

WEST YORKSHIRE POLICE AND CRIME PANEL

16 July 2021

Investigations and Outcomes

1 Introduction

- 1.1 The 2019 PEEL inspection by Her Majesty's Inspector of Constabulary Fire and Rescue (HMICFRS) highlighted the continuing challenges for West Yorkshire Police with regard to Investigations and Outcomes. This paper is to update the panel with the progress. It breaks down each area of concern from HMICFRS and gives an overview of the ongoing work to address these concerns.
- 1.2 The paper starts with an outline of the current outcomes framework in order to provide context for the areas of concern and then looks at the current published outcomes for West Yorkshire and gives a comparison with an average for the whole of England and Wales. There is also a breakdown of the different crime types and gives the outturn rate for each and compares this with the previous year.
- 1.3 Following this there is an explanation of the HMICFRS findings followed by the progress so far on each of these issues and what the impact has been. Finally, there is an update on the Victim's Journey review and Out of Court Disposals.

Recorded Crime Outcomes – A Brief Overview

2 Background

- 2.1 In April 2013, a new outcomes framework was introduced, replacing the detections previously recorded. The move from detections to outcomes was a marked change, with an emphasis on greater transparency on how all crimes recorded by the police are dealt with. The previous focus on detections gave a partial picture of the work police do to investigate and resolve crime, and its narrow focus resulted in the potential for detection targets which risked driving perverse behaviour with respect to crime recording decisions. The full, broader outcomes framework was introduced in April 2014, with the new full outcomes framework covering all possible eventualities for crimes.
- 2.2 For some time it had become clear that without a more comprehensive set of outcomes forces had been encouraged to seek "detections", sometimes where this was not the most suitable thing for the victim, suspect or public protection.

2.3 The modernised Outcomes Framework initially consisting of 18 outcomes was devised, which sought to:

- Strengthen use of Police Discretion in appropriate circumstances
- Promote a more victim-orientated approach
- Increase transparency to the public

2.4 Since launch, the number of outcomes has been expanded to 22, to include outcomes recognising aspects of investigation including:

- The role of other partner agencies in dealing with the consequences of crime
- That often it is clear from the outset that a prosecution is not in the public interest
- That early intervention and diversion can be more productive than prosecution

Replacing the detections framework, the outcomes framework gives a fuller picture of the work the police do to investigate and resolve crime and, over time, all crimes are assigned an outcome. The broader outcomes framework contains 22 different types of outcomes. The outcomes framework is designed to show to the public and others how well forces carry out their investigations, by reference to the nature and the quality of the result achieved.

3 **The Outcomes**

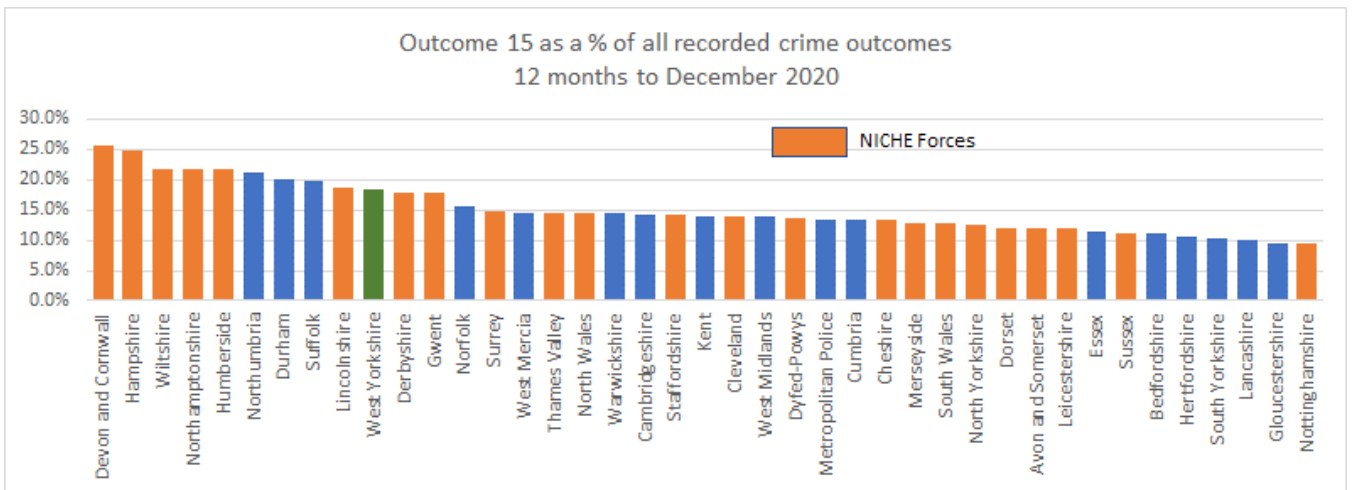
1. Charged/summonsed
2. Youth Offender - Conditional Caution issued
3. Adult Offender - Conditional Caution issued
4. Offence Taken into Consideration at court upon sentencing (TIC)
5. The Offender is deceased (and we have sufficient evidence to charge)
6. Penalty Notice (not used in WYP)
7. Cannabis/Khat warning (Not used in WYP)
8. Community Resolution issued
9. CPS decision not in the public interest (although we have sufficient evidence to charge)
10. Police Decision not in the public interest (although we have sufficient evidence to charge)
11. Suspect under the age of criminal responsibility (10 years)
12. Prosecution prevented - Suspect too ill to prosecute
13. Prosecution prevented - Victim or key witness deceased or too ill to give evidence
14. Victim could but declines/feels unable to identify suspect
15. Is split into two: A suspect had been identified but insufficient evidence to prosecute:
 - a. CPS decision
 - b. Police decision

