



Youth / child Out of Court Resolution (OoCR) Scrutiny Panel 11th June 2025

Theme: Domestic Abuse

The Youth Justice System is a diversionary system that uses Out of Court Resolution (OoCR) outcomes where appropriate to resolve cases. The police can use both informal or formal justice system outcomes, these include Community Resolution (CR), Youth Caution and Youth Conditional Caution (YCC). However, these are supplemented with informal diversionary offence disposals, including Outcome-22 which allow the police to resolve a case with no further action providing educational or diversionary action has been applied. The scrutiny panel has a number of roles, which includes providing assurance to the Police and Crime Commissioner (PCC) and Chief Constable that these resolutions are applied consistently, in line with national guidance and local policy and are forums in which good practice and learning can be identified.

What are Out of Court Resolutions?

Previously called 'Out of Court Disposals' (OoCD) these are now referred to as Out of Court Resolutions (OoCR). An OoCR is a way of dealing with a crime without it having to go to court and these are often used in cases where an offence is considered to be less harmful. These crimes can still be very upsetting for victims, but they are crimes that are considered less harmful when compared to others. The decision to use an OoCR is ultimately one for the Police, but the victim of the crime should also always be asked for their views about an OoCR, but they do not have to take part in the process if they don't want to.

OoCRs will not routinely used for offences where serious injury is caused, and care is taken when considering using them in sexual offences; nor will they be used for current persistent offenders (those that have been convicted or cautioned 3 or more times in the last 12 months).

Restorative Justice (RJ) is not a justice system outcome, rather an informal process which can be considered at any stage of any investigation. RJ brings the offender and victim together in order that victims can move on from the harm they have experienced, and the offender can understand the harm that they have caused.

Currently there is no Deferred Prosecution Scheme (DPS) for children within DC Police, however the force is working toward implementing a Child First DPS including Deferred Caution and Deferred Charge outcomes in the future.

Why the Local Criminal Justice Board (LCJB) oversees the scrutiny of OoCR's

It is important that the Police and Crime Commissioner (PCC) and the Chief Constable of the police help the public and other stakeholders to understand:

- What the police do and the difference they make
- The totality of policing (i.e. the parts of policing that the public may not usually see or come into contact with)
- How the police work with others
- The demands on the police
- How their police force is performing
- How public money is spent

Public Confidence is also about trust and having a police service that is open and transparent where policing at every level can be examined and scrutinised to help improve reassurance and the service to communities.

By giving the public this information openly as part of good governance, they can form their own informed views about whether or not they have confidence in their police force.

The LCJB work with partner agencies on behalf of the residents of Devon, Cornwall, and the Isles of Scilly in helping to deliver a police force and criminal justice system that works well and meets the needs of its communities. To do this the LCJB scrutinises' certain issues and activities including the use of OoCR's. The scrutiny of OoCR's is about reviewing cases working practices, to recognise and promote good practice, identify any areas for improvement and support the police as an organisation to learn and improve.

How the LCJB scrutinises the use of OoCRs

The LCJB has a dedicated OoCR scrutiny panel to review child / youth cases which is made up of specialists from a range of organisations including the Police, the Crown Prosecution Service (CPS), the Youth Justice Service (YJS), and the Magistracy. Subject Matter Experts (SME)'s will also be invited where it is felt this would add value and provide useful context to the discussions.

The panel 'dip-samples' cases which have been selected at random and have been resolved by Devon and Cornwall Police through the use of a OoCR. The panel does not audit the police's use of OoCRs but dip-samples 30-40 randomly selected cases over a 12-month period which provides an exploratory 'snapshot' of how the police are doing. The panel reviews the decision making for each individual case and will

talk about the OoCR that was given and where appropriate the engagement with the relevant YJS.

The panel consider the written information available for each case and, using the expertise of members who are from agencies other than the police, explore in their view whether or not the OoCR that was issued at the time was the right decision.

