence and child criminal exploitation. Mentors operate largely in evenings and at weekends, according to the CYPs needs and availability and is staffed by a combination of JNC qualified and sessional youth work staff. *Funding for this post is currently temporary until July 2022 and covers post in both the YJS and the Youth Service (see other mentoring and intervention below), with the Youth Service Intervention Team also delivering some targeted preventative work looking.* Regardless of whether CYP are open to YJS or the Youth Service, they are then discussed at the fortnightly Youth Support Group, referenced above, to ensure that their needs are being fully met by the most appropriate service.

- *See Youth Support Group Terms of reference and MyFuture thresholds and referral documents inserted above.*

**Support to CYP on Police bail or awaiting an initial Court appearance:** In some circumstances a service may be offered to CYP released on Police bail where there is a heightened concern in relation to the risk to themselves or others, especially if concerns have persisted for some time without the opportunity for intervention. The engagement with YJS may be made a condition of Police bail, though there are not realistic enforcement options should the CYP not engage with the offer. Similarly, a MyFuture offer may be made to a CYP summoned to Court where the YJS manager is concerned that the delay would lead to a likely risk of (re)offending, harm or safety and wellbeing (not to be confused with Court requested bail support programmes).

YJS allocation and transfer policy, see *section 10*



Allocation and  
Transfer Policy April 2022

**Knife crime specific prevention offers:** CYP can be referred in for specific knife crime intervention as part of the MyFuture programme. The YJS operate a number of programmes all tailored to individual needs and situations.

YJS Knife and weapons intervention overview

*Currently in development – expected early Feb 2022 (NS)*

**Education specific prevention offer:** CYP referred to the MyFuture Programme also benefit from dedicated education, training and employment support from a YJS Futures Employability and Skills Coach. *Funding currently secured until July 2023.*

*Overview of preventative education, training and employment role*



UNLOCKING  
POTENTIAL SUMMAR

**Other targeted mentoring and intervention:** There are various targeted mentoring and support schemes available external to the YJS including the Youth Service Intervention Team mentoring (until July 2022) and also a variety of community and voluntary sector initiatives available through the joint OPCC (The Office of the Police and Crime Commissioner) and NNVRU (The Nottingham and Nottinghamshire Violence Reduction Unit) small grants funding initiative. Financial awards change on an annual basis – for details of current services approach the relevant YJS locality manager.


### **2.3 Early intervention – key partner services and agencies**

**Youth Service:** The Youth Service is available to all young people, 10 -19, who live in Nottinghamshire. The service actively promotes equality of access to the positive activities delivered for and with young people. Through participation the service engages young people in activities to ensure that the services provided are fun and responsive to young people's needs. Universal Youth Services will work directly with groups and communities involved in and affected by issues such as anti-social behaviour and are well placed to link with colleagues in the Youth Service Interventions Team and the Youth Support Group, referenced above. [Youth services | Nottinghamshire County Council](#)

**Early Help Services:** Provide a range of support for young people aged between 8 and 18 years old to help resolve problems which may include being at risk of getting involved in anti-social behaviour and/or crime. [Youth support services | Nottinghamshire County Council](#)


**Children in Care Police Officer:** This dedicated role enables children in care to be supported and educated by a specialist member of Police staff, benefitting both directly and through intervention and support offered to residential care and support staff. There is also a diversion element to the role, with the officer advising and supporting in relation to process and restorative mediation where incidents occur in a care setting or where offences are committed by a child in care.

➤ See *Reducing Offending Behaviour* protocol section below.

CIC police Officer role information overview	 CIC Police Officer role.docx
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**Schools Early Intervention officers (SEIOs):** SEIOs work together with schools and colleges across Nottinghamshire, in close partnership with Nottinghamshire Fire and Rescue and other partners. Through these partnerships work is undertaken to tackle specific issues that are of concern, including knife crime, cyber bullying, hate crime, sexting, drugs, and alcohol and gang culture. Core delivery is of broad educational value and is aimed at all pupils, while more targeted delivery is agreed in response to specific incidents or concerns and may be delivered to individuals or groups, and may also, therefore, be seen as a diversionary intervention.

**Tackling Emerging Threats to Children (TETC):** While not a direct delivery service, the team has been established to support schools with the safeguarding and health and well-being agendas and will focus on developing best practice in response to new and existing “threats”, including radicalisation and extremism; weapons possession in schools (see below); and child criminal exploitation. [Tackling Emerging Threats to Children Team and Combined School Health Hub | NCC Schools Portal \(nottinghamshire.gov.uk\)](https://www.nottinghamshire.gov.uk/ncc/schools-portal)