16. A suspect has been identified but the victim declines to prosecute
17. The prosecution time limit has expired (6 months for summary only offences)
18. No suspect has been identified
19. Action Fraud occurrence
20. Another agency has primacy (Social Care, Prisons etc.)
21. Police could gather sufficient evidence, but have decided it would not be in the public interest to pursue further (generally minor offences including "Sexting")
22. Formal Action/intervention has taken place in lieu of prosecution (from April 2020)

A more detailed guide of the Home Office recorded crime outcome framework is shown at Appendix A.

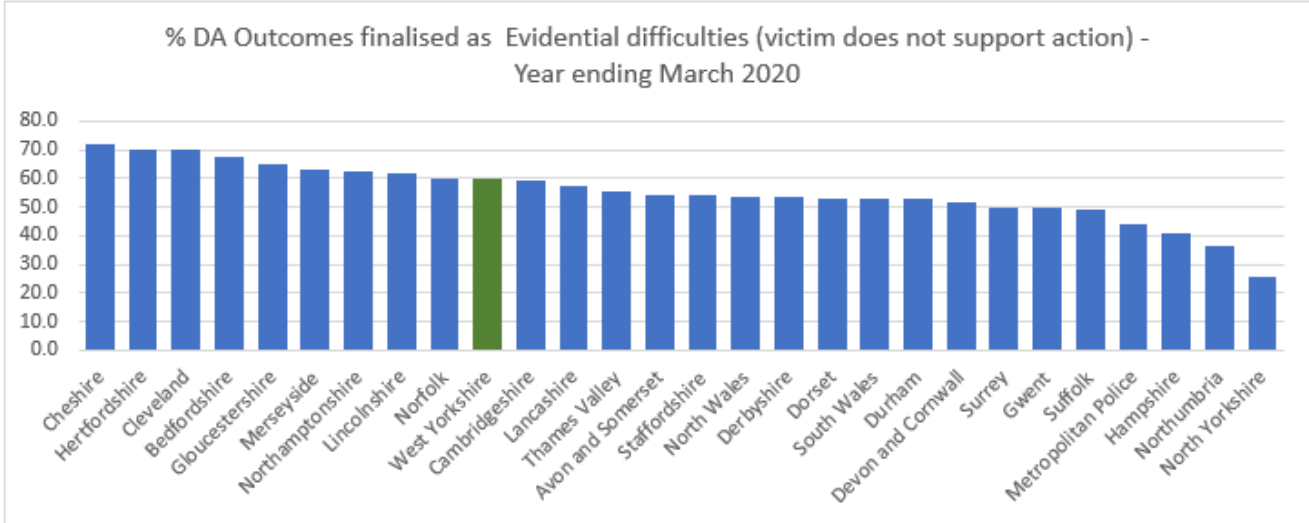
4 West Yorkshire finalisations in 2020/2021

