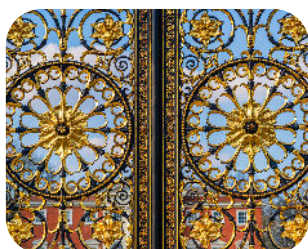


Out of Court Resolutions scrutiny panel

2025-26 summary report



**Cheshire
Police & Crime
Commissioner**



1: Background information

Purpose of the Out of Court Resolution (OoCR) Scrutiny Panel

The purpose of the Scrutiny Panel is to independently review a random selection of anonymised cases that have been resolved by use of an out of court disposal. Its aim is to determine whether the method of disposal is considered appropriate, based on a review of the information/evidence available to the decision maker at the time.

Categorisation of cases

In reviewing a case, the Panel will discuss and agree a categorisation against three options:

1. Supported
2. Supported with observations
3. Unsupported.

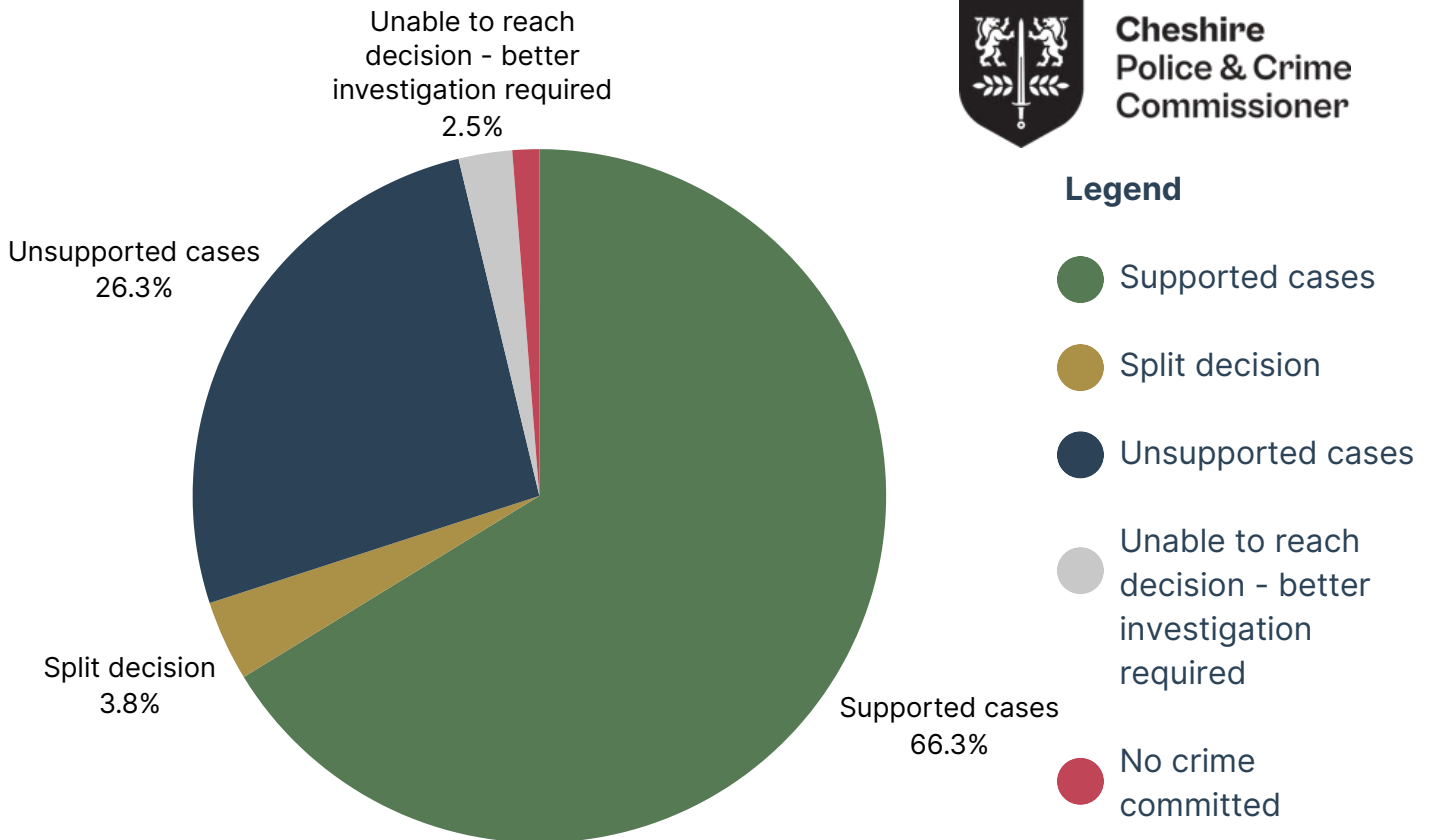
2: General summary

The table below presents summary of findings per category per scrutiny panel.

