**Participatory Youth Practice**

PRE-COURT FRAMEWORK

|  |  |
| --- | --- |
| **Young person:** |   |
| **Practitioner:** |   |
| **Date:** |   |

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| **NOTES:**  |

**STEP 1**: Information gathering

1. **Compile the background information**

Collect together the information about the offence from the police and gather information from other services the young people might be in contact with.

 *(e.g. health, education, police and child services)*

1. **Meet the young person**

Arrange to spend some time with the young person, preferably in their own environment. Explain the process and who you are, but keep it simple and non-technical.

Don’t conduct an interview, instead try to establish a rapport and slowly build up to discussing the circumstances of the offence, being careful to avoid confronting them with consequences at this point. If relevant and appropriate, you can explore their attitudes to any victims of their offending.

1. **Listen to what they think**

Remember that, by law, young people have a right to express what they think and contribute to the response to their own behaviour. Not only is this their right, it will also make your intervention more effective by legitimising the process in their eyes. So listen to their explanations and use them to try and understand how they have come to a point in their lives that this has happened.

1. **Take notes**

Record what the young person tells you (you’ll need that information to complete Step 2 and 3), but avoid tick boxing through forms.

**STEP 2**: Identify strengths, interests and aspirations

To be completed by practitioner

Young people who offend **do so in an attempt to achieve something that they lack**.

If we want to reduce offending we need to focus on **building the capabilities and strengths that young people have**, being **responsive to their particular interests, abilities, and aspirations** to help them achieve outcomes that are **personally meaningful** to them through **pro-social means** (rather than through offending)

Use the matrix below to consider this young person’s particular strengths, interests and aspirations, recording you thoughts in the comments box.

|  |  |  |
| --- | --- | --- |
|  | **INTEREST, ABILITY or ASPIRATION** | **COMMENTS** |
| **1** | **Do they demonstrate good life skills?***This can be as simple as looking after basic needs like paying bills or looking after yourself, or it can be the ability to get through something really tough.*  | enter your name |
| **2** | **Do they seek to learn and grow?***Are they interested or show curiosity? Are they keen to learn about themselves, others or a specific subject, or do they want to develop a skill or a passion, even if it is unconventional?* |   |
| **3** | **Do they have passion to succeed at something?***The desire to be good at what you do, whether that is work, hobbies or leisure activities. Having ambitions for the future (even unconventional or illegal ones) or having a passion or hobby.* |   |
| **4** | **Do they have opportunities to exercise personal choice and independence?***Making your own way in life is important in developing independence and autonomy. This can be by developing and following through with life plans, being assertive, feeling in control or having a say.*  |   |
| **5** | **Do they have any positive ways to achieve peace of mind?***This can involve exercise, activities that relax them or chill them out. Young people may turn to more negative means to achieve peace of mind, such as drugs, alcohol or risky sexual behaviour.*  |   |
| **6** | **Do they have close relationships or friendships?***Do they share close bonds with friends, family or in their relationship? Are they able to spend quality time with the people they have close relationships with?* |   |
| **7** | **Do they feel a sense of belonging or being part of a group?***Do they identify as being part of a group or a community of lie-minded people who share values, interests or experiences?*  |   |
| **8** | **Do they have any positive goals or aspirations?***Finding meaning in life is an important piece in all of our lives. Does the young person have a sense of who they are and where they are going or want to go?* |   |
| **9** | **Do they have chance to do what makes them happy?***Are they motivated and able to spend enough time doing what makes them happy? What positive activities that make them happy are they able to enjoy?* |   |
| **10** | **Do they have the opportunity to be creative?***Do they have the desire to create something, do things differently or try new things? Are they given the opportunity to express themselves with creative or new activities or experiences?* |   |

**STEP 3**: Identify areas of concern

**To be completed by practitioner**

Use the matrix below to recor**d any concerns you have about the issues or barriers in this young person’s life that might have impacted their behaviour**. If you answer ‘yes’ to any of these questions, please detail some comments alongside.

