



Youth to Adult Transitions

Introduction

This document outlines the arrangements for the transfer of young people between the youth justice system and the adult system when they reach their 18th birthday. Specifically the document outlines the arrangements between Calderdale Youth Justice Service and the Probation Service. The document should be read in conjunction with:

- Joint National Protocol for Transitions in England
- YJB Case Management Guidance
- Standards for Children in the Youth Justice System (with reference to Standard 5)

The overriding objective of this guidance document is to ensure that the transition process is effective and managed safely for the young person and the community.

YJB Youth to Adult Transitions Framework –

“The transition process must be acknowledged as a critical period of heightened risk and must not focus on one organisation relinquishing responsibility of a young person. Instead, the transition process must be seen as a critical time in the young person’s journey through the criminal justice system where extra effort, early planning and accurate assessment is required to cater for the individual needs of the young person and to manage risks.”

The transition process should be underpinned by the following principles:

- Individual needs and safeguarding requirements will be recognised and addressed.
- Children who are eligible for transfer will be identified and allocated to adult Probation staff at the earliest point.
- Every child who could transfer to adult services must have a transition appointment/plan.
- Transition planning must focus on providing flexible and continuous services tailored to meet individual needs. This should include consideration of any diversity issues for every individual. The Lammy Review (2017) highlighted the disparity in outcomes for Black and Minority Ethnic (BAME) individuals, particularly among young black males. Therefore, transition planning needs to take account of protected characteristics notably those included in the Equality Act 2010.

- Relevant information about children must be shared between child and adult services before transfer.
- Child and adult justice services will work together to achieve effective transfer outcomes, including maintaining interventions and progress.
- Children and their families/carers will be actively involved in planning for their transition and understand and agree the plans in place.
- Each transition will be reviewed, and services will seek continuous improvement, facilitating the journey towards a positive future and desistance from offending, building on skills, strengths and interests.

Background

In order to identify the destination of young people as the transfer into adult services the following tools for risk assessment, allocation and case management have been introduced:

- **Risk of Serious Recidivism tool (RSR).** This is a risk assessment tool used to determine allocation of a service user to NPS. It can only be populated and used AFTER the young person turns 18 years of age. The RSR tool can only be accessed and completed by a trained NPS Probation Officer as there are professional overrides built in. The NPS Probation Officer seconded to South Tees YJS is trained to use this tool.
- **Case Allocation Tool (CAT)** this is used to assist in the actual allocation to an NPS. Again, this can only be populated after the individual turns 18.

Relevant Cases to Transfer

Not all young people will be eligible to transfer to the adult justice system. Young people subject to Out of Court Disposals, Youth Rehabilitation Orders with Activity Requirements (specifically Reparation) or ISS cannot be transitioned until this requirement is completed.

The following orders will be able to be transferred to the adult justice system:

- Youth Rehabilitation Orders with Supervision and other related requirements or Unpaid Work requirements
- YRO with requirements of drug treatment and testing, intoxicating substance treatment or mental health treatment. The YJS worker will be required to negotiate with treatment providers the transfer from young people's services to adult services.
- Detention and Training Orders, where the young person turns 18 in custody and is subject to an extended licence.
- Those young people subject to long term custodial sentences sentenced under Section 90/91 of The Powers of The Criminal Court Act 2000 or Sections 226/228 of the Criminal Justice Act 2003.

Provision is in place for young people Subject to Referral Orders to transition to NPS, however given the requirements for recruitment of volunteers to hold panels it has been agreed locally that young people subject to Referral Orders will not transition, but will remain with the YJS to the end of the order.

The transfer of young people from the YJS will take into consideration issues of safeguarding and vulnerability. It may be that such concerns will require the young person is to remain under YJS supervision and support until the end of their order. This will be subject to the individual circumstances of a young person and may include such issues as being a child in care, highly vulnerable young people with significant Children's Services involvement, young people at risk of exploitation (e.g CSE, CCE) or individual learning difficulties or mental health concerns

The decision on whether or not to allocate any YJS case to NPS will be determined by the professional judgement of the YJS staff involved in the case and the YJS Line Manager and some key factors should be taken into consideration when making a decision to transfer an order:

- level of maturity
- assessment of vulnerability
- ongoing interventions
- therapeutic relationship between Support Worker/Case Manager and the young person and their family
- length of order and the period of supervision that would be outstanding beyond the young person's 18th birthday
- risk of harm to the public

The individual risks and needs of each young person are key to this process in terms of a successful transition.

Transition Processes

Young people will transfer from the YJS to adult services through 2 main processes:

1. **At Court:** Young people aged 17 years and 9 months who receive a new order which is likely to transfer to the adult system will be allocated to the seconded Probation Officer who will arrange for the transfer to NPS (If appropriate). In this circumstance the seconded Probation Officer will complete RSR and CAT tools, and will follow the transfer process detailed below.
2. **For young people reaching their 18th birthday under YJS Supervision the following process will be applied:**
 - i. When a young person reaches 17 years and 6 months the case should be discussed in supervision between the Case Manager and YJS Practice Manager with a view to transfer this case to NPS. The decision to transfer should reflect the individual circumstances of the young person based on the factors detailed above. The allocated Case Manager should discuss the arrangements for transition with the seconded Probation Officer, to agree the timescale for transition and when documents will be transferred.

- ii. The YJS Probation Officer will notify NPS admin to create a file for the young person in NPS systems and the Probation Officer will complete the RSR and CAT.
- iii. The YJS Probation Officer will contact the Single Points of Contacts in the relevant Probation area to advise them that a transition case has been identified and to discuss the case.
- iv. Those young people deemed suitable for transfer will be expected to report to community venues, minimising the use of home visits. The purpose of this will be to prepare the young person for reporting arrangements in the adult system, which is likely to include reporting to offices
- v. Each young person should have a transition plan which should focus on the individual circumstances and needs of the young person and the services they need to support this. The transition plan for these young people will include a short programme designed to prepare the young person for supervision in the adult system. This will focus on expectations and the young people fears and concerns on entering adult services.
- vi. The YJS Case Manager will update the AssetPlus and other documents to provide an up to date assessment of the young person at the point of transfer, including any issues raised by the young person.
- vii. At age 17 years and 11 months the YJS Probation Officer will commence the transition process and arrange a professionals meeting to discuss the case with the allocated NPS Probation Officer.
- viii. This meeting will be followed by a multi agency professionals meeting with all the relevant agencies involved with the young person to discuss the transition process and any required handovers into adult service provision.
- ix. A joint visit will be undertaken between the YJS Case Manager and the Supervising Officer. The purpose of this meeting will be for introductions, outline expectations, discussing any barriers to compliance, and to sign the compact and outline complaints procedures. Arrangements should also be made for an appointment at the NPS reporting office.
- x. YJS staff to accompany young person on first visit to NPS office. The formal handover of the case to be completed at this meeting, with all future appointments determined by the NPS.

The YJS Probation Officer will ensure that all necessary documentation to support the transition will be sent to NPS admin via secure email.

NB. YJS National Standards will continue to apply during the transition process, and the YJS Case Manager must ensure that the young person is seen in line with the minimum requirements of their Scaled Approach level until the formal handover is completed.

The arrangements for joint visits during the handover period should reflect issues of risk and vulnerability, with the number of visits increased depending on these issues. Where a young

person is subject to MAPPA level 2 or 3 the arrangements for transfer will be governed within the MAPPA Risk Management Plan.