

## **Report to PCCs on Norfolk & Suffolk's Out of Court Disposal Scrutiny Panel**

### **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 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 21<sup>st</sup> August 2019. Ten panel members were present with four 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 had requested a focus upon cases of Hate Crime and Domestic Abuse disposed of by means of out of court disposal in Suffolk and Norfolk for this meeting.

### **Panel Findings**

12 cases were scrutinised: 6 x Suffolk and 6 x Norfolk cases. The panel were unable to reach a decision about one of the Norfolk case studies and will reconsider it at the next meeting once more information has been found. The other five Norfolk cases were concluded to be appropriate but two of these had comments added by the panel. All six of the Suffolk cases were concluded to be appropriate but three of these had comments added by the panel.

## **Suffolk**

- 3 cases were found to be appropriate and consistent with national and local guidelines.
- Case Study S1 was found to be appropriate with added comments that a simple youth caution was not the most ideal outcome in this case as a youth conditional caution would have ensured more engagement with YJS by the young offender. The panel would also have liked to see a stronger rationale from the officer for the decision to caution and a record of the victims' views.
- Case Study S3 was found to be appropriate with added comments that the cautioned offence should have been investigated more thoroughly and could have been dealt with at a higher level independent of the other, more serious, offence which it was linked to.
- Case study S4 was found to be appropriate with added comments that the condition added to the disposal for the suspect not to contact the victim is inappropriate as they live on the same street.

## **Norfolk**

- 3 cases were found to be appropriate and consistent with national and local guidelines.
- Case study N4 is still pending a decision based on further information to be discussed at the next panel meeting.
- Case Study N2 was found to be appropriate with added comments that the offence could have been investigated more thoroughly.
- Case Study N3 was found to be appropriate with added comments that this could have been referred to CPS for a prosecution.