- 4.1 The table below reports the number and proportion of outcomes achieved in West Yorkshire and England & Wales during the 12 months to December 2020. During the 12-month period 274,192 recorded crimes in West Yorkshire were finalised with a recorded crime outcome of 1-22.
- 4.2 The recorded crime outcome percentages in West Yorkshire are shown to be similar to those reported nationally however, the table does highlight some differences in use of the outcome framework.
- 4.3 Most notable is the variation in relation to the use of outcome 15 which can be used when a suspect has been identified but evidential difficulties prevent further action being taken and also outcome 16 which can be used when a suspect has also been identified but the victim does not support further prosecution.
- 4.4 The outcome 15 disparity is largely explained by the variation in the way a suspect is defined by different forces. Many have created a second category, variously called "Named", "Mentioned" or "person of interest", where a possible suspect is linked to the crime report without declaring them a suspect. In West Yorkshire, we have no such second category, and nominals identified as possible suspects are often linked using the "suspect" label, attracting an outcome 15 if the offence is not proven, where in other forces another outcome, possibly outcome 18, would be used. This variation is currently the subject of discussion at the national "Minerva" group, whose principal purpose is to drive the convergence of working practices across NICHE using forces.



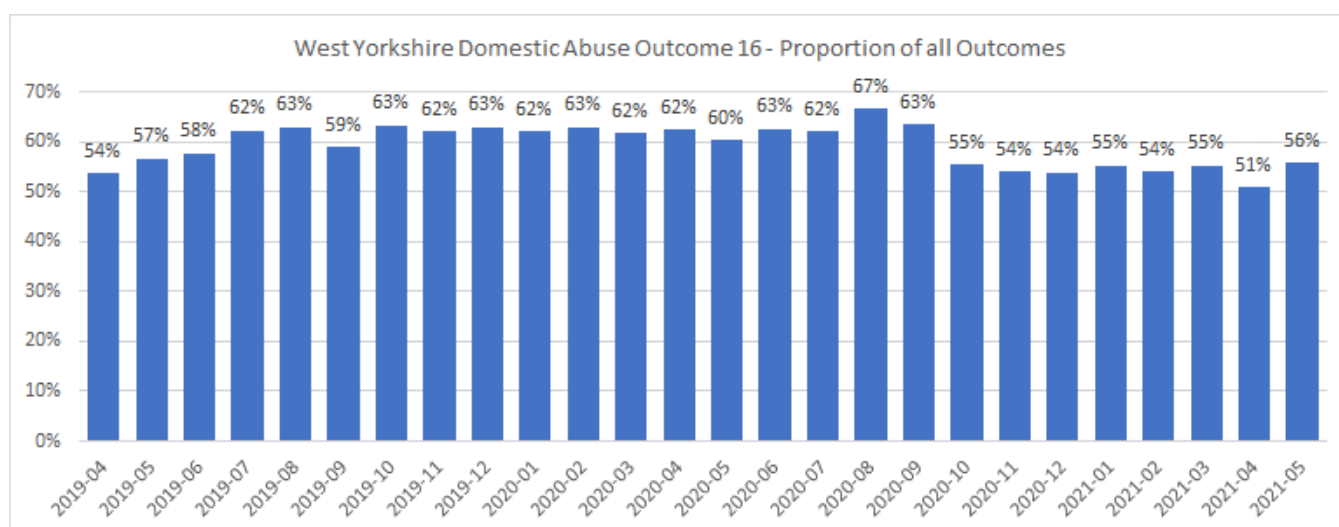
4.5 The outcomes 16 disparity (26.5% WYP vs. 22.4% National) is largely explained in terms of the success of WYP in recording crime. For example, in Domestic Abuse, West Yorkshire record more Harassment/Stalking offences than 41 of the 42 other forces per capita. We are extremely good at recognising Domestic crime, and at recording these additional behavioural crimes. Often, the additional offences arise from incidents where victims are unwilling to prosecute. By recording two, or even three crimes where other forces record one, the proportion of outcome 16 finalisations is inflated. Domestic Abuse forms the majority of outcome 16 finalisations in all forces. Clearly, we continue to focus on supporting victims in prosecutions, and have in the last year put measures in place to reduce victim attrition rates. In the six months of 2021 until June, the corresponding figure is 23.5%.

The two charts below provide details regarding the use of outcome 16 in West Yorkshire. The national chart is based on the latest available data (to March 2020) however data for all 43 Forces is unavailable.



Note: The data from the chart is taken from the November 2020 ONS publication, "Domestic abuse and the criminal justice system, England and Wales, November 2020" and highlights how domestic abuse offences recorded in 2019/20 have been finalised. The data for the publication was taken in June 2020 and at that time a number of offences had yet to be assigned an outcome (7.3% in WYP).

