



Northamptonshire Out of Court Disposal Scrutiny Panel

Annual Summary 2019/2020

1. Brief overview of OOCDisposals in Northants

In January 2020 Northants Police moved to a two tier approach in relation to Out of Court Disposals. Before the move to “two tier” there were several alternatives to formal charges (charged to attend court) available to police and CPS when dealing with adults and youths who have committed relatively low serious offences. These include cannabis and khat warnings, penalty notices for disorder, community resolution, cautions without conditions and conditional cautions. Under the two tier approach only conditional cautions (which will normally include some form of rehabilitation for the offender) and community resolutions are applied.

An out of court disposal may be considered by the police in consultation with the victim as their preferred option for the offender. While the victim’s wishes will be sought, they have no obligation to take part in the process, and the officer looking into the case will have the final say on how to deal with the offender. The offender must also admit their guilt and agree to the offence being dealt with via an out of court disposal.

The Northants Out Of Court Disposals Scrutiny Panel has been set up to independently scrutinise the local use of OOCDisposals. This is in response to national recommendations following concerns about their appropriate use.

In June 2019 Northants Police began issuing Conditional Cautions for intimate domestic abuse cases, under a pilot scheme run under the auspices of the Director of Public Prosecution (DPP)

The role of the panel is to ensure that the use of OOCDisposals is appropriate and proportionate, consistent with national and local policy, and considers the victims’ wishes where appropriate.

The panel review and discuss anonymised case files as a group and conclude one of four categories:

- Appropriate and consistent with national and local guidelines
- Appropriate with observations from the panel
- Inappropriate use of out of court disposal
- Panel fails to agree on the appropriateness of the decision made.

Decisions reached by the panel on each case are recorded, together with observations and recommendations to inform changes in policy or practice.

2. Brief overview of agencies represented on Scrutiny Panel

The Northants OOC Scrutiny Panel is chaired by John Baker, JP, the Deputy Chair of the Northamptonshire Bench and includes representation from the Crown Prosecution Service, Police, sentencers (Magistrates), Her Majesty's Courts and Tribunal Service, the National Probation Service, the Youth Offending Service (Youth panel only) and the Office of the Police, Fire and Crime Commissioner.

3. Number of Scrutiny Panel meetings held proceeding year

During the financial year 1 April 2019 to end March 2020 the Northants Scrutiny panel has met on six occasions; sitting twice as an Adult Panel, twice as a Domestic Abuse Panel and twice as a Youth Panel.

4. Number of cases reviewed by Panel in preceding year

During the 12 months between 1 April 2019 and 31 March 2020 the Panel has reviewed 60 cases; 20 adult cases, 20 Domestic Abuse cases and 20 youth cases.

5. Breakdown of cases reviewed – adults/youth and male/female

Of the 60 cases reviewed, the breakdown is as follows -

20 adult cases

20 youth cases

20 Domestic Abuse cases

30 male cases

30 female cases

6. Analysis of Scrutiny Panel review decisions

Of the 60 decisions scrutinised -

22 (37%) were assessed as appropriate and consistent with national and local guidelines. This compares to 13 (32.5%) in the previous year.

13 (22%) were assessed as appropriate but with observations from the panel. This compares to 17 (42.5%) in the previous year

24 (40%) were assessed as inappropriate, 8 of which were for the new Domestic Abuse disposals. This compares to 10 (25%) in the previous year.

There was 1 case that the panel failed to agree on the appropriateness of the decision made. This compares to no cases in the previous year.

7. Conclusion

59% of the out of court disposals scrutinised were judged by the panel to be appropriately made. In the 24 cases where the panel felt the OOCd was inappropriate detailed feedback was given by a police manager to the officers concerned and, where appropriate, Force wide guidance was issued. The increase in inappropriate cases arises mainly from the introduction of the Domestic Abuse Out of Court Disposal (with a smaller number arising from Youth Panel cases).

The Domestic Abuse OOCd is still a new option for Officers and the past six months has been a period of learning and bedding in. Domestic Abuse Conditional Cautions have only been available for just over half the year under review and we feel confident that once these have bedded in the number judged to be inappropriate will reduce.

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