

## **Out of Court Disposals – Additional Information**

### What are Out of Court Disposals (OoCD)?

OoCDs allow the police to deal quickly and proportionately with low level, often first-time offending which do not merit prosecution at court. This form of disposal enables police to spend more time on frontline policing and avoids time and cost often involved in taking unnecessary and undisputed matters through the court system. OoCD also support an evidence base, where if used appropriately can be more effective than traditional criminal justice sanctions in reducing re-offending.

In May 2018 Hampshire Constabulary moved to a Two-Tier Framework; Conditional Cautions and Community Resolutions, both are types of OoCD. OoCDs two-tier framework provides rehabilitative opportunities for offenders to turn their life around at the earliest opportunity and avoid entering the Criminal Justice System and court process. They also allow victims to be more involved in decision making and condition setting, ensuring the victim's voice is heard and reparation is delivered.

Please note – at this time we are only considering those offenders aged over 18 years. The perpetrator has 16 weeks from the date a Conditional Caution is issued to complete any intervention.

### Types of Interventions required:

Some of the desired interventions are already available and being delivered locally. These have developed organically over time and some arrangements pre-date Police and Crime Commissioners (PCCs). The PCC has recently assumed (from Hampshire Constabulary) responsibility for the performance monitoring and management arrangements for both the commissioned and self-funded interventions currently available to Hampshire Constabulary as part of an OoCD.

The aim of this notice is to enable the PCC to understand the market's interest in delivering these interventions, the varying options for delivery, establish a consistent approach to the availability of interventions and to ensure openness and transparency in all commissioning activity. The potential opportunity is for a provider(s) to deliver the one or more of the following for offenders issued with a conditional caution or community resolution as part of an OoCD:

#### OoCD Intervention focusing on raising awareness of the impact of crime on victims

A Victim Awareness Course is currently available across the Hampshire Police Force Area. This is available on a self-funded basis, whereby the condition acts as both a punitive and rehabilitative element by offenders paying to attend the intervention. There is no funding from the PCC available and the self-funded model of delivery would be the potential opportunity available.

#### OoCD Intervention focusing on raising awareness of the legal and health aspects of substance misuse - alcohol and drugs

Alcohol and drugs awareness courses are currently available across the Hampshire Police Force Area. They are available on a self-funded basis, whereby the condition acts as both a punitive and rehabilitative element by offenders paying to attend the intervention. There is no funding from the PCC available and the self-funded model of delivery would be the potential opportunity available.

#### OoCD Intervention focusing on supporting offenders to manage their anger and diffuse conflict

Hampshire Constabulary have identified managing anger and diffusing conflict as a gap in the range of interventions they would like to be able to offer when considering conditional disposals. Any intervention available would need to be on a self-funded basis, whereby the condition acts as both a punitive and rehabilitative element by offenders paying to attend the intervention. 'Anger Management' should not be offered as an intervention to address unhealthy intimate partner relationships.

## OoCD Intervention for perpetrators of intimate partner domestic abuse

Hampshire Constabulary is leading the way with the enhanced use of OoCDs and was the first police force in the country to receive dispensation from the Director of Public Prosecution (DPP) to use Conditional OoCDs for domestic abuse in cases of intimate partner abuse. An intervention is currently available in Hampshire and this meets the DPP pre-conditions as outlined below. Any new intervention proposed would need to meet the DPPs pre-conditions. Forces must offer a range of conditions:

For cases of intimate partner abuse there must be a focus on rehabilitation of domestic abuse perpetrators and a perpetrator intervention must be available and used (this cannot be generic anger management, it must be a domestic abuse tailored intervention). It is however accepted that a perpetrator programme may not be the most appropriate intervention for a female offender, a women's diversion may be a more suitable option and can be considered on a case by case basis.

Any intimate partner perpetrator intervention should be quality assured, be evidence based and have clear arrangements in place for on-going evaluation/assessment which are robust enough to contribute to national and local evidence bases on the impact of the intervention on frequency and harm of offending, and risk to the victim, until there is sufficient evidence to support its ongoing use and national roll out. Perpetrator interventions should include motivational interviewing, peer support, peer challenge, victim focus, offender focus, rapport, non-shaming, listening and questioning.

For all incidents, forces should also consider the possibility of onward referral/signposting to other services (e.g. drugs, alcohol or financial support), in addition to specific DA focused rehabilitation.

Conditions could also be restrictive or reparative. For intimate partner abuse, conditions must NOT include a punitive financial element

The PCC seeks to engage with the market on the viability and practicality of these aspirations and requirements and to further inform the PCC's understanding by responding to the Notice.