



HM Prison &
Probation Service

National
Probation
Service



Youth Justice Board
Bwrdd Cyfiawnder Ieuenctid

Joint National Protocol for Transitions in England

Joint protocol for managing the cases of children moving from
Youth Offending Teams to the National Probation Service

June 2021

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1. Purpose

- 1.1 This protocol outlines the respective operational procedures and responsibilities for Youth Offending Teams (YOT) and the National Probation Service (NPS) in England, to support effective management of case transfer of supervision from the YOT to adult probation services.
- 1.2 It identifies the responsibilities of each organisation to work together to ensure the transition process is carried out as smoothly as possible and ensure that there is a clear understanding of the commitments made in this document.
- 1.3 The protocol should be read and implemented with reference to the Youth Justice Board (YJB) Case Management Guidance¹, which details the supporting principles of transition from YOT to the NPS and good practice for working with children in the youth justice system, and the child to Adult Transitions Framework Process Map 2021².
- 1.4 Standard 5 of the *Standards for children in the youth justice system*³ (2019) defines the minimum expectations for all agencies that provide statutory services to ensure good outcomes for children in the youth justice system. It requires that YOTs and their management boards have mechanisms in place which assure them that they have tailored plans for those that transition between services and from the youth to the adult system.
- 1.5 The protocol has been developed and agreed by the Youth Justice Board, and the NPS within Her Majesty's Prison and Probation Service and the Association of YOT Managers

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¹ <https://www.gov.uk/government/collections/case-management-guidance>

² Annex A, The Youth to Adult Transitions Framework Process Map 2021 supports the delivery of this protocol.

³ https://assets.publishing.service.gov.uk/Standards_for_children_in_youth_justice_services_2019.doc.pdf

2. Transitions Statement

- 2.1 This national protocol concerning the child to adult transition process is to be adopted across the YOTs and NPS in England.
- 2.2 For clarity within this document, the term 'children' will refer to those aged under 18, and 'young adults' those aged 18-25.

Future Probation and Resettlement Services

- 2.3 In June 2021, Community Rehabilitation Company contracts will end and the NPS will be responsible for managing all individuals on community orders or licences, in England and Wales. The NPS will continue to deliver those services reserved to the public sector such as advice to court and will also deliver unpaid work and behavioural change programmes. The voluntary sector will play an enhanced role in the probation system, running services such as education, employment and accommodation support. This document reflects these new arrangements, whereby all children transitioning into adult services will be managed by the NPS.

3. Transition Principles

- 3.1 The overriding objective of this protocol and behind an effective transition process is that it should be managed safely both for the child and their community.
- 3.2 Whilst there are limited restrictions on the type of youth statutory orders that can be transferred to the NPS, (where the child meets the age eligibility threshold), what remains fundamental, is the need to jointly assess the appropriateness of the child's transfer. This should be based on a range of factors including desistance, safety, well-being and risk, whilst being mindful of statutory responsibilities.
- 3.3 The transition process is underpinned by the following principles:
 1. Individual needs and safeguarding requirements will be recognised and addressed.
 2. Children who are eligible for transfer will be identified and allocated to adult Probation staff at the earliest point.
 3. Every child who could transfer to adult services must have a transition plan.
 4. 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.

5. Relevant information about children must be shared between child and adult services before transfer.
6. Child and adult justice services will work together to achieve effective transfer outcomes, including maintaining interventions and progress.
7. Children and their families/carers will be actively involved in planning for their transition and understand and agree the plans in place.
8. 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.

4. Commencement and review

- 4.1 This protocol will be implemented from 26th June 2021 across YOTs and NPS in England. The YJB Case Management Guidance together with the Child to Adult Transitions Framework 2021 process map (Annex A) will support this protocol by providing detailed guidance on the transition process.
- 4.2 The contents of the protocol will be reviewed by the YJB and Her Majesty's Prison and Probation Service. Consultation with representatives from each of the signatory groups will take place ahead of further revisions being made.

5. Local delivery, monitoring and governance

- 5.1 The protocol is intended to provide each signatory with a minimum expectation of their partners. It does not replace the need for good local communication and bespoke transition arrangements.
- 5.2 Responsibility for the local leadership and delivery of this protocol rests with the:

- Youth Offending Teams - YOT Manager
- National Probation Service - Regional Probation Director⁴

5.3 The personnel identified at 5.2 will be responsible for ensuring that monitoring of transition arrangements takes place locally, within individual organisations and jointly between signatories. To assist with this process, it is recommended that YOT management boards review performance and monitor data in relation to the cases being supervised by seconded NPS staff and maintain oversight of the workload of the seconded Probation Officer including but not limited to their transitions work.

