

Scrutiny findings



Out of Court Disposals Scrutiny Panel

Date of panel:	28 March 2019
Scrutiny theme:	Violence
Purpose:	The purpose of the scrutiny is to independently review both youth and adult cases that have been resolved through the use of Out of Court Disposals (OoCDs) and for the panel to publish its findings in the public domain.
Aim of the panel	<ul style="list-style-type: none"> To autonomously and independently scrutinise, recognise and promote good practice, and robustly challenge areas for improvement so that the public can be assured and confident in their police force. The panel will review information and deliver its findings and recommendations to the Police and Crime Commissioner for their consideration. The panel’s work should always be considered as being based on an informed ‘snapshot in time’.
What is an Out of Court Disposal?	An OoCD is a way of dealing with a crime without having to go to court. OoCD’s are most often used in cases where an offence (the crime) is considered to be more minor. These crimes can still be very upsetting for victims, but they are crimes that are considered less harmful compared to others. For an OoCD to be considered, an offender has to admit to what they have done (i.e. they admit they are guilty). The victim of the crime should also always be asked for their views about an OoCD but they don’t have to take part in the process if they don’t want to. OoCDs should not normally be used for offences of violence which led to serious injuries or sexual offence; and current persistent offenders (those that had have been convicted or cautioned 3 or more times in the last 12 months)
Reason for scrutiny	The Police and Crime Commissioner (PCC) has committed to scrutinise this area of work 4 times a year in 2019/20.
Scrutiny method used	Review of individual cases (selected at random).
Cases reviewed	5 youth cases and 10 adult cases.
Findings of the panel	<ul style="list-style-type: none"> 6 cases the OoCDs had been issued appropriately and consistently with policies and the Crown Prosecution Service Code for Crown Prosecutors. 4 of these cases were considered by the panel as ‘best practice’. 5 cases the OoCDs had been issued appropriately (in these cases the panel provided some observations). 4 cases the OoCDs had been issued inappropriately and/or inconsistently with policies in the panel’s view.
Outcomes from the panel	<ul style="list-style-type: none"> The panel will report their findings to the Police and Crime Commissioner who may use in their discussions with the Chief Constable of Devon and Cornwall Police. Devon and Cornwall Police will address the panel’s findings with individual police officers, and cascade learning from the panel throughout the entire organisation.

Find out more about our scrutiny at www.devonandcornwall-pcc.gov.uk/about-us/scrutiny.