



## **Leicestershire OPCC & Partner Agencies** **Adult Out of Court Disposal Scrutiny Panel Meeting** **Minutes**

**Thursday 7<sup>th</sup> March 2024**

### **1. Welcome and Attendees:**

Paul Brown – YMCA (Chair)  
Clare Hornbuckle – OPCC  
Shruti Pattani - OPCC  
Marc Crisp – Insp Leicestershire Police  
Matthew Ditcher – Supt Leicestershire Police  
Klaudia Wawrzyniak – Turning Point  
Louise Bradley – Ethics and Transparency Panel  
Daniel Cunningham – Victim First  
Marianne Connally – CPS  
Darren Goddard – Crime Registrar  
Margaret Bowler - Magistrate  
Chris Partridge – Hampton Trust

### **2. Apologies**

Jas Purewal – Victim First  
DI Dominic Markham – Police  
Parminder Dhillon – Insp Leicestershire Police  
Amon Kotey - Magistrate  
Kayley Galway – Turning Point  
Emma Hazan – Hampton Trust  
Louise Cox – CPS  
Lucy Watkins – CPS  
Sally Cook – CPS

### **3. Urgent Business**

Chair updated the group that we have acknowledged that the cases are shorter than expected and that following a brief discussion with Clare, explanations were provided on behalf of the Force and assurances provided that September cases will be more enhanced and complex (confirmed again by Insp Crisp). Supt Matt Ditcher re-iterated the time pressures in Force and provided further context to the transition of OOCR to Layer 0 which was only finalised on Monday the 4<sup>th</sup> March. It was confirmed by Insp Crisp there are 5 DA cases included in the agenda bundle in line with the national guidance.



#### 4. Previous Minutes

Previous Minutes N/A due to time between panels.

#### 5. Prevention and Partnerships (Leicestershire Police)

Insp Crisp provided a verbal update to the panel regarding the movement of OOCR to Layer 0 in Force (prevention and partnerships level).

Insp Crisp explained that Layer 0 is a result of a review of the Force's structure from top to bottom. Layer 0 is an overarching layer covering all prevention and partnerships work and feeds in to all other layers in the force. Insp Crisp explained that Grace Strong (seconded from VRN) is leading the prevention work in the force.

Insp Crisp explained the aspects of Layer 0 such as crime prevention and community safety, ASB, Hate Crime, Diversion and Youth Justice, Out of Court Resolutions. Marc explained this approach should give people of Leicester, Leicestershire and Rutland a better, unified service.

No questions from the panel.

#### 6. Out of Court Disposal highlight report

Clare Hornbuckle provided an overview of the highlight report produced for the panel.

No questions from the panel.

#### 7. Panel Cases for Consideration

Only adult cases were reviewed at this panel meeting due to time pressures and constraints in the Force as outlined above. 15 adult cases were reviewed by the panel. The following gradings were recorded:

|  |   |
|--|---|
| <b>1</b> (Appropriate and consistent with Police policies and/or the CPS Code for Crown Prosecutors)     | 1 |
| <b>2</b> (Appropriate but with observations)   | 8 |
| <b>3</b> (Inappropriate and inconsistent with Police policies and/or the CPS Code for Crown Prosecutors) | 6 |
| <b>4</b> (Panel fails to reach a conclusion)   | 0 |

| <b>Case Number</b> | <b>Classification</b>   | <b>Rationale</b>   |
|--------------------|---|--|
| Case A             | 2 (appropriate with observations)                               | Discussion had that the sergeant had not been consulted. Agreed by the panel that Sgt should have been consulted and provided that closure for the CR. We would expect to see why the CR is appropriate and some remedial conditions (not included on this case). Discussed that this should be a conditional caution due to the circumstances and potential escalation to violence. |
| Case B             | 2 (appropriate with observations)                               | Victim not consulted and rationale documentation not provided by officer.  |
| Case C             | 2 (appropriate with observations)                               | Victim not consulted and rationale documentation not provided by officer.  |
| Case D             | 3 (inappropriate and inconsistent with policies and procedures) | Caused concern among panel. Sgt authorised a CR for a DA incident which should only be authorised by an Inspector.   |
| Case E             | 2 (appropriate with observations)                               | Appropriate outcome but liaison with the victim missing.   |
| Case F             | 3 (inappropriate and inconsistent with policies and procedures) | Concern raised as offence is possession of a class A drug which a CR would not be sufficient for. Text messages on phone indicate PWITS which suggest this could have come to court.   |
| Case G             | 3 (inappropriate and inconsistent with policies and procedures) | Panel observe lack of updates and rationale from officer. Suggestion that the use of CR is inappropriate – as suspect stated self-defence, he has not provided a full and frank admission and a CR should not have been used for this reason.  |
| Case H             | 1 (appropriate and consistent with policies)                    |  |
| Case I             | 2 (appropriate with observations)                               | No engagement with the victim to ensure they were satisfied with the conditions of the resolution.   |