5.4 The YOT and NPS partnership is responsible for maintaining an information sharing protocol in relation to those who:

- will remain under YOT supervision at the age of 18.
- will transfer to NPS supervision at or around the age of 18.
- who come to the attention of the NPS after the age of 18 but who were previously known to the YOT.

6. Youth offending team roles and responsibilities

6.1 The YOT is responsible for the supervision of children aged 10 to 17 years of age who are sentenced by a court, in line with the YJB's Standards for Children in the Youth Justice System (2019) and Case Management Guidance.

6.2 The YOT is required to follow the guidance outlined in this protocol and use it to adopt a local system to manage the transition of children from the child to the adult criminal justice system.

6.3 Each case will require careful consideration, especially those involving looked after children, care leavers and those subject to MAPPA or extended supervision of detention and training orders upon reaching the age of 18 in custody.⁵ The assessment information available in the case should be reviewed, including more detailed assessment of mental health, substance misuse, speech and language, plus safety and wellbeing.

6.4 Each YOT will:

- 6.4.1 Have a qualified seconded Probation Officer to act as the lead contact with the NPS providing advice and recommendations on transitions to adult services.

⁴ See Annex B

⁵ The Offender Rehabilitation Act 2014 amends the Criminal Justice Act 2003 at section 256AA in respect of extending supervision for those who reach 18 whilst in custody.

- 6.4.2 Identify children under YOT supervision who will be eligible for transfer to probation services when they have turned 18 years. This will be as soon as the child is sentenced and will be noted in their sentence plan.
- 6.4.3 Advise the child and their parents/carers of the transition process to adult services and involve and keep them informed at each stage. Ensure parents/carers are involved, where appropriate, in discussions about transfer and in case transfer meetings where it is likely to assist the child's progress and engagement.
- 6.4.4 Ensure the child has a transition plan as soon as the need is identified and no later than when they reach 17 years and 6 months⁶. There is currently a national template for this plan in development and in the interim one will need to exist locally. The plan should focus on individual need, and identify which services are most appropriate in meeting those needs. As a minimum the transition plan will address the following areas:
- Provide advice and information to inform the child and their family about the adult justice system.
 - Seek the views of the child and incorporate them into their plan.
 - Listen to concerns the child may have and alleviate their anxiety.
 - Describe how the relationship with the allocated NPS Probation Practitioner will be developed.
 - Recognise which services in the YOT will/will not be available in the NPS and seek to address any gaps.
 - Ensure health needs (emotional, mental and physical) are planned for and managed.
 - Ensure learning and communication needs are planned for and managed.
- 6.4.5 Meet with the NPS as agreed locally, to review children who are approaching 18 and eligible to transfer to adult services, monitor any cases, identify and manage any issues within the transition process and assist them to develop a trusted relationship with their new case manager.
- 6.4.6 When arranging a meeting to discuss those eligible for transfer ensure all intervention providers (including health and education, training and employment providers) are informed of transfers to the NPS and adult establishments in advance and are involved appropriately in case transfer meetings to ensure continuity of delivery.
- 6.4.7 Ensure that decisions to transfer children to adult justice services or to retain them in YOTs are recorded in the case record, including the rationale for the decision. The decision should take into account the views of the children, and what work needs to be undertaken to meet the aims of the sentence, to lessen the likelihood of

⁶ Refer to Annex A.

reoffending and risk of harm to others, and to manage vulnerability, safety and well-being. The decision to either retain the case within the YOT or transfer to the NPS will be recorded on NDelius.

