

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 11th October 2017. Ten panel members were present with five 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 domestic abuse 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, all five of the Norfolk cases were an appropriate disposal though the panel did have comments to add in relation to one of these cases as outlined below under 'Key Issues.' Three of the five Suffolk cases were concluded to be an

appropriate disposal and two of the Suffolk cases were deemed to have been an inappropriate use of Out of Court Disposal.

Suffolk

- Three of the Suffolk cases were dealt with proportionately and appropriately, taking into account the victim's views and wishes. Admissions from the accused were clear and proportionate. The correct level of authority had been obtained in all these cases and documentation was completed to a good standard.
- The third Suffolk case study was a case of harassment of a vulnerable victim, who suffers with Bipolar and Schizoaffective disorders, by her ex-partner of 3 months. Two prior incidents involving this couple had been previously reported to the Police from which the victim had withdrawn. The panel were dissatisfied with a lack of evidence gathering in this case and noted that Police ought to have considered issuing a Domestic Violence Protection Notice to this offender before issuing a Harassment PIN.
- The fifth Suffolk case study was a case of common assault and criminal damage by the victim's ex-partner of 7 years. The offender had slapped the victim, attempted to wrap a cord around her neck, and caused damage to a valuable necklace she was wearing. The panel were again dissatisfied with a lack of further evidence gathering in this case and that the attempted strangulation of the victim by wrapping a cord around her neck had not been addressed in interview. The panel also noted that there was no evidence that the victim had been consulted about this choice of disposal.

Norfolk

- All five Norfolk cases were dealt with proportionately and appropriately, taking into account the victim's views and wishes. Admissions from the accused were clear and proportionate. The correct level of authority had been obtained in all these cases and documentation had been completed to a good standard.

Key Issues

- It was noted that, in the fourth Norfolk case study, the young offender in this case had been referred to the Challenge 4 Change programme but, before he was able to begin the programme, had committed another similar offence (criminal damage at his home address and assault against his mother) which meant he was then ineligible to take part. The panel believed that Challenge 4 Change was the correct disposal option in this case and expressed regret that there was no chance for the benefit of the programme to take effect due to the youth's reoffending.