



**POLICE & CRIME  
COMMISSIONER**  
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Leicestershire & Rutland  
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## Out of Court Resolutions (OOCR) Scrutiny Panel Annual Report

16<sup>th</sup> May 2025

<b>Report Date</b>	16 <sup>th</sup> May 2025
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<b>Security Classification</b>	Official

## **Purpose of Report**

1. As an advisory body to the Police and Crime Commissioner (PCC), the Ethics and Transparency Panel is required to assure the Commissioner that ethics and integrity are embedded within Leicestershire Police and that the highest levels of professional standards and delivery of policing services to the public are being upheld, adding value beyond audit and scrutiny.
2. The Chair, on behalf of the Out of Court Resolutions Panel (OOCR), brings this report to outline for the Ethics and Transparency Panel the key findings, notable practice, and areas for improvement found in the Out of Court Resolutions Panel, and how the OOCR panel are fulfilling their duty through the scrutiny of policies and procedures through the dip-sampling of Out of Court Resolutions. The purpose of this report is to highlight the work of the Panel for the year June 2024 to April 2025 for the consideration of the Ethics and Transparency Panel, and to propose areas of scrutiny to be raised through the Ethics and Transparency Panel's annual report for scrutiny between the PCC and CC.

## **Request of the Panel**

3. In their role to identify areas for improvement with the use of Out of Court Resolutions, the Chair, on behalf of the Out of Court Resolutions Panel, requests that the Ethics Panel consider the contents of this report. The Panel would specifically like to ask the Ethics Panel for their opinion on the following questions;
  - a. Are the Ethics and Transparency Panel in agreement with the Out of Court Resolutions Panel on the identified areas for improvement?
  - b. Would the Ethics and Transparency Panel be willing to present the recommendations outlined in their annual report to the PCC?

## **4 Summary of Findings**

### **Adult (September 2024)**

<b>1</b> (Appropriate and consistent with Police policies and/or the CPS Code for Crown Prosecutors)	5
<b>2</b> (Appropriate but with observations)	3
<b>3</b> (Inappropriate and inconsistent with Police policies and/or the CPS Code for Crown Prosecutors)	7
<b>4</b> (Panel fails to reach a conclusion)	0

### **Youth (September 2024)**

<b>1</b> (Appropriate and consistent with Police policies and/or the CPS Code for Crown Prosecutors)	9
<b>2</b> (Appropriate but with observations)	5
<b>3</b> (Inappropriate and inconsistent with Police policies and/or the CPS Code for Crown Prosecutors)	1
<b>4</b> (Panel fails to reach a conclusion)	0

**Youth (March 2025)** – Only 15 cases reviewed in March due to capacity issues in Force OOCR team. 2 members of the team were on long term sick and a further FTE member retired.

<b>1</b> (Appropriate and consistent with Police policies and/or the CPS Code for Crown Prosecutors)	5
<b>2</b> (Appropriate but with observations)	6
<b>3</b> (Inappropriate and inconsistent with Police policies and/or the CPS Code for Crown Prosecutors)	4
<b>4.</b> (Panel fails to reach a conclusion)	0

## **5.Previous Meetings**

5.1 Since the previous report in June 2024 there have been two meetings of the panel; September 2024 and March 2025. The September 2024 meeting considered 30 cases in total (15 adult cases and 15 youth cases). It was disappointing that out of the 15 adult cases, 7 were judged as inappropriate or inconsistent. The 7 cases related to the following offences:

- Possession of an offensive Weapon
- Common Assault x3
- Theft
- Stalking
- Possession of Class A

5.2 Insp Crisp provided feedback to officers involved in all cases and their Sergeants. This is done for both cases where there are areas for improvement, as well as cases that were deemed appropriate and handled well, in order to promote positive learning.

5.3 In relation to youth cases over the year, 5 in total were judged as Inappropriate; these five related to:

- Racially aggravated public order
- Taking a motor vehicle without the owner's consent
- Sexual Assault
- Public Order
- Theft

5.4 The action for the youth cases was that there should have been a referral back to YOS for further work or engagement in various programmes. However, feedback from the Ethics and transparency Panel Member highlighted the following:

*Compared to the last review of youth cases there was a shift in how effective OOCRs were being used. The last review presented more positive results which supports the assessment that improvements are still required. General themes documented were that:*

- *Conditions were not appropriate/meaningful/enforceable, therefore more of a 'tick box' than constructive*
- *A referral should have been made instead of an OOCR being issued to ensure wider assessment/support/intervention received by the involved youth*

- *CPS involvement should have been sought as the OOCR was not addressing the offending history*
- *Rationale had not been provided to allow an adequate review by the members of the panel*
- *A 'lack of curiosity' seen from officers to ensure child/young person's wellbeing. It was highlighted OOCRs should be a resource to also safeguard. Officers have a duty to safeguard (both within the home and outside the home) when it comes to CCE and CSE and as First Responders they have a duty to notify the NRF. It was highlighted that not referring the involved party and a general 'lack of curiosity' should be concerning for the force.*

## **6. Issues identified with the panel and Proposed Solution**

6.1 The March 2025 meeting only considered 15 youth cases. The rationale behind this was that a previous communication had been sent to panel members outlining some challenges within the Force.

