



5th December 2025

Dear Home Secretary,

Re: The effectiveness of diverting children from the criminal justice system- meeting needs, ensuring safety, and preventing reoffending

I welcome the report which highlights the need for greater for stronger governance, clearer guidance, and more consistent practice in the use of Youth out-of-court resolutions (OoCRs) for children. West Yorkshire Police (WYP) recognise that OoCRs allow the police to deal effectively and proportionately with low- to medium-level offending, where the public interest is better served by providing the offender with an opportunity to address the offending behaviour and, where applicable, provide a reparation for the victim

Here in West Yorkshire, we launched the Child First Framework last year which was co-produced with 455 children. This guiding principle ensures that we are working towards a creating a justice system which treats children as children, builds on their strengths, promotes meaningful collaboration and diverts them from stigma.

Case studies have shown that inducting a child into the formal criminal justice system ('criminalising the child') at an early age will be more likely to result in further offending when compared to children who have been dealt with informally. OoCRs are just one of the ways we are diverting children away from the criminal justice system by addressing their behaviour early and offering support to prevent further reoffending.

We have a robust governance structure around the use of OoCRs which includes a scrutiny panel that meets quarterly convened by the Mayor. The Criminal Justice Unit promotes the appropriate use of OoCRs through training, monitoring and feedback to individual officers and supervisors. OoCRs are regularly monitored for appropriateness and suitability, both through internal audit by the Criminal Justice Unit and externally by an Independent Scrutiny Panel.

The process is transparent and rationale for the disposal or the disposal used for a first offence must be provided on the OEL by the decision maker to justify all decisions. Where the decision is referred to the Youth Panel, the YJS police officer will provide the rationale discussed at the Panel meeting.

I feel assured that WYP are adopting Child First Principles in alignment with the Youth Justice Board Guidance and Combined Authority Framework, and OoCRs are being used correctly and effectively to divert children in West Yorkshire away from the criminal justice system. Myself, the Mayor and the wider Policing and Crime team will continue to work with West Yorkshire Police and other criminal justice partners to ensure the safety of children across the region through the use of the Child OoCR scrutiny panel and that the recommendations of this report are implemented fully.

Regards,

Alison Lowe, Deputy Mayor of West Yorkshire for Policing and Crime



Recommendation 11

Chief constables should:

improve how out-of-court disposals are managed by:

- **working with YJSs to establish formal data-sharing arrangements to ensure timely and consistent access to information on all types of out-of-court disposal**
- **ensuring decisions about the use of crime Outcomes 20 and 21 are consistent and appropriate and reflect revised NPCC guidance**
- **ensuring that police always use the NPCC child gravity matrix guidance when making decisions relating to outcomes for children and that the rationales for those decisions are always recorded.**
- **ensuring that joint decisions with the youth justice service about out-of-court disposals are made at the appropriate level of seniority.**
- **ensuring that children's legal rights are met before issuing a community resolution; this includes the need to caution and make sure that an appropriate adult is present**
- **ensuring that safeguarding referrals are made when appropriate.**

In West Yorkshire, the Mayor oversees a Child OoCR Scrutiny Panel which convenes on a quarterly basis. The panel is coordinated by the LCJB Performance and Partnerships Manager and chaired by a representative of the Crown Prosecution Service. Its membership comprises senior representatives from the Youth Justice Team, a magistrate, West Yorkshire Police, victim support services (including restorative justice), a member of the Police and Crime Panel, a representative of the criminal defence community, a Liaison and Diversion service provider, and a representative from the Police and Crime Team acting on behalf of the Deputy Mayor for Police and Crime.

A dedicated team of police officers, led by an Inspector, is responsible for the delivery of OoCR across the force. Their remit includes training officers in relevant legislation and force policy, providing real-time monitoring and feedback, and serving as a resource for supervisors. This team also prepares anonymised information packs at the direction of the Scrutiny Panel.

The panel reviews either randomly selected OoCRs or, on occasion, adopts a themed approach. Cases considered include:

- Outcome 22 (No Further Action) – noting that Outcomes 20 and 21 are not utilised in West Yorkshire
- Community Resolutions
- Youth Cautions
- Youth Conditional Cautions

The panel's primary considerations are legality and compliance with statutory protections for children, including the provision of an appropriate adult, adherence to legal safeguards, appropriate supervisory sign-off, and the proportionality of the response to the offence. For example:

- In cases involving possession of Class B controlled drugs, referrals are made to relevant agencies via Youth Justice Teams, and a Public Protection Notice (PPN) is issued to district Safeguarding Hubs.



- For Community Resolutions or Outcome 22 disposals, an apology may form part of the reparatory sanction. The Restorative Justice Service supports young people in drafting letters of apology, enhancing victim understanding of the harm caused and improving victim satisfaction.

In line with national guidance, child offenders for whom a Community Resolution is not appropriate are referred to the Youth Justice Service. For first-time offenders, decisions regarding sanctions are made by the Youth Justice Team police officer. Subsequent cases are referred to the Youth Justice Panel.

There is now recognition that the data and decision-making rationale scrutinised by the panel has been drawn solely from police sources. Given that OoCR decisions are made at the Youth Panel, discussions are underway with Youth Offending Teams to establish their rationale in each case. To enable this, both Youth Offending Services (YOS) and the Youth Justice Board (YJB) will need to agree to an information-sharing arrangement, allowing anonymised data to be incorporated into the OoCR Scrutiny Panel's oversight process which is an action we are working towards.