	Supported cases*	'Split' decision	Unsupported cases	Unable to reach a decision**	No crime committed	Number of cases reviewed
Eastern Panel	11	1	6	1	1	20
Northern Panel	13	0	7	0	0	20
Western Panel	10	2	7	1	0	20
Youth Panel	19	0	1	0	0	20
Total	53	3	21	2	1	80

* Category 'support cases' includes cases fully supported by the panel, but also cases supported with observations.

**New category created by the panel where they were unable to reach a decision regarding particular case in discussion due to insufficient information presented to make a judgement and where panel would recommend better investigation.



3: Factors contributing to cases being categorised as unsupported

Following factors have been identified as contributing to panel's decision of not supporting application of the Out of Court Resolution:

- The severity of the offence. (13 cases)
- Availability of the evidence/witnesses. (4 cases)
- Violent behaviour/level of violence used. (3 cases)
- Multiple victims affected by Suspect's actions. (2 cases)
- Offending history of the Suspect: extensive, significant. (2 cases)
- Repetitive/persistent/obsessive nature of offending behaviour. (1 case)
- Threatening/aggressive behaviour. (1 case)
- Possession of weapon. (1 case)
- Vulnerability of Aggrieved Person. (1 case)
- Breach of an existing court order. (1 case)

4: Observations

On this occasion panel members did not support one fourth (26%) of cases in discussion which is significantly higher than what is typically observed. As much as panel members appreciated complexities of the cases and the fact that officers are faced with challenging situations panel members felt that certain cases were dealt with in too lenient manner and required more robust approach.



It has been reassuring to see that, when it comes to youth cases, the panel supported the use of out of court resolutions in all but one case where panel members felt that case should have gone to court

5: Recommendations

Better consideration of severity of the offence

Ensuring that aggravating factors such as: severity of offending, levels of violence and/or threatening behaviour, pre-planned actions and breach of trust are taken into account when deciding whether case is suitable for the application of the OoCR.

Correctly & effectively following guidelines in relation to application of the OoCRs

Ensuring that OoCRs and disposal types are applied adequately in consideration of the holistic context & circumstances of the case and severity of the offending behaviour. Utilising court route if witnesses and evidence are available.

Greater utilisation of Restorative Justice

More effective use of 'Remedi' and Youth Justice Service as part of disposal option. Ensuring that disposal types aim to utilise meaningful conditions that would address root cause of behaviour causing offending and be of a restorative justice and / or educational nature.



1: Background information

Purpose of the Out of Court Resolution (OoCR) scrutiny panel

The purpose of the Scrutiny Panel is to independently review a random selection of anonymised cases that have been resolved by use of an out of court resolution. Its aim is to determine whether the method of disposal is considered appropriate, based on a review of the information/ evidence available to the decision maker at the time.

Categorisation of cases

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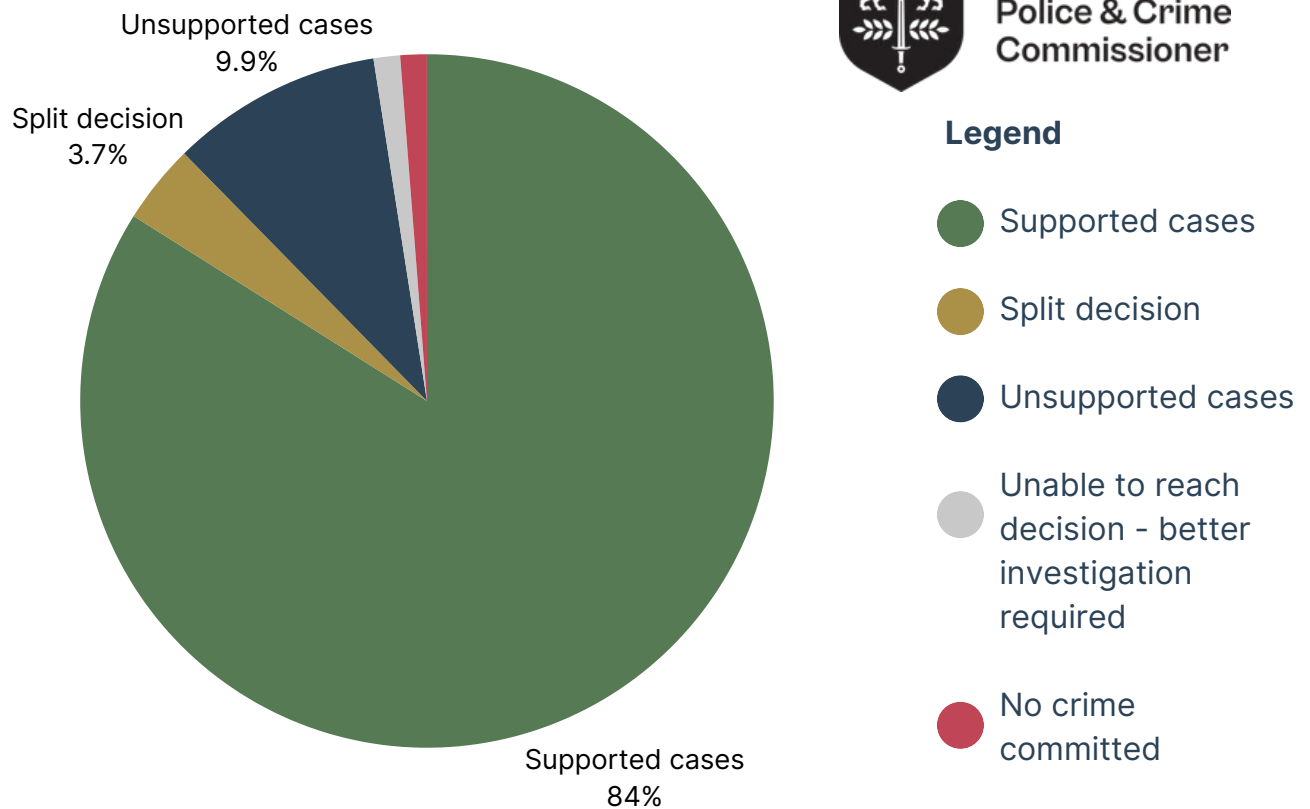
2: General summary

