

Report to Police and Crime Commissioners on Norfolk and Suffolk's Out of Court Disposal Scrutiny Panel

Meeting date: 7 September 2023

About the Panel

Norfolk and Suffolk Constabulary's 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 membership comprises a range of criminal justice services professionals including representatives from the police, Criminal Justice Service, Youth Justice Service, Magistrates and Police and Crime Commissioner offices who aim to bring transparency to the use of Out of Court Disposals to increase public 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 independently review and discuss a selection of anonymised case files that have been resolved by use of an Out of Court Disposal with Norfolk or Suffolk and conclude whether the method of disposal fits one of three categories:

- Appropriate and consistent with national and local guidelines.
- Appropriate but with comments/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. The panel cannot endorse, resend or alter individual decisions already made.

Panel business

The panel met on the 7 September 2023. Eight panel members were present with four offering apologies. The panel discussed:

- Scrutiny of case files.
- Rationale and file selection.

The Panel findings

Eight cases were scrutinised: four Norfolk and four Suffolk cases. These cases were selected at random and included both adult (three) and youth (five) disposals. No individual group of people were specifically selected based solely on characteristics (such as perceived race) on this occasion, however, the cases scrutinised represented a wide range of members of our communities.

Four of the Norfolk cases scrutinised were deemed to have met the evidential standard and were concluded to be appropriate and consistent with the national and local guidelines.

Three of the Suffolk cases scrutinised were deemed to have met the evidential standard and were concluded to be appropriate and consistent with the national and local guidelines. One case was concluded to be appropriate, but with additional comments added by the panel.

Norfolk cases

Four Norfolk cases were found to be appropriate and consistent with national and local guidelines. No further observations or recommendations were added.

Suffolk cases

Three Suffolk cases were found to be appropriate and consistent with national and local guidelines.

One Suffolk Youth Case Study was found to be appropriate, but with additional comments from the Panel. Discussions were had regarding why a Youth Caution was provided when the circumstances surrounding the case perhaps dictated that intervention measures should have been assessed and recommended. A sufficient explanation was provided by the Police which confirmed that there were evidential details that were not provided in the report which led to the decision to use a Youth Caution. The Panel was satisfied with this explanation and deemed it an appropriate use of a Youth Caution.

Performance data

Data was provided on the number of Out of Court Disposals for each force for the period of May 2023 to July 2023. Please see the data broken down by type of Out of Court Disposals for each force below:

Norfolk Constabulary data

Outcome	May	June	July	Total
Type 2 – Caution Youth	4	1	5	10
Type 2A – Caution Youth – alternate offence	2	0	0	2
Type 3 – Caution Adult	95	85	77	257
Type 3A – Caution Adult – alternate offence	7	12	7	26
Adult Caution - conditional	1	4	7	12
Type 4 – TIC – Taken into Consideration	17	28	8	53
Type 5 – Offender has died	0	2	2	4
Type 7 – Cannabis/Khat Warning	0	1	0	1
Type 8 – Community resolution (Crime)	148	189	185	522
Grand Total	274	322	291	887

Suffolk Constabulary data

Outcome	May	June	July	Total
Type 2 – Caution Youth	3	6	16	25
Type 2A – Caution Youth – alternate offence	4	0	0	4
Youth Conditional Caution	0	1	2	3
Type 3 – Caution Adult	51	46	36	133
Type 3A – Caution Adult – alternate offence	3	0	1	4
Adult Caution - conditional	2	4	3	9
Type 4 – TIC – Taken into Consideration	17	8	12	37
Type 5 – Offender has died	2	1	5	8
Type 7 – Cannabis/Khat Warning	1	0	1	2
Type 8 – Community resolution (Crime)	118	113	126	357
Grand Total	201	179	202	582

Next meeting:

Thursday 7 December 2023