- 6.4.8 Work with the YOT Probation Officer to complete the Risk of Serious Recidivism (RSR) tool and the Case Allocation System (CAS) together with reports/reviews on the child to inform allocation recommendation to NPS. This should take place no later than when the child reaches 17 years 6 months. Allocation of the NPS Probation Practitioner should not be delayed until the child is 18 years of age.
- 6.4.9 Continue to review the child's case, identify risks and strengths and provide updated information to the NPS to assist in allocating the case to the NPS Probation Practitioner. This should be completed by the time the child reaches 17 years 9 months.⁷ As above, allocation of the NPS Probation Practitioner should not be delayed until the child is 18 years of age.
- 6.4.10 The child's sentence plan from the YOT and secure estate (where appropriate) must take account of future transfer to adult justice services. Plans in the NPS and the adult custodial estate must take account of information from YOTs, to ensure that any interventions remaining outstanding are planned for and implemented.
- 6.4.11 Prior to transfer to adult justice services, the AssetPlus 'Transfer to Probation' stage should be completed which triggers the 'Youth to Adult Services' module. This contains additional questions to consider in preparation for the transition and is completed by the YOT case manager in consultation with the YOT Probation Officer.
- 6.4.12 The YOT Probation Officer should complete a 'layer one' OASys assessment.

Where the case is transferred to the NPS:

- 6.4.13 Where available, use the approved information sharing tool to exchange information, upload documents and record the child's transition to probation services.
- 6.4.14 YOT to inform the child and their family/carer of the decision to allocate ongoing case management to the NPS and continue to liaise with them over the timing of the actual transfer.
- 6.4.15 The YOT Case Manager must attend all transitions meetings⁸ and:
- Coordinate the initial pre-transfer meeting with the NPS – held at 17 years 6 months (or 6 months prior to transfer).
 - Coordinate the multi-agency meeting – held at 17 years 9 months (or 3 months prior to transfer).
 - Ensure that all intervention providers (including health and education, training and employment providers) are informed

⁷ Refer to Annex A.

⁸ Refer to Annex B

of transfers and are invited to all case transfer meetings to ensure continuity of delivery.

- Attend the final transfer meeting – held when the case is being transferred.
- Attend the post transfer meeting – held once the case has been transferred to adult services to review the transition (4 to 6 weeks post transfer).

6.4.16 When a child is in custody and will transfer to the NPS on release or soon after, the YOT should ensure that resettlement guidance is followed and that the receiving NPS region can contribute to the resettlement plan. The principles can be found in the Pathways to Resettlement guidance⁹, the relevant sections of the YJB's Case Management Guidance and the YJB's How to Make Resettlement Constructive¹⁰. Where possible the identified NPS case manager should meet the child whilst in custody prior to release.

6.4.17 The effectiveness of arrangements for the transfer of children from child to adult justice-based services, and retention of young adults in youth-based services, should be monitored and kept under review.

6.4.18 Arrangements should be set up between managers from the NPS and the YOT to review transition work that has already taken place to identify and disseminate good practice, lessons learnt and ensure that there is a continuous emphasis on improving services and outcomes for this group of children. All feedback from children and their families/carers will be considered alongside data relating to number of transfers, number of breaches, successful outcomes, etc. Any barriers to effective transition should be raised with the respective senior management boards (likely to be the YOT Management Board and NPS Board) for consideration as to how local arrangements can be improved.

6.4.19 Where local young adult officers or young adult specialist staff are in place in NPS, consideration should be given to the use of a transfer to those teams taking into account location. The young adult should be consulted regarding such arrangements and the benefits of attending young adult hubs or appointment with specialist workers should be clearly outlined in the initial transfer meeting.

7. NPS roles and responsibilities

7.1 The NPS is responsible for the supervision of young adult cases aged 18 or over who are sentenced by a court, and for the case management of those children who transition from child to adult services. National Standards apply to the supervision of all individuals aged 18 years or over.

7.2 The NPS will:

⁹ <https://www.gov.uk/government/publications/custody-and-resettlement>

¹⁰ <https://yiresourcehub.uk/how-to-make-resettlement-constructive>

- 7.2.1 Have a named qualified lead Probation Officer responsible for reviewing and allocating transitions cases.
- 7.2.2 Discuss with the YOT as agreed locally, to review children who are approaching 18 and eligible to transfer to adult services, monitor case transfer preparation and identify and manage any issues within the transition process.
- 7.2.3 Review recommendations from the YOT on whether the child's case should be transferred to the NPS and note cases that the YOT has decided to retain and the reasons for this. The NPS Probation Officer who reviews the recommendation should have an understanding of the needs of children and young adults, particularly care leavers; and those who are regarded or identified as vulnerable.
- 7.2.4 The seconded YOT Probation Officer in the transferring area will be responsible for completing the Risk of Serious Recidivism (RSR) tool and the Case Allocation System (CAS) and sharing this with the receiving area to inform allocation. This will also include any reports/reviews for the child to inform the recommendation for transfer to the NPS. This should take place no later than when the child reaches 17 years 6 months (or 6 months prior to the agreed transfer date).
- 7.2.5 Review recommendations from the YOT about whether to allocate to NPS and inform YOT of the decision.