The table below presents summary of findings per category per scrutiny panel.

	Supported cases*	'Split' decision	Unsupported cases	Unable to reach a decision**	No crime committed	Number of cases reviewed
Eastern Panel	17	1	2	0	0	20
Northern Panel	17	0	3	0	0	20
Western Panel	15	1	3	1	0	20
Youth Panel	19	1	0	0	0	20
Total	68	3	8	1	0	80

* Category 'support cases' includes cases fully supported by the panel, but also cases supported with observations.

**New category created by the panel where they were unable to reach a decision regarding particular case in discussion due to insufficient information presented to make a judgement and where panel would recommend better investigation.



3: Factors contributing to cases being categorised as unsupported

Following factors have been identified as contributing to panel's decision of not supporting application of the Out of Court Resolution:

- The severity of the offence. (5 cases)
- Violent behaviour/level of violence used. (4 cases)
- Vulnerability of Aggrieved Person. (3 cases)
- Pre-meditated nature of offending behaviour. (1 case)
- Multiple victims affected by Suspect's actions. (1 case)
- Offending history of the Suspect: significant. (1 case)
- Repetitive/persistent/obsessive nature of offending behaviour. (1 case)
- Threatening/aggressive behaviour. (1 case)
- Possession of weapon. (1 case)

4: Observations

On average, over 80% of cases were supported by the panel members across the adult and youth panels which would be deemed as a positive outcome. However, in case of not supported cases it would be advisable to ensure that seriousness of offending behaviour in several instances observed as aggressive and resulting in injury caused to the Aggrieved Person is carefully reviewed when deciding as to whether it is appropriate to deal with the case outside the court.



Also, it has been noted as reassuring to observe that various interventions delivered by restorative services are being utilised to ensure that root causes of the offending behaviour are addressed which, hopefully could have a positive impact on the reoffending rates

5: Recommendations

Better consideration of severity of the offence

Ensuring that aggravating factors such as: severity of offending, levels of violence and/or threatening behaviour, pre-planned actions and breach of trust are taken into account when deciding whether case is suitable for the application of the OoCR.

Better consideration of vulnerability factors in relation to Aggrieved Person

Ensuring that safety and vulnerability of Aggrieved Person is being taken into account whilst deciding on the use of OoCR.



