



Leicestershire
Police
Protecting our communities

Leicestershire Police & Partner Agencies
Adult Out of Court Scrutiny Panel
Minutes
3rd November 2017

1. Attendance

Angela Perry (Chair) – Head of Governance & Assurance - PCC Office
Suzi Felstead – Bench Chair of Leicester and Rutland Magistrates
Kayley Galway – Turning Point
Rob Widdowson – Leicestershire Police
John Norman (JN) - Leicestershire Police
Christopher Trotter – CPS
Nina Stadnik – HMCTS
Jaspal Hulait – National Probation Service

2. Apologies

C/Supt David Sandall – Leicestershire Police
Emma Langham – HMCTS
Caroline Barker – Leicestershire Police
Vesna Dubaic – Women's Aid

3. Minutes and Actions from last meeting

Minutes approved no outstanding actions.
Suzi advised both Northants and Lincs Bench were unable, but were thankful for the invite.

4. Adult Offender Disposal Data

John went through the Data. Conditional Cautions have increased since November 2014 however the overall number of Out of Court Disposals have dropped. We along with Staffs and Yorkshire Police are still piloting this scheme.

Figures and more information regarding the national picture can be obtained from the official Home Office website.

5. Panel Cases for Consideration

The 15 cases, chosen at random by the PCC's office were reviewed by the panel and the following recorded:

10 cases graded 1 = Appropriate and consistent with policies
3 cases graded 2 = Appropriate but with observations
2 cases graded 3 = Inappropriate and inconsistent with policies
0 cases graded 4 = Panel failed to reach a conclusion

Case No:	Case:	Disposal:	Outcome:	Category:	Comments:
01	Theft from Store	Adult Conditional Caution	Appropriate and Consistent	1	
02	Damage (under £5000)	Adult Community Resolution	Appropriate but with Observations	2	This was a case of a 19yr old male damaging a mattress in a residential care home by punching a hole in it then seeming to try and set it on fire. Although the home did not wish for more formal action the panel felt that a Conditional Caution could have been justified due to the males previous offending history which included an offence of damage in 2014.
03	Drunk and Disorderly	Adult Conditional Caution	Appropriate and Consistent	1	
04	Battery	Adult Conditional Caution	Inappropriate and inconsistent	3	This was a case of a drunken male assaulting a member of the public causing a split lip following an argument outside a nightclub. Despite the lack of any previous offending history the panel

					felt that the random nature of the assault warranted a prosecution.
05	Possess Cannabis	Adult Community Resolution	Appropriate and Consistent	1	
06	Malicious Communications	Adult Community Resolution	Appropriate and Consistent	1	
07	Drink, Disorderly and Possess both Cannabis and Cocaine	Adult Conditional Caution	Appropriate but with Observations	2	This was a case of an intoxicated 23yr old male being threatening & abusive toward both members of the public and Police Officers outside a club. He was also found to be in possession of small amounts of both cannabis and cocaine. Although not disagreeing that having no previous convictions meant an out of court disposal could be appropriate, the panel felt that the evidence supported a s.4A Public Order offence not simply Drunk & Disorderly. There was also criticism of there being no recorded rationale for the

					decision from the authorising Sergeant.
08	Theft from Store	Adult Community Resolution	Appropriate and Consistent	1	
09	Battery	Adult Community Resolution	Appropriate but with Observations	2	A 49 year old male assaulted a 17 year old youth who he had found in his daughter's bedroom by slapping him twice to the head (no injury caused). The male had also forced entry to the bedroom by kicking the door open after finding it locked. Although the victim and his parents were happy with the outcome the panel felt that the male's over-reaction, and the difference in age to the victim, meant a Conditional Caution could have been considered.
10	Distributing Indecent Images (DA)	Adult Community Resolution	Appropriate and Consistent	1	
11	Battery (DA)	Adult Conditional Caution	Appropriate and Consistent	1	

12	Battery (DA)	Adult Conditional Caution	Appropriate and Consistent	1	
13	Possess Cannabis	Adult Community Resolution	Inappropriate and inconsistent	3	After being seen to be driving erratically a 23 year old male was stopped by the Police. The car smelt of cannabis, and a search revealed a small amount of cannabis, two cannabis grinders and a set of scales. The panel felt the outcome was flawed: there was no evidence that the Police had considered an offence of driving whilst impaired despite the manner of driving, and no explanation for the minimal action taken.
14	DA Criminal Damage	Adult Community Resolution	Appropriate and Consistent	1	
15	Battery (DA)	Adult Conditional Caution	Appropriate and Consistent	1	

6. National Out of Court Disposal Pilot Scheme Update

JN advised that there had still been no final Government evaluation of the Two-Tier pilot scheme, and there was no date as to when this is likely to happen. However the National Police Chief's Council met in October and signed off an agreement that all forces would be moving toward implementing the two-tier system currently being used by the pilot Forces.

DV Cases - Middle of November there will be a new option available for Officers. Hampton Trust (CARA) will be delivering this programme which will be evaluated within this area and will not be gender specific.

7. Communication

John advised he has been working with the PCC's office and confirmed that all the work from this panel and the Youth panel meetings are available on the PCC's website. We also have publication on the internal Police intranet, and feedback (positive or negative) is given to individual officers and supervisors.

Angela asked for this item to be removed from the Agenda.

8. AOB

No any other business

9. Future Meeting Dates:

3rd November 2017 - Main Conference Room – FHQ @ 1.30pm

12th January 2018 – Main Conference Room – FHQ @ 1.30pm

17th April 2018 - Main Conference Room – FHQ @ 1.30pm

31st July 2018 - Main Conference Room – FHQ @ 1.30pm

30th October 2018 - Main Conference Room – FHQ @ 1.30pm