

## Court bail / remand process

- A young person between the ages of 12-17 years appears in court and CPS opposes bail using the new criteria which is:
  - seriousness of the offence - the offence must be punishable with a sentence of imprisonment of fourteen years or more
  - 'realistic prospect' of receiving a custodial sentence - the young person must have a history of committing offences or absconding while on remand.
- YOS will then liaise with CPS to find out what their objections to bail are and to obtain the facts of the alleged charge (s) and a record of previous convictions.
- YOS officer will assess the young person using a bail ASSET (this includes an assessment of vulnerability) and will then liaise with a YOS manager regarding suitable bail support packages (including ISS). Potential bail addresses with friends/relatives will also be explored at this stage.
- YOS officer will liaise with CPS/defence regarding the proposed bail package the YOS can offer. If CPS is resistant to the bail package the YOS will still make the proposal, however the YOS will contact social care to inform that bail may be an issue and other potential avenues need to be explored.
- If the court agrees that bail support/ISS is insufficient and they are seriously considering remanding the young person into custody then their first consideration needs to be to remand into Local Authority care.
- The YOS will liaise with social care to inform them of the position and to provide any information they may require. Social care will need to confirm what provision is available in terms of accommodation and the support which they can offer.
- The court can attach conditions to a remand to LA care (RiLA) which very often includes restrictions on their movements but also that the young person cannot return to his family home/cannot reside in the borough of Barnet/must adhere to YOT bail support/ISS which social care and the YOT will have to work around.
- The timeframes on the above are short and the matter must be dealt with on the same day and so the process around the above needs to take that into consideration.
- In the event that the young person is remanded into the care of the LA where possible the YOS will assist and take the young person to Barnet House. However when this is not possible (i.e. a full court day and the YOS officer has other commitments) social care will be responsible for collecting the young person from court.
- The YOS will obtain a copy of the warrant which places the young person in the care of the LA and send this to social care at the earliest opportunity. If the young person is also subject to a bail support/ISS/intensive fostering programme then the YOS will work in conjunction with social care colleagues regarding the young person's risk management plan and the subsequent delivery of interventions.

- The YOS will keep social care notified of further court dates and any other relevant legal matters.
- In the event of a remand into custody the YOS will notify social care immediately as the young person will automatically acquire LAC status. The YOS will provide information as requested by social care to facilitate their assessment.
- The YOS will liaise and work with the social worker during the period the young person is in custody and following any subsequent sentencing.