If case is to be transferred to NPS:

- 7.2.6 The NPS must ensure that the child is allocated to a suitably trained, named Probation Practitioner and inform the YOT before the child reaches 17 years 9 months (or 3 months prior to transfer). Following unification of the NPS and CRC organisations, until such time that regions achieve a fully combined caseload model, YOT cases must be allocated by the NPS to Practitioners in line with legacy organisations. The allocation must be informed by the RSR and CAS and the Regional Probation Director will determine when a region has achieved a fully combined caseload.
- 7.2.7 Use the approved information process and database to receive formal case documents from the YOT and record details of the child's transition. Ensure that all information and documents are transferred to the nDelius case management system.
- 7.2.8 Attend the multi-agency meeting held at 17 years 9 months (or 3 months prior to transfer) and work with the YOT to confirm a date for the case transfer¹¹. The child should be present.

¹¹ See Annex B

- 7.2.9 The allocated Probation Practitioner should attend the final pre-transfer meeting where the case is formally transferred to NPS. The young adult should be present.
- 7.2.10 Co-ordinate and hold a transition review meeting to be arranged usually for 4 to 6 weeks after formal transfer. As above, the young adult should be present.
- 7.2.11 The allocated Probation Practitioner in the NPS should complete an OASys assessment following transfer within agency timescales.
- 7.2.12 If the young adult is in custody, inform the custodial establishment of the transition to adult services.

8. Transferring Specific Orders

- 8.1 Whilst there is no restriction on the type of statutory orders that can be transferred to NPS (where the child meets the age eligibility threshold), what remains fundamental, is the need to jointly assess the appropriateness of their transfer. This should be based on a range of factors including desistance, safety, well-being, risk, and public protection, whilst being mindful of statutory responsibilities. The YOT seconded Probation Officer is the lead contact with adult justice services and will provide advice and recommendations on the transitions process.
- 8.2 It is recommended that a local protocol is developed and specifically includes whether Referral Orders and Orders/licences with intensive supervision and surveillance (ISS) will be transferred.
- 8.3 It is not possible for a YOT to recharge the NPS if they decide to manage the order themselves rather than transfer it.

8.4 Referral Orders

- 8.4.1 Regardless of whether the YOT agree for elements of a Referral Order to be supervised by NPS, the YOT retains a statutory duty to implement the Order and to make arrangements for supervising the child's engagement or non-engagement with the terms of their referral order contract. For further information see the Referral Order Guidance (2018)¹².
- 8.4.2 Restorative work with victims may be ongoing during the length of the order or may occur towards the end of order at a time when the victim is ready to take part. Restorative work is often delivered outside of the formal Referral Order panel and review panels which remains the responsibility of the YOT, and responsibility for the delivery of the restorative element of the order remains that of the YOT.

¹² <https://assets.publishing.service.gov.uk/referral-order-guidance-9-october-2018.pdf>

- 8.4.3 In operational terms this means that, if deemed appropriate, an eligible child can receive supervisory input (such as one to one or group behaviour management programmes) from the NPS acting on behalf of the YOT under their transition responsibilities. Any updates relating to attendance, breach, progress etc. would then be provided to the YOT to form part of their panel reports and enable the update of YOT case records (i.e. an Order should not be recorded as transferred out).
- 8.4.4 It is not possible for either the NPS to establish, staff, recruit and train volunteers to manage a Referral Order panel. The YOT retains statutory responsibility and as such key statutory functions. The NPS can feed into this process working on behalf of the YOT.
- 8.4.5 It would be expected that children and their parents/carers understand and are directly engaged with the potential transfer at the start of the order and that Panel members are well briefed on arrangements. Reporting requirements with adult services should be detailed by the Panel in objectives.

8.5 Unpaid work

- 8.5.1 The previous expectation that any unpaid work hours cannot be transferred to NPS has been removed. If an 18-year-old is transferred where there are unfinished unpaid work hours, the YOT and NPS need to establish local cost recovery mechanisms.
- 8.5.2 Grant conditions remain in place to underpin the core requirements of spend expectations. Ultimately the YOT is asked to use professional discretion to demonstrate their accountability for allocated funding. Therefore, it would not be reasonable to take a 'blanket approach' to the transfer of unpaid work.

