



06/2024

# Adult Out of Court Disposals Scrutiny Panel

## Women in Justice

Sicrhau Cyfiawnder  
i Ddiodefwyr a  
Lleihau Aildroseddu

Delivering Justice  
for Victims  
and Reducing  
Reoffending



Comisiynydd  
yr Heddlu a  
Throseddu  
De Cymru

South Wales  
Police  
and Crime  
Commissioner

**Mae'r ddogfen hon ar gael yn Gymraeg ar ein gwefan, neu gallwch gysylltu â:  
comisiynydd@heddlu-de-cymru.pnn.police.uk**

**This document is available in Welsh on our website, or you can contact:  
commissioner@south-wales.police.uk**

## **Overview**

The adult Out of Court Disposal (OoCD) Scrutiny Panel held in June 2024 was a thematic panel which looked specifically at cases involving women committing offences. This panel had a dual purpose. The panel scrutinised the cases to determine if the disposal was correctly issued. It also scrutinised the processes and perspectives in the decision making with a gender focus to explore if correct procedures were followed and women were receiving a suitable, high-quality outcome. A deep dive scoping exercise was undertaken to determine the correct line of questioning to follow in the panel and the resulting information was shared with panel members prior to the meeting.

The aim of the themed panel, alongside determining if the disposal was utilised appropriately, was to establish whether:

1. each case was referred/offered a referral to Women's Services?
2. there was a clear decision-making rationale to support any cases which were not referred to Women's Services?
3. the existence of a bespoke Women's Service effects decision making?

## **Background**

It is widely recognised that women in contact with the criminal justice system are among the most vulnerable in society. Factors that lead to offending by women can differ significantly from those that lead men to offend. In recognition of this it is accepted that the best approach to managing female offenders is one that takes account of the different needs and backgrounds of women.

**The Corston Report** is a review of 'women in the criminal justice system who have particular vulnerabilities', carried out in 2006 by Baroness Jean Corston. The review was prompted by the tragic suicides of six women at HMP Styal. Baroness Corston asserted that it was time for a radical change in the way women were treated in the criminal justice system. This not only pertained to those who offend but, also those at risk of offending. The recommendations of the Corston report represented a roadmap towards that vision. The review made 43 recommendations about the treatment of women in the criminal justice system, and argued "the need for a distinct radically different, visibly-led, strategic, proportionate, holistic, woman-centred, integrated approach".

The Corston report is seen as groundbreaking in that it set out so clearly and compellingly the characteristics of women offenders and their often highly complex needs.

## **National Context**

The Ministry of Justice's (MoJ) **Female Offending Strategy Delivery Plan 2022-2025** supports taking a women specific, trauma responsive approach to women offending.



It highlights 4 key priorities to reduce women's offending:

1. fewer women entering the justice system and reoffending
2. fewer women serving short custodial sentences with a greater proportion managed successfully in the community
3. better outcomes for women in custody
4. protecting the public through better outcomes for women on release

OoCDs in the South Wales area can be utilised to ensure women (where appropriate) refrain from entering the criminal justice system and reoffending. The cases that were discussed at the June 2024 scrutiny panel were all eligible for the Women's Whole System Approach (WSA) intervention. This service provided guidance and advice, signposting and onward referral, as well as practical and emotional support. Identified needs were supported via one-to-one, group based and online interventions. There was a focus on agreeing and working to individualised plans so that women can maximise on the support available during their time with the service. The service also supports women to understand the strengths that they have, to overcome barriers and to take opportunities so that they can move forward in their lives.

A "whole-system" approach focuses on:

1. Early Intervention and Prevention
2. Courts and sentencing
3. Community-based solutions
4. Custody and Resettlement
5. Research and Evaluation

In April 2024 the WSA was re commissioned as part of the One Wales Service. This service is delivered by The Nelson Trust and its partners; bthechange, St Giles Cymru, Pact and Media Academy Cymru (MAC).

Women referred to the service will be supported to make positive, sustainable changes in their lives with:

- holistic one-on-one support through a trauma-informed, gender-responsive service
- providing women with one-on-one emotional and practical support, tailored to their needs
- an outreach service
- support with clothing, food, toiletries, and basic needs.

The Welsh Government (WG), UK Government and policing in Wales are working with justice partners on Blueprints for female offending and Youth Justice services. The **Female Offending Blueprint for Wales** is working to create sustainable community-based solutions to keep women and communities safe and free from criminal behaviour.

### **South Wales Police and Crime Plan 2023-2027**

This plan sets the priorities against which the Police and Crime Commissioner (PCC) will hold the Chief Constable to account as they continue their shared journey towards safe, confident communities across South Wales. One of the shared priorities in this plan is:

*"Plan for the well-being of future generations through a joined-up approach to preventing harm, intervening early with young people and women offenders, involving people and together breaking intergenerational cycles."*

This is to be achieved through working with WG and MoJ on the transformation of the justice system in Wales for women and young people, implementing the blueprints that set out the changes needed. Opportunities to intervene early, diverting people from crime are to be expanded by building on the Women's Pathfinder and 18-25 Early Intervention Service (now re commissioned as One Wales Service) to improve life opportunities.