1: Background information

Purpose of the Out of Court Resolution (OoCR) scrutiny panel

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Categorisation of cases

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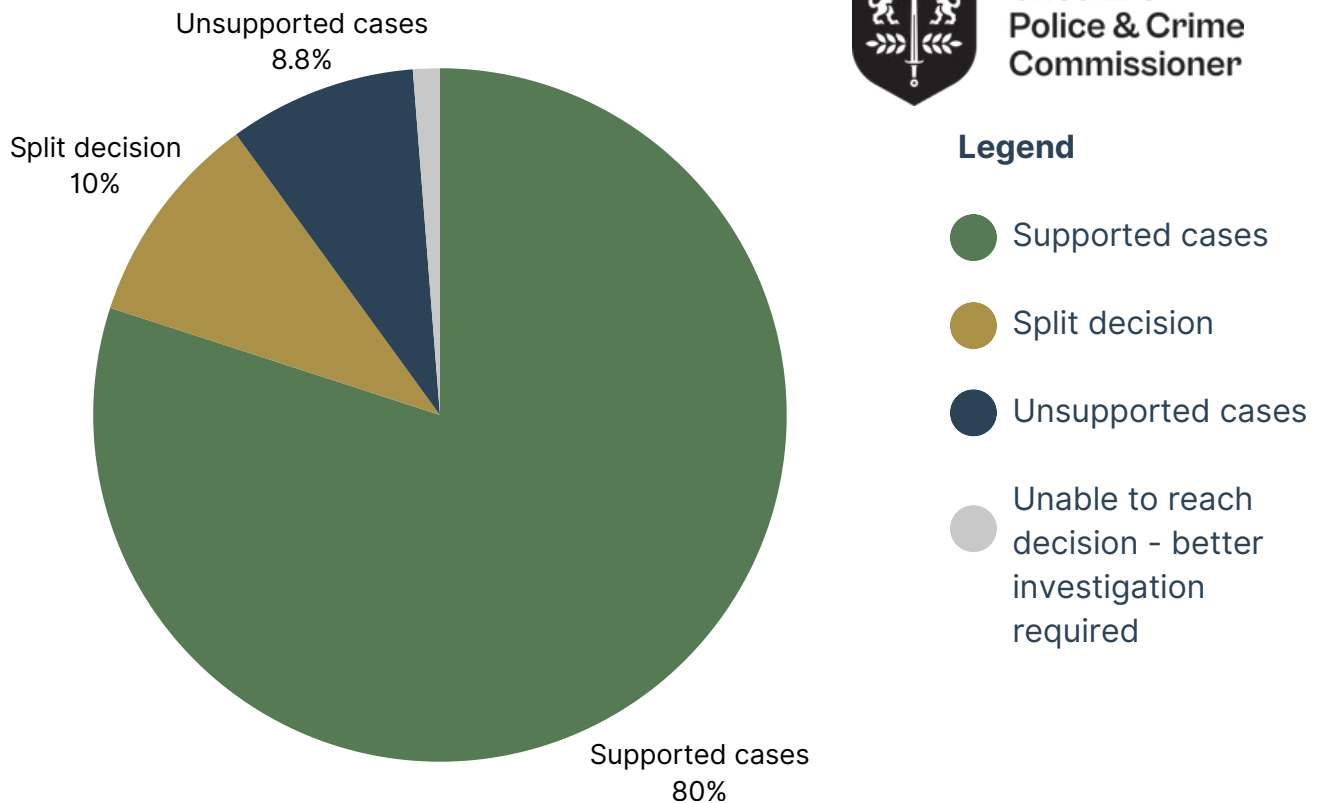
2: General summary

The table below presents summary of findings per category per scrutiny panel.

	Supported cases*	'Split' decision	Unsupported cases	Unable to reach a decision**	No crime committed	Number of cases reviewed
Eastern Panel	17	3	0	0	0	20
Northern Panel	15	1	3	1	0	20
Western Panel	13	4	3	0	0	20
Youth Panel	19	0	1	0	0	20
Total	64	8	7	1	0	80

* Category 'support cases' includes cases fully supported by the panel, but also cases supported with observations.

**New category created by the panel where they were unable to reach a decision regarding particular case in discussion due to insufficient information presented to make a judgement and where panel would recommend better investigation.



3: Factors contributing to cases being categorised as unsupported

Following factors have been identified as contributing to panel's decision of not supporting application of the Out of Court Resolution:

- The severity of the offence. (7 cases)
- Potentially very serious negative consequences of Suspect's behaviour/actions. (3 cases)
- Pre-meditated nature of offending behaviour. (2 cases)
- Violent behaviour/level of violence used. (1 case)
- Availability of the evidence/witnesses. (1 case)
- Possession of weapon. (1 case)

4: Observations

Similarly to the previous set of panels, 80% of cases were supported by the panel members across the adult and youth panels and this can be seen as a positive result. However, when it comes to cases not supported it has been noted by the panel members that, whilst deciding on utilising OoCR, careful consideration should be given to seriousness of offending behaviour when deciding on application of disposal type. Also, it is vital to anticipate what could be the potential consequences of Suspect's actions that in several cases, it has been felt, could have led to some very negative scenarios.



Yet again, it has been reassuring to observe that in over 60% of cases various interventions delivered by restorative services have been utilised to ensure that root causes of the offending behaviour are addressed and which, hopefully could have a positive impact on the reoffending rates.

5: Recommendations

Better consideration of severity of the offence

Ensuring that aggravating factors such as: severity of offending, levels of violence and/or threatening behaviour, pre-planned actions and breach of trust are taken into account when deciding whether case is suitable for the application of the OoCR.

Better consideration of the potential negative impacts of Suspect's behaviour

Ensuring that safety and wellbeing of Aggrieved Person and other individuals/members of public is being taken into account and consideration is given to how the Suspect's behaviour and actions affect others whilst deciding on the use of OoCD.