6.2 In summary, the force identified that there were significant capacity issues currently and on the horizon for the OOCR team within the prevention directorate. This was a combination of increasing workload and demand coupled with a reduction in posts for a number of reasons - planned and unplanned leave, no near-future anticipation for restoring capacity levels due to priorities elsewhere, and no possible prospect in the near future of increasing team size due to budgetary challenges being faced by the Force.

6.3 As the main resource for the scrutiny material in the OOCR there was a need to be mindful of the fact that the OOCR scrutiny panel, while absolutely good practice to have, is not statutory for Force's and emerging priorities are always arising, particularly with so much change to OOCR locally with the embedding of the Prevention Directorate and the influx of work as a result of this.

6.4 The most significant demand identified with the panel is the sheer volume of cases which require significant background work before the panel (case selection, redaction, summarising and formatting, discussion and sign off ahead of panel x30) and then follow up work after each panel (relaying individual officer feedback x30 and the subsequent correspondence from this and inputting of information onto monitoring spreadsheet).

6.5 A possible solution that was proposed is to not reduce the work, but to **spread the work over 4 meetings per year of 2.5 hours each, alternating 15 adult cases and 15 youth cases each quarter**. This does mean increasing the hours volunteered by panel attendees, however, there was a belief that this approach will have a number of benefits, including:

- That it ensures 30 adult cases and 30 youth cases are reviewed each year, but the administration and preparation can be divided in half per quarter, making the demand more manageable on the team that prepares the work.
- Reduces demand on panel members who currently have 5 working days to read through 30 cases alongside their current capacities outside of the panel.
- Would make meetings more focused, allowing panel members to essentially 'deep dive' on adult cases or youth cases within that allocated time and have more meaningful discussion.
- Provide a longer term, sustainable way of maintaining the OOCR panel and the content it scrutinises.

6.6 It was highlighted that there were some risks associated with the proposal; the increasing meeting requirements may deter some panel members, and some may not be able to commit to four meetings per year. To mitigate this, it was suggested that if an attendee's area of business is particularly concerned with one age range, they can opt to just attend that panel, for example, youth justice may only wish to attend the two youth panels per year. All members will still be welcome to attend as many panels as they wish, however.

6.7 As such, it was proposed that this change to be implemented from September 2025, where the following proposed structure may be embedded.

6.8 I shared this proposal with partnership colleagues at the March meeting who agreed that this was a positive way forward and there would now be four meetings a year of 2.5 hours following the March 2025 meeting. These future meetings will be held in:

September 2025 – 15 x adult cases

December 2025 – 15 x youth cases

March 2026– 15 x adult cases

June 2026 – 15 x youth cases (repeat)

6.9 The lead Inspector was also happy with the proposal and felt that although there would be an additional 2 meetings per year, the fact that only 15 cases would need to be prepared and presented at each meeting would be beneficial in relation to capacity issues within the force.

## **7.Areas of Concern with Out-of-Court Resolutions in LLR**

7.1 From the September meeting, there was a concern that 7 cases out of the 15 adult cases scored a 3 (inappropriate) and 4 cases scored a 2 (appropriate with observations) That is 2/3 of the total number of cases we reviewed throughout the year. Common issues were, misuse of OOCR and not taking an offence forward to CPS/court when it should have been due to the seriousness of offence or offending history, not getting Inspector sign off when it was a policy requirement to do so, not referring offender to appropriate and relevant support services to impact behaviour, and issuing a voluntary referral when a conditional referral was more appropriate. There were some safeguarding concerns that were not properly risk assessed, leaving victims (potential victims) at future risk.

7.2 Following the panel meeting, there were many observations which fell into category 3, being inappropriate and inconsistent with Police powers and/or the CPS code for prosecutors. There were several cases where the panel felt there was a lack of rationale from the officer, a resolution for domestic abuse incident had been authorised by a Sergeant where it should have been authorised by an Inspector, possession of a Class A drug where a community resolution was not seen as sufficient and it should have potentially gone to Court and a lack of rationale and update from officers. Although these were concerns, the panel was satisfied that the Lead Inspector would provide feedback to ensure that processes were being followed.

7.3 The common themes were that there was no supervisory involvement or consultation, inappropriate signposting e.g., self-referral to GP, there was not a strong enough response for the severity of the crime, and serious safeguarding issues not considered (e.g. DA and Mental Health concerns).