Based on the information that the panel members have available to them; they will then place each case into one of four categories:

1.	Consistent with Police Policy (and the Crown Prosecution Service Code for Crown Prosecutors)
2.	Consistent with Police Policy (but with observations added from the panel)
3.	Inconsistent with Police Policy
4.	Panel fails to reach a conclusion

The panel met on the 11th of June 2025 and scrutinised 10 cases relating to offences of Domestic Abuse (DA). There is no specific offence of 'Domestic Abuse' it is a general term describing behaviour such as, an incident or pattern of incidents of controlling, coercive, degrading, threatening and violent behaviour (including sexual violence). The Domestic Abuse Act 2021 defines DA in two parts, which can be found at [section 1 DA Act](#).

Statistics:

Devon and Cornwall police provided statistics to the panel as follows;

DA Youth crime

Year	Charge	OoCR	YCC	YC	CR	O22	Female	Male	Repeat offender	Repeat DA offender
2024	12	47	6	6	21	14	16%	84%	73%	46%
2023	14	34	3	4	17	10	21%	79%	81%	50%
2022	24	50	7	8	26	9	21%	79%	74%	45%
2021	21	51	14	8	21	8	10%	90%	75%	49%
2020	38	58	9	26	22	1	28%	72%	82%	66%

*Data based on occurrence value rather than offender count

Previous 5-year comparison of Youth OoCRs and charge to court (All crime type)

Year	Charge / summons to court	OoCR
2024	368 occurrences - 153 offenders	1162 occurrences - 885 offenders
2023	368 occurrences - 201 offenders	1066 occurrences - 943 offenders
2022	428 occurrences - 227 offenders	1366 occurrences - 1134 offenders
2021	407 occurrences - 220 offenders	1165 occurrences - 973 offenders
2020	525 occurrences - 279 offenders	1032 occurrences - 919 offenders

The findings from the panel's meeting

The panel was of the view that **4 cases were consistent with Policy**. Their reasons for making this decision were:

- Evidence of clear rationale and the application of an appropriate outcome, demonstrating best practice of OoCR delivery.
- In some cases there was evidence of a swift and timely outcome from date of offence to conclusion.
- Advice from the Youth Justice Service was sought when appropriate.
- The panel found evidence of good multi-agency approaches to interventions and diversions.
- The victims' views had been carefully considered.

The panel was of the view that **4 cases were consistent with Policy but with observations**. Their reasons for making this decision were:

- In one case the panel felt the conclusion was not timely and could have been much quicker for an OoCR, especially with consideration of the complex needs of the child subject in this case.
- In one case the Gravity Matrix score was not recorded.
- In one case there was insufficient rationale on the decision-making process recorded.
- The panel heard one case whereby the young person had a bladed article, which they states was for self defence. The panel would have wanted some consideration as to interventions in relation to knife crime.

The panel was of the view that **2 cases were inconsistent with Policy** and their reasons for making this decision were:

- In one case a superintendent's authorisation was not recorded, this is police policy in domestic abuse cases.
- In one case the outcome was applied prior to interview.

Observations and learning from the panel:

- In some of the cases the panel were provided with an update in relation to the child subjects engagement with the interventions put in place, noting positive engagement with a number of support services, resulting in good progress.
- The panel suggested further guidance is needed for police officers on the completion of form 370, especially when the initial offence crime differs with offence proposed.
- The panel noted improvements with the submission of the Gravity Matrix, with 9 out of 10 of the cases compliant.
- The panel noted that in some cases time delays were attributable to numerous attempts to gain Superintendent authority. However the panel were informed that this process is due to change and in future authority can be provided by the Inspector on duty.

Using the panel's findings to make a difference:

The panel will report their findings directly to the Police & Crime Commissioner as Chair of the Local Criminal Justice Board and the Chief Constable.

Devon and Cornwall Police may choose to raise the panel's findings with individual police officers and may also cascade learning from the panel throughout the entire organisation.

Find out more about our scrutiny at www.devonandcornwall-pcc.gov.uk/about-us/scrutiny.

If you need this information in a different language or format please contact the Local Criminal Justice Board by email lcjb@dc-pcc.gov.uk or telephone 01392 225555.