|  |  |  |  |
| --- | --- | --- | --- |
| **CONCERN MATRIX** | **Yes, I have concerns** | **No, I don’t have concerns** | **COMMENTS***(briefly describe your concerns)* |
| **1** | **Do you have any concerns over the young person’s current living arrangements?** For example…is the arrangement unstable, temporary or over-crowded? are they living with known offenders? are they absconding/staying away? is the accommodation unhealthy or unsafe? |[ ] [ ]    |
| **2** | **Do you have any concerns over the young person’s financial circumstances?**For example… do they lack a regular income from employment, benefits or support from parents, do they have debt problems or suffer from financial deprivation? does their income lack legitimacy? |[ ] [ ]    |
| **3** | **Do you have any concerns about the community or neighbourhood in which the young person resides?**For example… is the young person isolated there? do they lack amenities, live in poverty or deprivation or suffer from local tensions, pressures or issues? |[ ] [ ]    |
| **4** | **Do you have any concerns about parenting, care and/or supervision?**For example…does the young person have adequate primary care and supervision? are their basic care needs being met? is there any violence, abuse or neglect within the family? if they have any involvement with the care system are the provisions adequate and appropriate? |[ ] [ ]    |
| **5** | **Do you have any concerns about the young person’s family relationships?**For example… are there any issues with the young person’s relationships with their family member’s- i.e. partners of the parents, siblings, foster or adoptive parents etc. |[ ] [ ]    |
| **6** | **Do you have any concerns about the young person’s other relationships?** For example… are you concerned about the influence of their peers? do they have an appropriate group of friends? do they have a support network?  |[ ] [ ]    |
| **7** | **Do you have any concerns about the young person’s ability to relate to a victim of their offending?** For example… does the young person have trouble accepting that they have hurt someone? are they unable to come to terms with what they’ve done? do they show a lack of empathy? |[ ] [ ]    |
| **8** | **Do you have any concerns about how the young person relates to others?** For example… is the young person susceptible to manipulation or exploitation (sexual or otherwise)? do they mistrust or fear others? are they over-assertive or controlling? do they struggle with peer pressure? do they have inappropriate social presentation or are they the victim of bullying? |[ ] [ ]    |
| **9** | **Do you have any concerns about the young person’s health?**For example… have they been diagnosed with a physical health condition? are they experiencing any physical health symptoms? are they taking any medication or is their health being put at risk somehow? |[ ] [ ]    |
| **10** | **Do you have any concerns about the young person’s speech and language abilities?**For example… do they have difficulty thinking what they want to say? do they speak using only very simple vocabulary or have difficulty explaining things? is their speech difficult to understand? do they have difficulties remembering or following instructions, or struggle understanding the meaning of words? have they been diagnosed with any speech and difficulties or has anyone raised any concerns? |[ ] [ ]    |
| **11** | **Do you have any concern about the young person’s social skills?**For example… do they demonstrate difficulties with non-verbal communications such as eye-contact, body language or facial expressions? do they have difficulties expressing emotions? do they struggle maintaining friendships or with social awkwardness? do they appear anxious or frustrated, or struggle to comprehend the thoughts/feelings of others? have they been diagnosed with any social communication difficulties or has anyone raised any concerns? |[ ] [ ]    |
| **12** | **Do you have any concerns about their learning abilities or education needs?**For example…do they have problems reading or writing? do they have trouble understanding time and date, or with other daily life skills? have they been diagnosed with any special educational needs or has anyone raised any concerns? |[ ] [ ]    |
| **13** | **Do you have any concerns about the young person’s emotional development or mental health?**For example… have they had contact with mental health services? do they have any prescribed medication for mental health problems, are they sad, anxious or irritable? are they low in mood? do they feel hopeless or have flashbacks to traumatic events? do they experience unusual thoughts or see/ hear things that others can’t? do they suffer from over-activity, inattention or impulsivity? do they have a history of self-harm or suicidal thoughts/attempts or appear depressed? do they have any formal diagnosis, or has anyone expressed concerns? |[ ] [ ]    |
| **14** | **Do you have any concerns about the possibility of traumatic brain injury?**For example… has the young person suffered a head injury that left them knocked out, dazed or confused? |[ ] [ ]    |
| **15** | **Do you have any concerns about how the young person spends their time?**For example… do you have concerns about non-constructive use of time? does the young person engage in risky activities like gambling? do they use technology inappropriately? |[ ] [ ]    |
| **16** | **Do you have any concerns about the young person misusing substances?**For example… excessive or inappropriate use of alcohol or tobacco? Inappropriate or excessive use of legal drugs? use of illegal drugs? |[ ] [ ]    |
| **17** | **Do you have any concerns about the young person’s self-identity or sense of self?**For example… are there any unhealthy influences on their identity? do they struggle with their (or other’s) perceptions of their race, ethnicity, family or faith? have they experienced discrimination or victimisation? do you have concerns about any group or gang memberships? |[ ] [ ]    |
| **18** | **Do you have any concerns about the young person’s thinking and behaviour?**For example… do they show excessive impulsiveness or lack of understanding of consequences? do they crave stimulation or excitement? do they have trouble controlling their anger? |[ ] [ ]    |
| **19** | **Do you have any concerns about the young person’s education, training or employment status?**For example… has the young person been attending school/college? are they currently NEET? do they have suitable prospects for employment or training? |[ ] [ ]    |

