



Leicestershire  
**Police**  
Protecting our communities

**Leicestershire Police & Partner Agencies**  
**Adult Out of Court Scrutiny Panel**  
**Minutes**  
**13<sup>th</sup> February 2017**

**1. Attendance**

Angela Perry (Chair) – Head of Governance & Assurance - PCC Office  
Suzi Felstead – Bench Chair of Leicester and Rutland Magistrates  
John Norman (JN) - Leicestershire Police  
Johnny Monks – Leicestershire Police

**2. Apologies**

C/Supt David Sandall – Leicestershire Police  
Emma Langham – HMCTS  
Kayley Galway – Turning Point  
Caroline Barker – Leicestershire Police  
Christopher Trotter – CPS  
Jaspal Hulait – National Probation Service

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

Minutes approved no outstanding actions.  
AP asked for Communications to be removed as an Agenda item.

**4. Adult Offender Disposal Data**

John went through the Data figures provided to the group.  
Figures and more information can be obtained from the official Home Office website regarding PND compliance nationally.  
The new DA perpetrator condition (CARA) will hopefully start in April and we should see cases involving this disposal from July's meeting onwards.

**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:

12 cases graded 1 = Appropriate and consistent with policies  
0 cases graded 2 = Appropriate but with observations  
3 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	Possess Cannabis	Adult Community Resolution	Appropriate and Consistent	1	
02	Theft from Store	Adult Conditional Caution	Appropriate and Consistent	1	
03	S5 – Public Order	Adult Community Resolution	Inappropriate and Inconsistent	3	This case related to a number of calls received concerning a male carrying what was thought to be a sword (later discovered to be a child's toy). The male was also seen to throw a punch toward an unknown member of the public and to throw a bottle and make obscene gestures. He was drunk. The panel felt that the level of offence was set too low (should have been s.4 not s.5), and despite admissions in interview the correct outcome should have been an Adult Conditional

					Caution with a mandatory alcohol referral.
04	Theft from Store	Adult Conditional Caution	Inappropriate and Inconsistent	3	This case involved two males from Nottingham entering a large store, with one male (not traced) distracting the security whilst the second male left the store with goods valued at £460. Despite admissions and the lack of previous offending the panel felt the fact that the offence involved a premeditated group action, travelling criminality and high value theft indicated that an out of court disposal was inappropriate and the offender should have been charged.
05	Theft from Store	Adult Community Resolution	Appropriate and Consistent	1	
06	Sex Offender – Fail to complete annual	Adult Conditional Caution	Appropriate and Consistent	1	

	notification				
07	S5 – POA (Hate Crime)	Adult Conditional Caution	Appropriate and Consistent	1	
08	DA related to Damage	Adult Community Resolution	Appropriate and Consistent	1	
09	DA related Battery	Adult Conditional Caution	Appropriate and Consistent	1	The panel noted that there was an extremely good rationale from the decision making sergeant in this case – to be feedback.
10	Possess Cannabis	Adult Community Resolution	Appropriate and Consistent	1	
11	S4 – POA	Adult Community Resolution	Inappropriate and Inconsistent	3	<i>Good rationale by Sergeant. – group asked for feedback to officer.</i> Although the offence was correct the panel were concerned that the level of violence in this case (punching the victim whilst he was on the floor) merited a Conditional Caution despite the admissions and lack of offending history.
12	DA related Damage	Adult Conditional Caution	Appropriate and Consistent	1	Again the panel asked that feedback be given regarding an extremely

					good rationale provided by the decision making sergeant.
13	Possess Class A (cocaine)	Adult Conditional Caution	Appropriate and Consistent	1	
14	Theft from Employer	Adult Community Resolution	Appropriate and Consistent	1	
15	Damage	Adult Community Resolution	Appropriate and Consistent	1	Again the panel asked that feedback be given regarding the extremely good rationale provided by the decision making sergeant.

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

JN updated the group – Force Senior Management have indicated that the use of Fixed Penalty Notices (PNDs) as an out of court disposal option for adult offenders in certain cases will be reintroduced as from April. This is despite the fact that there is an agreement in principle for all forces to move toward the two-tier system and remove PNDs as an option.

We still have special dispensation for the DV and Hate Crime cases – as we are still part of the pilot.

JN attending in Force meeting next week regarding the proposed PND reintroduction, and a national steering group meeting in London regarding the national strategy the week after and will have more of an update at the next meeting (this will be only for the Adult cases).

## **7. Communication**

AP asked for this to be removed from the Agenda for future meeting.

## **8. AOB**

*Action JN – AP asked if a list could be provided of the ‘disposals’ and their rating levels for the next meeting.*

## **9. Future Meeting Dates:**

17<sup>th</sup> April 2018

31<sup>st</sup> July 2018

30<sup>th</sup> October 2018