

Report to PCCs on Norfolk & Suffolk Out of Court Disposal Scrutiny Panel

About the Panel

Norfolk and Suffolk Out of Court Disposal Scrutiny Panel has been set up to independently scrutinise the use of Out of Court Disposals in response to national recommendations, following concerns about their appropriate use. The role of the Panel is to ensure that the use of Out of Court Disposals is appropriate and proportionate, consistent with national and local policy, and considers the victims' wishes where appropriate. The Panel aims to bring transparency to the use of Out of Court Disposals in order to increase understanding and confidence in their use. Findings of the Panel, together with responses to recommendations made, are to be reported publicly to support this aim.

How the Panel operates:

The Panel review and discuss case files as a group and conclude one of three categories:

- Appropriate and consistent with national and local guidelines;
- Appropriate with observations from the Panel;
- Inappropriate use of Out of Court Disposal.

Decisions reached by the Panel on each case file are recorded, together with observations and recommendations, to inform changes of policy or practice. The Panel also consider performance information regarding levels and use of Out of Court Disposals, changes to legislation, and policies and practice to support them in their role.

Report

The Panel met on the 10th May 2017. Ten Panel members were present, with eight apologies.

Panel Business

- The Panel discuss all actions from the previous scrutiny meeting prior to moving on to the case files.
- Scrutiny of Case Files.
- Rationale and File Selection.

The Panel requested a focus upon cases involving Looked after Children (LAC) disposed of by means of Out of Court Disposal in Suffolk and Norfolk for this meeting.

Panel findings

10 cases were scrutinised: 5 x Suffolk and 5 x Norfolk cases.

The Panel concluded that, in relation to the reviewed cases, the five Norfolk cases were appropriate with comments which have been outlined below under 'Key Issues'. The Panel were again satisfied with the disposal outcome of all five of the Suffolk cases; comments were, however, made on one

case. In this case, rather than receiving a direct referral through to YOT, a youth received a Community Resolution with an agreed course of action to engage with YOT and the Diversion Programme.

Suffolk

- All five of the Suffolk cases were dealt with proportionately and appropriately, taking into account the victim's views and wishes, while offering support and guidance to the youths without them falling into the judicial system.

Norfolk

- All five of the Norfolk cases were dealt with proportionately and appropriately, taking into account the victim's views and wishes, while offering support and guidance to the youths without them falling into the judicial system.

Key Issues:

- The Panel made an observation that Police are currently putting a lot of effort into safer schools but are not engaging as well with specialist schools for youths who have been excluded from mainstream school due to behavioural issues. It was also highlighted that, while the majority of schools deal with low level incidents themselves without Police engagement, Police are being called to deal with incidents in specialist schools which, it was felt, could have been dealt with in school.
- A concern was raised that it was unclear what behavioural management policies are in place within children's homes to enable staff to manage certain behaviours, or defuse a situation, without needing to contact Police for support or to carry out an arrest.
- The Panel discussed an incident where a youth received a Youth Conditional Caution for possession of cannabis. As youths are ineligible to receive Cannabis Warnings this has resulted in him receiving a criminal record and a higher level of intervention than if he had been an adult.
- It was noted by the Panel that the Diversion Programme was used more in the Suffolk cases than Challenge 4 Change was being used in the Norfolk cases; it was felt by the panel that Suffolk's use of the Diversion Programme was just as, if not more, successful than the Norfolk's outcomes with less criminalisation of the young offenders. It was made clear to the panel that Suffolk YOT currently has more capacity than Norfolk YOT and is therefore able to do more with the Diversion Programme than Norfolk has been able to do with Challenge 4 Change.

The next meeting will be held on: Wednesday 27th September 2017