**STEP 4**: Develop an action plan

**To be completed TOGETHER WITH THE YOUNG PERSON**

Taking each of the **strengths, interests and aspirations** from STEP 2 and the **concerns** from STEP 3, work with the young person to **co-create a problem-solving action plan**, taking care to follow the following principles:

1. Make sure this is a co**-creative process**, done **jointly with the young person** and their family, where appropriate.
2. Use **young people’s own interests** and **be creative in engaging them** in formulating this plan.
3. As much as possible, **empower young people to make suggestions** and always **consider how they’re going to stick with something when you’re no longer involved.**
4. Wherever possible young people should be **referred to the appropriate mainstream services for support** (rather than being attached to the YOT for an offending intervention), as this avoids harmful stigma and labelling.

|  |  |
| --- | --- |
| **ACTION PLAN** | **Who is responsible** |
| **1** |   |   |
| **2** |   |   |
| **3** |   |   |
| **4** |   |   |
| **5** |   |   |

**STEP 5:** Recommend a disposal

 **DISPOSAL DECISION WHEEL:**

Processing through the justice system (formally or informally) **makes young people more likely to re-offend**, so wherever possible **we must divert away from the system**.

With that in mind, starting from no. 1 and moving around the wheel, **choose which pre-court disposal to recommend to the police.**

1. **NO FURTHER ACTION**

**2. PROBLEM SOLVING**

When NFA in not an option and relevant concerns have been identified in STEP 3

This does not involve processing a young person through the justice system.

1. **PROBLEM-SOLVING DISPOSAL**

This disposal does not involve processing a young person through the justice system (either formally or informally). Instead it acknowledges the role systemic problems in a young person’s life have played in their offending, and seeks to address them through intervention.

1. **COMMUNITY RESOLUTION**

**5. YOUTH CONDITIONAL CAUTION**

No concerns identified,

 offence can’t be

 resolved informally

 and intervention

 needs to be

 mandatory

**3. COMMUNITY RESOLUTION**

 For when no concerns

 have been identified

 and the offence can

 still be resolved

 informally

This disposal involves informally processing a young person through the justice system. They receive no criminal record, but this disposal may show up on enhanced CRB checks in the future.

1. **YOUTH CAUTION**

This disposal involves formal processing through the youth justice system. It is not mandatory for the YOT to provide interventions and the young person is not mandated to engage with any interventions provided, but they do receive a criminal record.

**4. YOUTH CAUTION**

For when no concerns have been identified but the offence cannot be resolved informally

1. **YOUTH CONDITIONAL CAUTION**

This disposal involves formal processing through the youth justice system. It is mandatory for the YOT to provide interventions and the young person is mandated to engage with any interventions provided. They receive a criminal record. Failure to comply with the conditions can result in prosecution for the original offence.

|  |  |  |  |  |
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|  **IMPLEMENTATION PROCESS:**

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| --- |
| 1. Disposal discussed with young person and agreed (in principle) with them
 |[ ]
| 1. Recommendation sent to police for their agreement
 |[ ]
| 1. Complete each action on the action plan with the young person
 |[ ]
| 1. Disposal finalised
 |[ ]

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**STEP 6:** Implement disposal

Talking to the young person before any final decision on the disposal has been made and walking them through the rationale will help them understand the process and make them feel like they are able to ask questions and have their opinions heard and listened to.

**This will make all of the work you do with them afterwards more likey to succeed.**

If the young person has agreed to work with you beforehad, when you contact the Police to recommend a disposal it will also make them more likely to accept that recommendation.

**NOTE: no matter what disposal is given, the action plan created with the young person should always be implemented as part of the disposal.**