8.6 Intensive Supervision and Surveillance (ISS)

- 8.6.1 If an Order/licence/Notice of Supervision contains a requirement for ISS there will need to be local negotiation around transfer if this element of the Order/licence is not completed. This requirement is specific to youth legislation and therefore the NPS are likely to have difficulty in providing supervision/activities for this requirement. It is not possible for the NPS to refuse an eligible and suitable young adult because of their ISS requirements.
- 8.6.2 If the YOT is writing a PSR for Court and the case will be transferred after sentence, an appropriate proposal should be made to ensure the NPS are able to supervise in line with sentence. However, if the Court imposes a sentence with an ISS requirement any decision to retain or transfer the case will require local negotiation and the principles of good transition should still apply.

8.7 Detention and Training Orders; S.250 (Sentencing Code 2020); Extended Supervision

- 8.7.1 These sentences/elements of sentences can all be transferred out from the YOT to the NPS as relevant. Timely and collaborative planning will be vital, with the seconded officer at the centre of decision making.
- 8.7.2 Again, it is vital that partners are fully briefed on standards that apply and young adult specific requirements i.e. Care Leaver status and secure based transition procedures.
- 8.7.3 Given the very specific procedures and expectations associated with the secure estate for children i.e. liaison with Youth Custody Service (YCS) placements, it is recommended that YOT maintain supervision of children until they move into the young adult estate/women's estate. However, local negotiation will be key and should be included in any local protocol that is developed.

9. Breach Arrangements

- 9.1 The Powers of Criminal Courts (Sentencing) Act 2000 allows the YOT or the NPS to supervise an individual and to bring breach proceedings, and it is the supervising officer/case manager who should bring the breach proceedings.

9.2 Referral Orders

- 9.2.1 The YOT retains a statutory duty to implement the Referral Order and to make arrangements for supervising the child's engagement or non-engagement with the terms of the referral order contract. Any breach will be heard in the Youth Court where the child is under 18 years of age, and in the Magistrates' Court where 18 years or older (Part III, Powers of Criminal Courts (Sentencing) Act 2000).

9.3 Youth Rehabilitation Orders (YROs)

- 9.3.1 Where a child has failed to comply with a youth rehabilitation order (YRO) they can be summonsed or an arrest warrant issued, directing them to appear before the appropriate court. Where the original YRO was imposed by the Crown Court, the breach will be heard there, unless the Crown Court has made a direction that any further proceedings related to the YRO are to be heard in the Youth or Magistrates court (para. 5 Schedule 2, Criminal Justice and Immigration Act 2008). In that situation, if the child is under 18 years of age the appropriate court is the Youth Court and if 18 years or over, the Magistrates' Court (para. 5 Schedule 2, CJIA 2008).

9.4 Detention and Training Orders (DTOs)

- 9.4.1 Section 104 of the Powers of Criminal Courts (Sentencing) Act 2000 provides for court powers for breaches of detention and training orders (DTOs). Breach proceedings in relation to DTOs

can only be brought before a Youth Court (s. 104(2)), with a right of appeal to the Crown Court in relation to any order made where the court is satisfied there was a failure to comply with supervision requirements.

9.5 Section 250

- 9.5.1 Where a child is serving a s.250 sentence of less than 12 months, and it appears that they have failed to comply with a supervision requirement, they can be summonsed or an arrest warrant issued, directing them to appear before the appropriate court. If the child is under 18 years of age the appropriate court is the Youth Court and if 18 years or over, the Magistrates' Court, (s. 256C Criminal Justice Act 2003). Those released on license can also be recalled, however this is a separate process.

10. Other considerations for transfer arrangements

- 10.1 There are many factors which should be considered to ensure the delivery of an effective service to young adults. The *'Effective Approaches with Young Adults: A Guide for Probation Services'*¹³, produced by Clinks in collaboration with the Transition to Adulthood (T2A) Alliance, provides useful guidance to support practitioners, including a focus on specific issues facing young adults. These include maturity, health needs and the development of life skills, alongside consideration around how to tailor services to specific groups of young adults such as women, those of Black, Asian and minority ethnic (BAME) origin, those with disabilities and care leavers.
- 10.2 The factors highlighted in the Clinks document should always be considered as part of standard transition work. Practitioners should also be aware of the following areas of focus when working with children.