Co-developed knife and weapons guidance for schools (November 2021 Version) – TETC and SEIO have primary oversight of this	 Knife and Weapon Guidance for Schools
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**Wider agency involvement in prevention:** The YJS works closely with a wide variety of providers and partners not listed directly in this document but who will work alongside YJS and/or accept referrals from the service. These include Health, Education and CVS partners and agencies. While these partners may not always have specific crime and criminal exploitation prevention remits, they are tasked to support vulnerable CYP presenting with a higher level of need. The evidence supporting a ‘Child First’ approach tells us that when CYP’s needs are not met that there is a corresponding impact on their vulnerability and a potential increase in their risk of becoming involved in offending or exploitation. Early prevention intervention can be seen, therefore, to commence way before referral to targeted services and is in fact a culmination of input by all services involved in a child’s life. On this basis, all services working with children have a role to play in keeping CYP out of the justice




system. [New report provides evidence-base for Child First approach in youth justice systems | School of Social Sciences and Humanities | Loughborough University \(lboro.ac.uk\)](#)

## **2.4 Diversionary intervention and processes**

**Out of Court Disposal (OOC) Decision making panel:** Nottinghamshire Police Officers must make a referral to YJS OOC decision making panel where they are considering giving a child a Youth Caution (YC) or Youth Conditional Caution (YCC) for any offence. Additionally, officers must also make a referral to the YJS where they are considering giving a child a Community Resolution for an offence or situation which meets any of the criteria below: sexual offence; violent offence; alcohol / drug related offence (includes first time possession of cannabis); received a previous Community Resolution for like offence in last 2 years; received two Community Resolutions already within last 12 months; or a low level offence but intervention/support required to address offending behaviour. All CYP referred to the panel will be assessed to allow their needs to be fully considered before making a proposal to the OOC panel. In cases where a matter is referred to Court without due consideration to 'out of court' processes then the matter can and should be referred back to YJS for an OOC assessment.

Nottinghamshire joint OOC protocol	 Joint OOC Protocol - signed.docx
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**OOC outcome and intervention delivery:** Where it is agreed that a CYP is to receive a first YC / YCC they are classed as a First Time Entrants (FTE) to the justice system. Alternatively, diversionary options are listed above and include Community Resolutions and Police Outcomes 20 through to 22. In any case, delivery of any agreed interventions will usually take place over a three-month period and will be led by a YJS case manager. Where required, additional consultation and intervention will be sought from partner services (E.g. Health or Education) to support diversionary efforts. CYP may also be referred to the YJS mentor for additional input, as referenced above. Where there is merit in further work at the end of the three-month period to sustain positive impact then a voluntary aftercare period may be agreed with the supervisor in the case.

Nottinghamshire YJS OOC Policy <i>(note review in progress, due January 2022)</i>	 OOC Policy August 2019.docx
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**Knife crime specific process:** A specific knife crime approach has been agreed upon direction of senior Police colleagues in the case of CYP under sixteen years of age found in possession of a knife or offensive weapon. In these cases, Nottinghamshire Police Officers must contact the YJS duty worker when the CYP is



in custody to allow for an initial assessment of risk and need. Owing to the priorities associated with knife related offending, unless there are exceptional circumstances identified then the CYP will receive a YCC. However, such circumstances can be identified there is scope for diversion with a subsequent referral made to the OOC decision making panel.

Police Chief's guidance: Dealing with Knife Crime Offenders	 Chief-Constable-guidance-knife-crime final
YJS decision making process	 Nottinghamshire CC Knife Offence Decision

**DivertPlus:** Following a successful Violence Reduction Unit (VRU) consortium bid in late 2021 to the Youth Endowment Fund (YEF) Nottinghamshire has been successful in attracting funds to support delivery of a new diversionary service. The bid sees Nottinghamshire receive funds from the Home Office and Youth Endowment Fund (YEF) which combined will enable the development of a new approach to the earlier diversion of children and young people from the justice system. The project is operating under the name of DivertPlus and has received funding until March 2024. Contributors to the bid include Nottinghamshire and Nottingham City Youth Justice Services, Nottinghamshire Police, Nottinghamshire NHS Liaison and Diversion and Community and Voluntary Sector partners. Working from both Nottingham and Mansfield Custody Suites, DivertPlus workers will be commissioned to engage and work with children arrested for violence and a range of other offences. The target is children aged between 10 and 14 involved in violence or associated offences but would work up to 18 years of age and there is particular interest in those who have not previously been in the criminal justice system. Key elements of the provision are: engagement and support for in custody at the point of the 'teachable' / 'reachable' moment; mentoring for up to one year; and speech and language support.

DivertPlus partner briefing (some elements have changed during the early project design phase)	 Divert Plus Briefing 2021 09 29 (002).doc
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**Reducing Offending Behaviour protocol:** A multi-agency approach to prevent unnecessary criminalisation of children in care and care leavers, by assisting in the determination of an effective, appropriate and proportionate response to offending and anti-social behaviour in the home or community. The protocol has been agreed across key partners, including CSC, Police, YJS and CPS. The protocol includes specific reference to the use of the 'CPS 10 Point Checklist' where incidents take place that involve Police attendance and where there is a likelihood that the young person may be charged with an offence. It is the responsibility of the care home staff and the Police to complete the checklist which identifies important factors to help

inform the CPS on the most appropriate course of action. Case files for children in care sent through to either Court or OOC decision panel will be rejected without completion of the checklist.

**Reducing offending behaviour joint protocol**



Reducing offending  
behaviour final draft s