7.4 The youth cases scored much better, 10 scored a 1 (appropriate). 4 scored a 2 (Appropriate but with observations) and only 1 was seen as Inappropriate. This discrepancy between Adult and Youth cases may reflect that there is a more wrap-around care for youths and greater service involvement. Cases go to a panel for youths, which is multidisciplinary and focused on the needs of the child. For adult cases where wellbeing is pushing people into offending, there is not an equivalent 'vulnerable adult' panel.

7.5 From a positive perspective, there were eight cases that the panel felt were appropriate but with some observations. However, as already mentioned, this was the first meeting for some time, and officers may not have had the opportunity to have all the information to hand to facilitate the panel.

## **8.Areas of notable practice**

8.1 In relation to successes, it was noted that officers were receptive of the panel's comments and in more than one case, shared their thoughts in relation to standards of practice. The process of capturing this feedback on a monitoring system has proven effective for the panel in understanding how feedback is presented to the Force, and how themes of individual feedback are identified.

8.2 What was also successful was the partnership between the OPCC, the Force and both statutory and voluntary partners. The most recent meeting March 2025 was very well attended by many partner organisations. This representation allows for more meaningful discussion and valuable input from local perspectives which has proven beneficial for the panel.

8.3 It was also noted that from a Force perspective that officers had limited time to produce the materials but had been open and transparent in their presentation of the cases.

## **9.Challenges faced by Panel**

9.1 For the panel to be truly effective, it is critical that there is a partnership approach and key agencies are represented. One of the challenges has been the representation of Magistrates and the need to ensure there were both Adult and Youth Magistrates represented. At one point during the year, there were adult Magistrates attending youth sessions who felt unable to provide appropriate input. The new format of the meetings going forward will address this issue in that the appropriate Magistrate will be invited to the relevant Adult or Youth Meeting. There is also an ongoing challenge of partner agencies changing representation at the meetings due to people leaving, or change of role or time constraints. To address this relevant information on the role of the panel is sent out in a timely manner once the OPCC lead is informed by the partner agency. The chair also ensures that formal introductions are carried out at each meeting.

9.2. Although not a challenge, the chair has recommended that a vice chair be selected as the new 4 meetings a year format as well as work commitments may mean that the chair cannot make every meeting, and as such, there should be someone who could chair in his absents. This will be addressed going forward.

## **10. Key Successes of the Panel**

The successes of the panel in my opinion has been that we have:

- Reviewed 45 cases this year and provided comprehensive feedback to the force.
- Held the force to account on their management and implementation of OOCR.
- Implemented a new process aimed at reducing the meeting length and the pressure on the presenting officer.
- Recommended a change and increase in the meeting schedule from 2 to 4 and only reviewing either Youth or Adult at each meeting.
- Understood the challenges faced by the force and made necessary adjustments to support the capacity issues of the lead officer.
- Continued to implement a partnership approach to reviewing the cases across the sector.

## **11. Summary**

11.1 It is the opinion of the Out of Court Resolutions Panel that the Panel has fulfilled the responsibilities that were set out within the terms of reference and have effectively conducted reviews of criminal cases concluded by way of an Out of Court Resolution and have scrutinised cases to identify any appropriate learning to assist with continuous improvement. The panel also feel (which is endorsed by comments in the ETP feedback form) that officer feedback is being provided on the areas needed to improve. The lead inspector is still very aware that improvements are needed in the way the Force is using OOCRs, and the panel feel assured that he will continue to work to bring those improvements about. There is a need to ensure that support continues to be given from Leadership to allow him to do so as the use of OOCRs seems to provide officers a resource to safeguard as well as to enforce the law.

## **12. Recommendations**

The Out of Court Resolutions Panel makes the following recommendations...

- Present to the PCC that there should be a significant increase in positive news stories rolled out across the Force on successful uses of OOCRs. Promoting positive learning and positive action is extremely beneficial for impacting organisational change.
- The partnership approach to the panel continues, and efforts are made to have consistency in representation where possible.
- The new format of 4 meetings a year (2 adult and 2 Youth) should be reviewed in 12 months to assess its effectiveness.
- A Vice Chair is appointed to deputise in the chair's absence.
- Propose to the CC that sufficient resource is allocated to the OOCR panel to allow the Force time to prepare cases for consideration.
- The panel have highlighted a positive multidisciplinary approach focused on the needs of the child within OOCR cases, however, have noticed that the same is lacking for vulnerable adults in the OOCR involvement. Force to review the approach and partner agency involvement provided to adult cases to prevent future wellbeing pushing people into offending and assess if a multi-agency approach would be beneficial for vulnerable adults.

- OPCC and the Force to review how safeguarding issues are being addressed in the use of OOCR. Concerns have been raised consecutively regarding the safeguarding of individuals in the Out of Court Resolution process, particularly in relation to mental health and domestic abuse.