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|--------|--|---|
|        |  | Due to indication of alcohol abuse, raised by Turning Point that it may have benefited the suspect to be referred and have attendance included as a condition. Concern raised from TP and VF that victim's mental health should have had a more significant impact in the conditions.   |
| Case J | 2 (appropriate with observations)                | Discussion around the possession of Class A drugs found during investigation and assault on an emergency service worker indicate.   |
| Case K | 3 (inappropriate and inconsistent with policies) | No supervisory involvement indicated in this case. Conversation had that due to religious context of incident, that this case could be classified as a possible racially aggravated hate crime. Discussed that as a shoe was used for assault, this constitutes a weapon in court and should have been classified as a more serious offence.  |
| Case L | 3 (inappropriate and inconsistent with policies) | Concern where conditions are 'self-referral to GP', felt that it needed a stronger condition with more oversight. Included in the report that there were previous drug related offences which suggest a stronger response would've been more appropriate, however due to lack of detail in the report this can't be determined. Agreed by panel that this should have been a conditional caution. |
| Case M | 2 (appropriate with observations)                | Observation that a stalking risk assessment could have been carried out and that due to domestic criminal damage a conditional caution may have been more appropriate.  |
| Case N | 3 (inappropriate and inconsistent with policies) | Concern raised by panel that there are some serious offences indicated such as safeguarding issues, CPS indicated that this could have been   |

|        |                                  |   |
|--------|----------------------------------|---|
|        |                                  | prosecuted. Concern raised by panel that there is confirmation that victim has been consulted and is satisfied with outcome but it is noted that the victim has complex mental health issues which was considered by the panel. |
| Case O | 2 (appropriate with observation) | Fairly minor offence however significant recent history was included in the report which could justified dealing with this case in court.   |

Action: Insp Crisp to feedback learning to officers where cases have been deemed inappropriate and inconsistent.

## 8. AOB

Paul Brown (Chair) confirmed to the panel that we aim to resume the reviewing of youth cases in September.

Louise Bradley (ETP) queried what the next steps are from this panel particularly where learning and observations are made. Confirmed by Matt Ditcher that Insp Crisp will provide direct feedback and learning to officers. Insp Ditcher confirmed that qualitative work in the force will compliment this panel and provide enhanced scrutiny of OOCRs.

Request from Marianne Connally for a deep-dive session on Outcome 22. Insp Crisp clarified that the force rarely utilise Outcome 22 (predominantly YOS driven). Darren Goddard offered to produce an update report which may be more beneficial for the panel. This was agreed.

Action: Darren Goddard to produce highlight report on Outcome 22's for September 2024 meeting.

Chair provided thanks to Marc Crisp for gathering the cases for consideration and Clare for administrative support.

The Chair noted formal thanks to Margaret Bowler who informed the group that this is her last Out of Court Resolutions panel due to a role change. Anne Cowan named as replacement for Margaret going forward.

Chair noted that he has been in position for a number of years and queried at what point the Chair is reviewed. Clare reviewed TOR and confirmed that the Chairperson is to be



reviewed every 2 years. As panel has recently moved to OPCC ownership and date of previous review cannot be determined, Clare proposed September's meeting to review the position of the Chairperson and re-confirm existing Chair for 2 subsequent years subject to approval of panel.

**Action: Clare to incorporate Chair re-election into September 2024 agenda.**

## **9. Date of Next Meeting**

12<sup>th</sup> September 2024 10am-12:30pm

Meeting closed.



| CASE NO: | CASE:  | DISPOSAL:            | CATEGORY: | PANEL COMMENTS:                         |
|----------|--|----------------------|-----------|---|
| 01       | Case not reviewed as processed by another Force (Derbys) |                      |           |   |
| 02       | Stalking without fear/Assault beating (DA)               | Conditional Caution  | 2         | Needed engagement with partner agencies |
| 03       | Assault – Battery  | Conditional Caution  | 3         | Feedback to officer                     |
| 04       | Common Assault (DA)                                      | Conditional Caution  | 3         | Needed engagement with agencies         |
| 05       | Assault Beating (DA)                                     | Conditional Caution  | 3         | Should have gone to court               |
| 06       | Possession of Cannabis (Class B)                         | Community Resolution | 1         | Correct decision                        |
| 07       | Criminal Damage and Assault                              | Community Resolution | 1         | Correct decision                        |
| 08       | Criminal Damage  | Community Resolution | 1         | Correct decision                        |
| 09       | Assault  | Community Resolution | 1         | Correct decision                        |
| 10       | Possess Cannabis – Class B                               | Community Resolution | 1         | Correct decision                        |
| 11       | Criminal Damage/Harassment (without fear) DA             | Conditional Caution  | 3         | Feedback to officer                     |



|    |                                  |                      |   |                     |
|----|----------------------------------|----------------------|---|---------------------|
|    |                                  |                      |   |                     |
| 12 | Assault Beating DA               | Community Resolution | 1 | Correct decision    |
| 13 | Criminal Damage/Assault (DA)     | Conditional Caution  | 3 | Feedback to officer |
| 14 | Criminal Damage                  | Conditional Caution  | 1 | Correct decision    |
| 15 | Harassment (without violence) DA | Conditional Caution  | 3 | Feedback to officer |