

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

Meeting date: 5 September 2024

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 by the two Offices of the Police and Crime Commissioners 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 within 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 5 September 2024. Nine panel members were present with one member offering apologies. The panel discussed:

- Scrutiny of case files
- Rationale and file selection

The panel have approached members of the Independent Advisory Group to seek their attendance for future meetings.

The Panel findings

Eight cases were scrutinised: four Norfolk and four Suffolk cases. These cases were selected at random by Norfolk and Suffolk Constabularies and included both adult (four) and youth (four) 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.

Norfolk cases

The four Norfolk cases scrutinised by the panel were deemed to have met the evidential standard and were concluded to be appropriate and consistent with national and local guidelines.

No further observations or recommendations were added.

Suffolk cases

The four Suffolk cases scrutinised by the panel were also deemed to have met the evidential standard and were concluded to be appropriate and consistent with national and local guidelines.

One adult disposal was discussed in relation to a change in stance taken by Suffolk Constabulary on sex offenders breaching notification requirements. Previously, words of advice would be used for such a breach, now a Community Resolution can be issued making these types of breach more auditable. The panel agreed this is a more positive stance to take.

Two youth disposals were discussed as it was deemed by the panel that Suffolk Constabulary applied the wrong outcome code when recording the disposal. For both disposals, an Outcome 22 was applied as opposed to an Outcome 20. In both cases, the incident occurred on or around school premises and the relevant schools took primacy of each case; as such, an Outcome 20 would have been the correct code to have used. The panel were overall happy that both cases were dealt with appropriately and proportionately post-recording.

Performance data

Data was provided by Norfolk and Suffolk Constabularies on the number of Out of Court Disposals for each force for the Quarter 2 Period of 2024 (April 2024 to June 2024). Please see the data broken down by type of Out of Court Disposals for each force below:

Norfolk Constabulary data

Norfolk Constabulary				
Outcome	April	May	June	Total
Type 2 - Caution Youth	4	15	4	23
Type 3 - Caution Adult	83	71	87	241
Type 3A - Caution Adult - alternate offence	5	7	2	14
Adult Caution - conditional	2	0	0	2
Type 4 - TIC - Taken into Consideration	29	22	25	76
Type 5 - Offender has died	2	3	1	6
Type 7 - Cannabis/Khat Warning	1	0	0	1
Type 8 - Community resolution (Crime)	156	235	268	659
Type 22 - Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.	31	28	51	110
Grand Total	313	381	438	1,132

Suffolk Constabulary data

Suffolk Constabulary				
Outcome	April	May	June	Total
Type 2 - Caution Youth	6	8	10	24
Type 2A - Caution Youth – alternate offence	0	0	1	1
Type 3 - Caution Adult	48	46	35	129
Type 3A - Caution Adult - alternate offence	3	3	2	8
Adult Caution - conditional	1	2	4	7
Type 4 - TIC - Taken into Consideration	28	28	19	75
Type 5 - Offender has died	1	1	0	2
Type 7 - Cannabis/Khat Warning	0	0	2	2
Type 8 - Community resolution (Crime)	105	92	106	303
Type 22 - Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.	24	32	19	75
Grand Total	216	212	198	626

Next meeting:

Thursday 5 December 2024.