

Out of Court Disposals

Research suggests that many young people who commit less serious offences can change their behaviour and develop their understanding of the impact of crime through participation with support delivered outside of the Court process. This support includes activities aimed at helping them to reduce the risk of further offending, and also at avoiding a criminal conviction.

In view of this, in certain instances the Police and Crown Prosecution Service are able to offer young people the option to be diverted from prosecution in Court by receiving an Out of Court Disposal instead.

In order for an Out of Court Disposal to be considered, young people must first admit the offence, after which the nature and context of the behaviour will be assessed, together with the young person's willingness to comply with any support offered. Out of Court Disposals can be given more than once, including some occasions when a young person has already had a previous sentence from a Court.

There are three main types of Out Of Court Disposal:

Community Resolution, sometimes also known as a Restorative Disposal: this is an alternative way of dealing with low level offences. Although 'recorded' on the Police database, a Community Resolution will not result in a criminal record for the young person.. A Community Resolution is often given by an investigating Police officer shortly after the offending behaviour has occurred, following discussion and agreement with the young person, their parent / carer, and any victim involved. Community resolutions often offer the young person the opportunity to work with the Youth Justice Service or another relevant service both to understand the consequences of their behaviour more fully, and to complete some restorative work to make amends to any victim.

Youth Caution: is the lowest level of 'formal' outcome. It is issued by the Police and the details of the caution will be held on the Police National Computer. Although a caution does not count as a conviction, it forms part of a person's criminal record and will be disclosed to a Court in any future criminal proceedings. The caution may also need to be declared on job applications which require a Criminal Records Check via the Disclosure and Barring Service (DBS).

A Caution may be given for relatively low level offending and sometimes for a first offence. It is likely that any young person receiving a caution will be offered support to help them avoid offending again in the future.

Youth Conditional Caution: like the Youth Caution, this is a formal outcome which will be recorded on the Police National computer and forms part of a criminal record. The Conditional Caution has specific conditions attached which the young person is expected to comply with for a period of up to three months. These conditions usually involve working with the Youth Justice Service and other relevant professionals to explore the reasons why the offending behaviour occurred, understand the consequences and impact of that behaviour, and to develop skills and strategies to avoid offending again. The Youth Justice Service will monitor a young person's progress with the conditions of the caution and will inform the Police when the Youth Conditional Caution has been successfully completed. If however a

young person does not comply with a Youth Conditional Caution, the Police will also be informed which could result in being prosecuted for the original offence and having to attend Court.

How does this work for young people in Sheffield?

In Sheffield we also call an Out of Court Disposal a Youth Outcome. The outcomes you can be given are described above: Community Resolution; Youth Caution and Youth Conditional Caution.

The Police will give your details and information about your behaviour to the Youth Justice Service . This Service works together with the Community Youth Teams. Both teams have staff who are specially trained to work with young people and who are employed either by Sheffield City Council or Sheffield Futures. One of the staff will meet with you and your parents / carers to find out more about your life in general, and also why you behaved as you did. The information this worker collects will be discussed at a Youth Outcome Panel where a decision will be made about the most appropriate Out of Court Disposal for you, and the best activities / interventions for your particular circumstances.

You will be told about your Youth Outcome and the activities you will be expected to do by the Police at a Youth Outcome Clinic which you will attend with your parents / carers.

After this your worker will arrange sessions for you so that you can complete the activities which you were told about at your Youth Outcome Clinic. The point of these activities is to provide you with the right knowledge, skills and support to avoid getting in trouble with the Police again in the future.

Examples of the activities you might be part of include:

- Victim awareness work
- Reparation hours to benefit the community / victim(unpaid work)
- Help around education, training and employment.
- Access to mental health services.
- Access to drug and alcohol services.
- Work in groups or 1:1 looking at offending behaviours and exploring consequences.
- Working with a Support Worker to explore leisure activities.
- Work to raise your awareness of the dangers of carrying weapons
- Working with Remedi – Restorative Justice
- Referral to other relevant agencies.

If you or your parents have any further questions you can talk to your worker, or contact the Youth Justice Service on 0114 2288555.