



## **Adult Out of Court Disposal (OoCD) Scrutiny Panel**

Date Panel held: **Tuesday 12<sup>th</sup> March 2024**

Attendees: **Magistrate (Chair), Police and Crime Commissioners Office, South Wales Police, South Wales Victim Support, Safer Wales and Crown Prosecution Service .**

Apologies: **HMPPS, Deputy Crime Registrar, Force Lead for victims and G4S/Future 4.**

### **Panel Process**

Case information was submitted to the panel for scrutiny (along with agenda and other papers for the meeting). Each member scrutinised the cases using their expertise and provided honest and open analysis to the panel.

The panel scrutinised three cases from each Basic Command Unit (BCU). The BCUs are:

- Cardiff and the Vale
- Mid Glamorgan
- Swansea, Neath Port Talbot

The scrutiny panel discussed each case and decided which category the case fell in to. The panel considered the following criteria –

- If available, the views and feedback from the victim and offender
- Compliance with force policy/Guidance and procedure
- Rationale for the decision and outcome
- Potential community impact
- Circumstances and seriousness of the offence – not by title or definition
- Potential alternative options that may have been available.

The panel decided on the disposal of the cases using the following categories:

- Appropriate use and consistent with policy/guidance
- Appropriate use with panel members reservations
- Inappropriate use or inconsistent with policy/guidance
- Panel fails to reach a conclusion.

At the conclusion of the panel meeting, a case feedback form was completed recording the outcome of each case. It is the responsibility of each BCU Lead to feedback to their teams on organisational learning.



## **Number of Cases Considered**

Adult cases – 9

## **Distribution of Cases by OoCD Type**

Caution - 0

Conditional Caution - 1

Community Resolution -6

Restorative Justice – 2

## **Distribution by Panel Decision**

Appropriate and consistent with South Wales Police policies / the CPS Code for Crown Prosecutors - 3

Appropriate with observations - 2

Inappropriate and inconsistent with policy - 4

Panel fails to reach a conclusion - 0

## **Summary of Panel Decisions**

### **Good Practice**

- Appropriate use of OoCD in a number of cases with the correct policy and guidance followed.
- Positive support provided to a premises where an incident occurred.
- Process followed correctly with excellent details noted and appropriate referral to support services submitted.
- Evidence of thorough investigation in some cases.
- In two case there were excellent examples of a strong rationale and OoCD decision making recorded, demonstrating serious thought and careful consideration for the outcome of the case including an appropriate referral to support services which resulted in a positive and effective outcome.



### **Organisational Learning**

- Missed opportunities to refer to suitable support services (eg Women's Whole System Approach (WSA))
- Breakdown of communication between hub supervisor and custody Sergeant.
- Use of a "text" to update victims was deemed not appropriate.
- Ensure all information is recorded and correct.
- There is a need to review the Restorative Justice (RJ) processes.
- Information missing on ethnicity and gender – system problem which is being addressed.
- Lack of information provided to the panel on support for the victim/s in some cases.

### **Feedback on Progress Following Panel on 12.12.23**

The meeting held in December was a thematic panel looking at victims from an ethnic minority background.

The actions below were taken following the previous panel member's feedback on cases:

- Necessary feedback communicated with custody officer regarding inappropriate outcome.
- Significant work has been undertaken in terms of the policing response to the nighttime economy. This includes ensuring that appropriate conditions are considered in the issuing of any OoCD.
- There have also been changes made in the governance of the nighttime economy by ensuring that a Local Policing Inspector (LPI) now works every Saturday night to provide additional scrutiny and oversight to officer attending such incidents.
- The Community Safety Partnership (CSP) Licensing Department has been working closely with local authority counterparts to carry out additional engagement with taxi drivers. They meet regularly and that provides a conduit for any issues to be escalated in future.
- The CSP Hate Crime and Cohesion Team will review every hate crime or incident, these are collated in a central spreadsheet to ensure compliance with relevant policies and procedures. This then informs the bi-monthly Hate Crime Scrutiny Panel that is chaired by the CSP Chief Inspector to provide appropriate governance of these incidents/crimes and hold supervisors to account. It is also an important process to learn lessons and ensure that good practice is adopted.
- The Hate Crime officers who review these crimes/incidents have clear escalation processes to identify cases where intervention is required. The Hate Crime officers are available to offer help, support and advice to investigators of any incident/crime where their knowledge and experience is needed.
- Immediate feedback is provided to officers who have attended such incidents if any learning is identified which can, if necessary, be circulated wider.