

Out of Court Disposal Compliance

Justice Department
January 2017

Aim

- To provide an overview of the circumstances that have led to BTP Out of Court Disposals requiring urgent improvement and what actions have been taken and are to be taken, to improve the compliance of Out of Court Disposals issued within England, Wales and Scotland.

What are Out of Court Disposals?

- Outcomes which are used to divert offenders from the Criminal Justice System
- There are four categories;
 - Community Resolutions
 - Cautions
 - Penalty Notices for Disorder
 - Drugs Warnings

What has led to this position?

- Force Crime Registrar audit – urgent and significant improvement required
- All OoCD, with the exception of cautions, can be issued on the spot by the attending officer, subject to specified criteria
- There are frequent national and internal changes to OoCD
- Lack of training for frontline officers

Force Crime Registrar Audits

England and Wales

| | CR | Cautions | PND | CW |
|--------------------|-------|----------|-------|-------|
| 12/11 - 31/12/2015 | 50% | 50% | 45% | 35% |
| 04/04 - 10/05/2016 | ↑ 58% | ↑ 55% | ↑ 60% | ↔ 35% |
| 29/09 - 31/10/2016 | ↔ 58% | ↑ 70% | ↑ 65% | ↓ 10% |

Preventing inappropriate use

- Quick guides and matrixes
- Encourage referral to ERG
- Full review of forms on NICHE and intranet
- New Community Resolution Forms
- CR Policy updated

Future work

- Amendments to caution form
- Amendments to Drugs Warning Form
- Justice training

Appropriate recording

- CR Process amended

Future work

- NICHE Request for Change
 - Dip sampling by ERG
 - Identify ERG bypasses
 - Performance data to Divisions
 - Lessons learned, best practice
 - MOPI compliant storage

Increased scrutiny of decision making

- Scrutiny Panel
 - Organisational learning

Future work

- NICHE Request for Change

Force Crime Registrar Audits

Scotland

| FPN Nov 15 - Jun 16 | VDW Feb 16 - Mar 16 | RPW Feb 16 - Apr 16 | JC Jan 16 - Jun 16 |
|------------------------|------------------------|------------------------|-----------------------|
| 21% | 0% | 42% | 25% |

Action plan

- Training for Sgts
- Training to Crime Evaluators

Future work

- Linked in with L&D and LXC
- Review of OoCD policies
- NICHE Request for Change
- Amendment to detection templates

Conclusion

- Issued by officers on the spot
- Compliance has improved and more improvements to be implemented
- Legislative change on the horizon