¹³ Transition to Adulthood Alliance/Clinks (2015) *Effective Approaches with Young Adults: A guide for probation services* <https://d7.clinks.org/resources-guides-toolkits/effective-approaches-young-adults-guide-probation-services>

10.3 Adverse Childhood Experiences and a Trauma Informed Approach

- 10.3.1 There is a growing body of evidence which demonstrates that the experience of adverse childhood experiences (ACEs)¹⁴ can have a significant effect on health and well-being throughout life and can lead to negative outcomes such as involvement in crime.
- 10.3.2 Many individuals who have entered the criminal justice system will have experienced multiple traumas as well as having a range of complex needs, which interrelate with each other and increase the likelihood of vulnerability being expressed through offending behaviour. These needs are often rooted in early exposure to ACEs and are associated with disrupted child development, leading to poor attachment and consequently, difficulty with forming positive relationships more generally.
- 10.3.3 Having support from a family member or other trusted adult, and regularly engaging in community activities that are meaningful can help to build resilience and mitigate the impact of ACEs. Those working in the justice system therefore have a key role in reducing harms associated with ACEs amongst those they work with. Practitioners should take a trauma informed approach in their work, which includes:
- Taking a person-centred approach to understanding the impact of past trauma (experienced in childhood or later on in life) on the individual's offending related behaviour and thinking patterns.
 - Having an understanding of how a child's experience of trauma may impact on their engagement with their workers and with interventions and using this information to help inform the prioritising and sequencing of interventions and support in order to best match the emotional, social and cognitive ability of the individual to be able to meaningfully engage.
 - Having an understanding of how trauma can manifest itself differently depending on the child's unique experience and the resilience and protective factors available to them, as well as other factors such as their level of maturity and learning needs.
 - Recognising the ability to overcome adversity and knowing and being able to promote the key sources of resilience, many of which are rooted in the local community.

¹⁴ Personal ACEs include verbal, physical, sexual abuse and neglect and family ACEs; domestic violence, parental separation, parental mental illness, parental alcohol abuse, parental drug abuse and incarceration.

10.4 Care Leavers

- 10.4.1 The common experience of trauma, living in institutions or foster care, and poor or absent support from families can present care leavers with particular challenges as they transition into adulthood. They are more likely to be attempting to live independently at a much younger age and less likely to be in education, training or employment compared with other young adults. However, local authorities have a statutory duty to provide practical and financial support, and it is important that probation providers identify care leavers to enable them to access the support they are entitled to.
- 10.4.2 Practitioners should take a trauma informed approach when working with a child who has been identified as a care leaver. This may include:
- Identifying children who will be leaving care and ensuring responsible local authorities are engaged in planning processes as appropriate (children can be reluctant to say they have experience of being in care).
 - Effectively co-ordinating wrap around services.
 - Providing opportunities for reflection and building on skills, strengths and interests.
 - Encouraging the development of positive social connections.
 - Developing an effective working relationship with the responsible local authorities.
 - Identifying any extra support which may be required to address needs related to trauma.
 - Enabling care leavers to have space to safely share experiences of being in care, e.g. carefully facilitated support groups.

10.5 Victim Work

- 10.5.1 Many children are also victims of crime. Where the trauma experienced by a child is left unaddressed, they may themselves become a perpetrator of crime. This highlights the need to ensure work to address trauma is carried out and remains in place, if required, for the onward transition to the NPS.
- 10.5.2 Current commissioning arrangements for youth victim work means that there are separate services for those up to 18 and those over 18 years. A local protocol will need to detail how victim work will therefore be managed to avoid any barriers to transition arrangements.

10.6 MAPPA Cases

- 10.6.1 Where a child is managed by MAPPA at Level 2 or above consideration for transfer should take place at least 6 months in advance of their 18th birthday.
- 10.6.2 Probation Officers should always invite a YOT representative to attend MAPPA level 2/3 meetings on new cases aged 18-21 where the YOT have previously supervised the case. The YOT representative should also be invited to subsequent MAPPA meetings. If attendance in person is not possible, the YOT may wish to consider as a minimum a written submission.
- 10.6.3 A local decision will need to be taken about the resource implications of this and whether YOT attendance/written submissions are mandatory.