Please see the links below:

[The Corston Report: the need for a distinct, radically different, visibly led, strategic, proportionate, holistic, woman-centred, integrated approach](#)

[Female Offender Strategy Delivery Plan 2022-25 \(publishing.service.gov.uk\)](#)

[female-offending-blueprint\\_3.pdf \(gov.wales\)](#)

[crp005-crime-plan-202327-final.pdf \(southwalescommissioner.org.uk\)](#)

## **Outcomes of the Deep Dive Scoping Exercise**

The deep dive scoping exercise involved consultation with South Wales Police's (SWP's) Justice Services. The outcomes of the consultations are noted below:

- There is no specific guidance around the forces approach to female perpetrators. The Gravity Matrix is referred to and the Officer in charge (OIC) will make the decision on a case-by-case basis.
- No dedicated officers in SWP for female offenders, everyone has a focus on women.
- Police officers receive training on the 2-tier Out of Court Disposal model which includes information on the Women's Whole System Approach (WSA).
- Training notes that females 18+ should be referred to the women's intervention prior to other interventions if deemed appropriate.
- Information on the WSA was provided to women referred to the service.

## **Data Presented at the Panel by SWP Justice Services**

The panel considered OoCD data from January 2023 to December 2023. During this period there were 5,134 adult females arrested. 282 of these females were from an ethnic minority group and 350 did not have ethnicity recorded.

The top three offences were:

- Theft
- Violence without Injury
- Violence with Injury

The data included information on Community Resolutions, Cautions and Conditional Cautions. 473 Community Resolutions were disposed and 97 Cautions (65 of which were Conditional Cautions). Key findings from the report include:

- The gender of individuals is not being recorded as common practice and the data identifies that within 114,176 cases covering all adult outcomes within the same period, 98,695 do not have gender recorded. Therefore, the data comes with a caveat due to recording and data quality issues.
- A review of offence type data identified theft being the most common offence, however, also highlighted offences against police constables are rising.
- It was identified that ethnicity was not commonly recorded when issuing community resolutions, this was attributed to the use of street disposals where recording is notably weaker.
- Compliance with community resolutions and subsequent referrals was reviewed and identified approximately 16% of females have not engaged with the Women's WSA when receiving a



community resolution. Approximately 23% of those receiving a conditional caution have not complied with the requirements of their conditional caution.

- Referral data received from the Switch team identified that although positive progress was being made to refer females to the WSA, referrals were still being made to other programmes instead or not at all.
- 9 women received a second OoCD within 2 years.

### Summary of Panel Observations and Organisational learning

Panel observations	Organisational learning
<p>Increase in young people with attention deficit hyperactivity disorder (ADHD) coming to the attention of the police. Marker not added in one case.</p> <p>Number of missed opportunities to refer to the WSA. Members highlighted the need for referrals to be made to Women's WSA to ensure females receive holistic and targeted support.</p> <p>Referral to alcohol awareness course only for a woman with multiple complex needs.</p> <p>Excellent example of a women in custody being seen by a healthcare professional and a self harm assessment was conducted to ensure she was fit for release.</p> <p>Improve quality of conditions attached to conditional cautions eg, case examined where panel members suggested a period of exclusion from the area in which the offence took place would have been appropriate.</p> <p>Acknowledged that there can be a breakdown in communication between the hubs and custody.</p> <p>Some cases were victims of domestic abuse. Queried if they was offered support while in custody.</p>	<p>SWP expressed the importance of placing a marker on the person and recognised the importance of referring to young adult services. Marker added immediately after panel.</p> <p>The development of the new app will help identify referral pathways and overcome some of the current issues/delays identified.</p> <p>Panel members acknowledged that a referral to WSA would have been more appropriate and, as above, the development of the app should resolve these issues.</p> <p>To ensure this positive practice is evident across the BCUs.</p> <p>Improving the quality of conditions is included in Justice Services plan this year.</p> <p>Justice Services have included this (and will continue to include) in their refresher training as more attention needs to be given to those decision- making rationales so the right decisions are being made.</p> <p>SWP police confirmed that support was offered. One woman confirmed she was already receiving support from a service. This is good practice evident throughout the custody suites.</p>



## Summary

The organisational learning highlighted above will be fed back to individual officers and their supervisors to reflect and inform future decision making for cases. The feedback will be shared accordingly across the force for learning. Correspondingly, the examples of excellent work will be provided to the officers involved and included in the training.

There are ongoing issues with recording demographic data but SWP have assured the panel that these will be resolved with the creation of a new app which will be available to all officers.

The panel concluded that there were missed opportunities to refer a number of women to the WSA and this means there has been a missed opportunity for their holistic needs to be assessed and supported. Panel expressed that all women should be referred to the service and the staff should determine the best course of action after completion of an assessment.

