



Leicestershire  
**Police**  
Protecting our communities

**Leicestershire Police & Partner Agencies**  
**Adult Out of Court Scrutiny Panel**  
**Minutes**  
**31<sup>st</sup> May 2017**

**1. Attendance**

Helen King (HK) – Chair – Office of Police & Crime Commissioner  
Suzi Felstead – Chair of Magistrates Bench  
Steven Kennell – CPS  
DI Jonny Monks – Leicestershire Police  
John Norman (JN) - Leicestershire Police  
Jyoti Chavda – Leicestershire Police – Minutes

**2. Apologies**

Nigel Chapman – CPS  
C/Supt David Sandall – Leicestershire Police  
Emma Langham – HMCS  
Mina Shah – Women's Aid  
Kayley Galway – Turning Point  
Caroline Barker – Leicestershire Police  
Kirk Masters – OPCC

**3. Minutes and Actions from last meeting**

Amendment: Page 1 – There were 5 cases graded 3.

**4. Adult Offender Disposal Data**

Due to the lack of data, available, previous data was handed to the group and JN gave an overview of this. HK to speak with DCC Banister in relation to the lack of data and timescales this is provided.

*Action: HK to speak with DCC Banister in relation to the lack of data and information being provided in a timely manner for this group.*

**5. Panel Cases for Consideration**

The 15 cases chosen at random by the OPCC were reviewed by the panel and the following recorded:

10 cases graded 1  
2 cases grades 2  
3 cases graded 3  
0 cases graded 4

Case No:	Case:	Disposal:	Outcome:	Category:
01	Battery	Adult Community Resolution	Appropriate & Consistent	1
02	Dog Dangerously Out of Control	Community Resolution	Appropriate & Consistent	1
03	Battery x 2	Adult Conditional Caution	Appropriate & Consistent	1
04	Soliciting	Adult Conditional Caution	Appropriate & Consistent	1
05	Theft from Store	Community Resolution	Appropriate & Consistent	1
06	Drunk and Disorderly	Adult Community Resolution	Appropriate & Consistent	1
07	Cannabis Possession	Adult Community Resolution	Appropriate & Consistent	1
08	Theft from Store	Adult Community Resolution	Inappropriate and Inconsistent with Policies	3
09	Assault ABH	Adult Community Resolution	Inappropriate and Inconsistent with Policies	3
10	Possess Cannabis	Adult Community Resolution	Appropriate but with Observations	2
11	Battery (DV related)	Adult Conditional Caution	Appropriate & Consistent	1
12	Battery (DV related)	Adult Conditional Caution	Appropriate & Consistent	1
13	Battery (DV related)	Adult Conditional Caution	Appropriate & Consistent	1
14	DV Related Damage	Adult Conditional Caution	Inappropriate and Inconsistent with Policies	3
15	DV Related Battery and Damage	Adult Community Resolution	Appropriate but with Observations	2

### **Of the cases graded as 2:**

Case number 10 concerned a female who following a house search admitted possession of 22 wraps of cannabis. She was given a Community Resolution for possession. The panel felt that the fact that the drugs were individual wrapped in 'deals' indicated PWITS rather than simple possession. A minimum of a Conditional Caution should have been issued.

Case number 15 concerned a DV related damage and assault whereby one sister had assaulted another and damaged her phone. The matter was dealt with by way of a Community Resolution. In view of the fact that there had been previous unreported incidents of a similar nature an enforceable Conditional Caution should have been considered.

### **Of the cases graded as 3:**

Case number 8 concerned a 30 year old female being given a Community Resolution for an offence of Theft from Store involving a simple store ban. The female had a similar disposal less than 12 months previously, and had a history of drug abuse. The panel felt that for a number of reasons the CR was inappropriate and do not go near to addressing the issues. A Conditional Caution involving drug rehabilitation should have been the minimum outcome.

Case number 9 involved a 21 year old male being hit on the head with a bottle causing two cuts that required hospital treatment and stitches. The CPS authorised a disposal by way of a simple apology despite the Police disagreeing with the decision. The CPS representative on the panel felt that this was simply a wrong decision by CPSD, and the case should have been prosecuted.

Case number 14 involved a DV assault whereby a 19 year old male had caused damage both to the family home and his mother's car. He was dealt with by way of a Conditional Caution. By way of the special dispensation this force has regarding our ability to give out of court disposals in DV cases we can consider a Conditional Caution as long as the risk assessment is Low. Here the risk assessment was medium meaning that a Conditional Caution should not have been considered and the matter should have been referred to the CPS for a charge decision.

## **6. National Out of Court Disposal Pilot Scheme Update**

JN advised we are still waiting for the final report from the MOJ; this has been delay due to other issues taking priority (referendum/election).

Although there may be a possibility of Leicestershire Police using 3 outcomes this, at this stage, does not seem a good idea and we are currently only using the 2 (Community Resolution and Conditional Caution).

DV cases are being reviewed and will be given new levels. There are currently talks ongoing with the OPCC Office in relation a new programme – CARA – to assist with DV case. We await updates from the OPCC office.

## **7. Communication**

Results of this meeting and further details will be added to the Force and OPCC websites and happy for the partner agencies to communicate this within their area of business.

## **8. AOB**

- OPCC Office - Looking to hold these meetings on separate days – this is on hold and to be reviewed at the next meeting.
- Emma Langham – *‘These meetings are changed unilaterally – could I request that any future dates (if proposed to move the meetings) are canvassed first with all stakeholders to avoid the problems we have encountered in getting cover generally’.*
- John Norman – On reviewing these meetings/outcomes – there are signs that progress is being made with the decision making and pleased the way this is looking.
- Suzi Felstead – Enquired if it would be possible to invite her counterparts from the region to these meetings, for observations purposes only. Group agreed.

## **9. Meeting Dates**

19<sup>th</sup> July 2017

11<sup>th</sup> October 2017