10.7 National Security Cases

- 10.7.1 A child may meet the criteria to be managed by the National Security Division¹⁵ upon transition to the NPS. Whilst, it is likely (particularly for those in custody) that such cases will have been identified earlier on in the child's sentence, consideration of eligibility should take place at least 6 months in advance of their 18th birthday. It should involve as a minimum both the seconded Probation Officer, YOT case manager and allocated Probation Practitioner in the NPS. The allocated Probation Practitioner in the NPS region is responsible for referring the case for consideration for National Security Division management following the established protocol/triage process. The process for transferring a case to the National Security Division is outlined in EQUIP.

10.8 Girls and Young Women

- 10.8.1 As per the Female Offender Strategy 2018, the needs of women in the justice system are different and distinct from males, and transition arrangements should take this into account.
- 10.8.2 Girls and young women who have offended tend to experience higher levels of home violence, sexual abuse, care history, education deficit, mental health problems, poor self-image and self-harm. Relationships and parenthood are more likely to be linked to their offending behaviour, as well as higher rates of coercion. Greater housing needs can also be apparent, as young women are often primary carers for children, and safe accommodation can be harder to find, particularly where women-only accommodation is required¹⁶.

¹⁵ The National Security Division will deliver a centralised, dedicated capability within NPS for the following cohorts of adult offenders:

- Convicted Terrorist Act/Terrorist Act connected
- Terrorist risk offenders who present a national security threat
- The Highest risk/high harm Serious Organised Criminals requiring enhanced management;
- and Registered Critical Public Protection Cases including the highest risk/highest profile sexual or violent offenders who present national interest.

¹⁶ Transition to Adulthood Alliance/Clinks (2015) Effective Approaches with Young Adults: A guide for probation services <https://d7.clinks.org/resources-guides-toolkits/effective-approaches-young-adults-guide-probation-services>

- 10.8.3 Three-way meetings and assessments with the young woman, the YOT and the NPS Probation Practitioner should therefore take note of these characteristics. In addition, areas may also want to consider women only environments and the allocation of a female Probation Practitioner as factors which may impact on their experience of supervision.

10.9 All New NPS Cases Aged 18 – 25

- 10.9.1 Not every young adult open to the NPS will go through a formal transition process and requests for information should be made by the NPS to the relevant YOT when this is the case. This request for information should be made within the first week of sentence and can include (but is not limited to): previous assessment, risk factors, safety and well-being judgements and significant events. The YOT will use the approved information sharing process and database when responding to information requests from the NPS.

10.10 Transfer to NPS out of local area

- 10.10.1 If a young person needs to transfer out of the NPS area they have been supervised in, it may not be possible to arrange the three multi-agency professionals' meetings detailed earlier (see section 6.4.14). The principles of good transition should however still apply (see page 4).
- 10.10.2 The seconded YOT Probation Officer should complete the Risk of Serious Recidivism (RSR) tool to inform the recommendation for transfer to the NPS. In the absence of the YOT Probation Officer the expectation is that the RSR will be completed by the lead Probation Officer in the NPS in the transferring area to ensure there is no delay and that information about the young person is promptly shared.

11. Disputes and resolutions process

- 11.1 All agencies identified in 1.1 will work with each other when following the transition process to ensure the young person's needs are met.
- 11.2 The YOT and NPS should refer to the YJB Case Management Guidance to ensure the best decisions are made on an individual basis. There may be instances when specific circumstances indicate it is not appropriate to transfer a young adult to probation services. However, professional judgement should lead decision making, informed by the steps necessary to promote the safety and wellbeing of the young person and the best interests of the public.
- 11.3 If the NPS does not agree with the recommendation made by the YOT as outlined at 7.2.3, a meeting should be held between the YOT and NPS to review the case allocation and make a decision whether the case should be transferred to the NPS or retained by the YOT. Unresolved disputes regarding transition

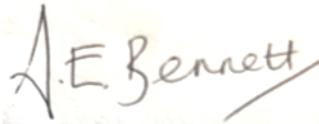
cases should be raised at management level.¹⁷ It is expected that any decision to reallocate will be at management level.

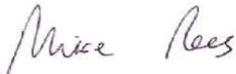
¹⁷ Annex A – Youth to Adult Transitions Framework 2021: Process Map

12. Signatories

12.1 The signatories agree to implement the provisions of the Joint National Protocol for Transitions in England.

YJB	Print name	Signature	Date
	Cheryl de Freitas		10/05/2021

NPS	Print name	Signature	Date
	Andrea Bennett		11/05/2021

AYM	Print name	Signature	Date
	Michael R.G. Rees		24/05/21