

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

Meeting date: 5 December 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 December 2024. Five panel members were present with seven members 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 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. However further explanation was sought in relation to one case.

One youth disposal was discussed due to the severity of the incident which involved possession of a knife in a public place. Further discussions were had regarding the gravity of the offence and whether this should have been progressed through the court system.

Further information was provided regarding the decision-making process undertaken within the multi-agency disposal panel. This process was led by the Youth Justice Service (YJS) and required various authorisations on the proposed outcome prior to the matter being concluded. A Youth Conditional Caution was judged to be the most proportionate disposal and resulted in the suspect meaningfully engaging with the YJS process.

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.

Further discussions took place in respect of one youth disposal where it was confirmed that the Youth Conditional Caution related to a combination of offences and the decision-making process was appropriately managed by YJS.

Performance data

Data was provided by Norfolk and Suffolk Constabularies on the number of Out of Court Disposals for each force for the Period of July 2024 to September 2024. Please see the data broken down by type of Out of Court Disposals for each force below:

Norfolk Constabulary data

Norfolk Constabulary				
Outcome	July	August	September	Total
Type 2 - Caution Youth	7	2	5	14
Type 2A - Caution Youth - alternate offence.	3	1	1	5
Type 3 - Caution Adult	80	73	93	246
Type 3A - Caution Adult - alternate offence.	2	5	6	13
Adult Caution - conditional	0	6	3	9
Type 4 - TIC - Taken into Consideration	56	37	15	108
Type 5 - Offender has died	3	2	1	6
Type 7 - Cannabis/Khat Warning	0	1	0	1
Type 8 - Community resolution (Crime)	237	250	249	736
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.	40	20	26	86
Grand Total	428	397	399	1,224

Suffolk Constabulary data

Suffolk Constabulary				
Outcome	July	August	September	Total
Type 2 - Caution Youth	7	6	5	18
Type 2A - Caution Youth - alternate offence.	0	1	0	1
Youth Conditional Caution	0	0	2	2
Type 3 - Caution Adult	52	36	27	115
Type 3A - Caution Adult - alternate offence.	1	2	1	4
Adult Caution - conditional	0	5	1	6
Type 4 - TIC - Taken into Consideration	37	19	23	79
Type 5 - Offender has died	2	0	0	2
Type 6 - Penalty notice for disorder	0	0	1	1
Type 7 - Cannabis/Khat Warning	0	1	0	1
Type 8 - Community resolution (Crime)	126	127	118	371
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.	20	28	10	58
Grand Total	245	225	188	658

Next meeting:

Thursday 6 March 2025.