This second chart provides the latest monthly data for West Yorkshire.



Outcomes recorded in the 12 months ending December 2020, by outcome type

Outcome Type	Outcome Description	England and Wales (1)		West Yorkshire	
		Outcomes in Period	(2) %	Outcomes in Period	%
1	Charged/Summoned	420267	8.8%	21793	7.9%
2	Caution – youths	8563	0.2%	455	0.2%
3	Caution – adults	53171	1.1%	2232	0.8%
4	Taken into consideration	3809	0.1%	133	0.0%
5	Offender died	1426	0.0%	60	0.0%
6	Penalty Notices for Disorder	13290	0.3%	1	0.0%
7	Cannabis/Khat Warning	15987	0.3%	8	0.0%
8	Community Resolution	135415	2.8%	6151	2.2%
9	Not in public interest (CPS)	3438	0.1%	134	0.0%
10	Not in public interest (Police)	37044	0.8%	487	0.2%
11	Prosecution prevented: suspect under age	6466	0.1%	446	0.2%
12	Prosecution prevented: suspect too ill	14705	0.3%	946	0.3%
13	Prosecution prevented: victim/key witness dead/too ill	2471	0.1%	95	0.0%
14	Evidential difficulties: suspect not identified; victim does not support further action	237707	5.0%	3629	1.3%
15	Evidential difficulties: suspect identified; victim supports action	699960	14.7%	50383	18.4%
16	Evidential difficulties: suspect identified; victim does not support further action	1067315	22.4%	72594	26.5%
17	Prosecution time limit expired	18064	0.4%	777	0.3%
18	Investigation complete – no suspect identified	1884034	39.5%	109363	39.9%
20	Responsibility for further investigation transferred to another body	59969	1.3%	1838	0.7%
21	Further investigation to support formal action not in the public interest – police decision	63971	1.3%	2565	0.9%
22	Diversions, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.	17003	0.4%	102	0.0%
Total		4764075	100.0%	274192	100.0%

Source:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/985657/prc-outcomes-open-data-apr2020-dec2020-tables-130521.ods

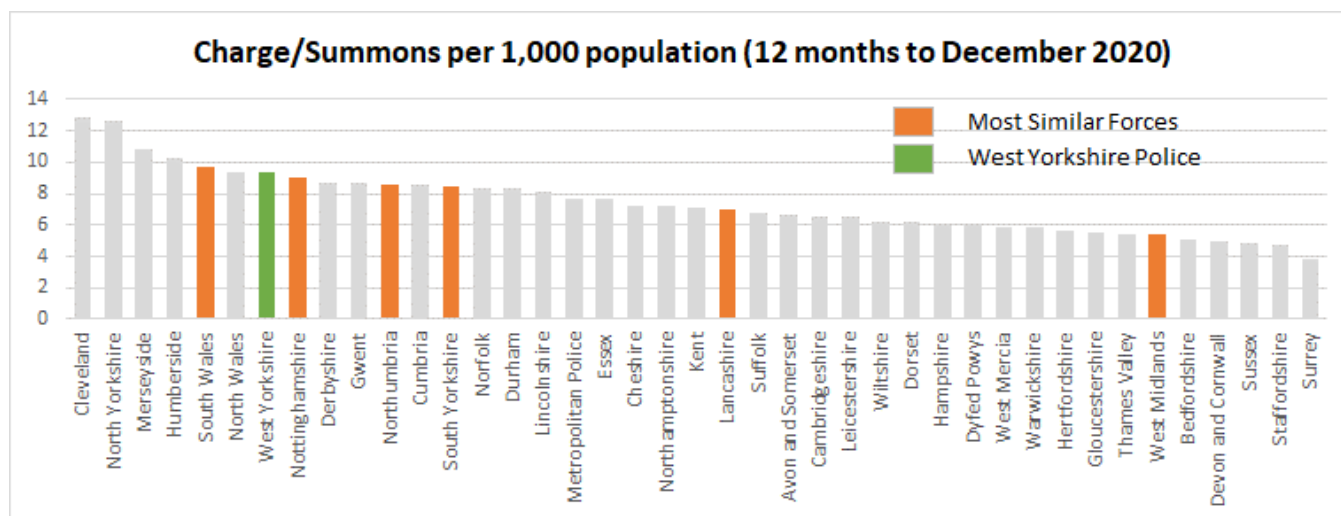
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Notes:

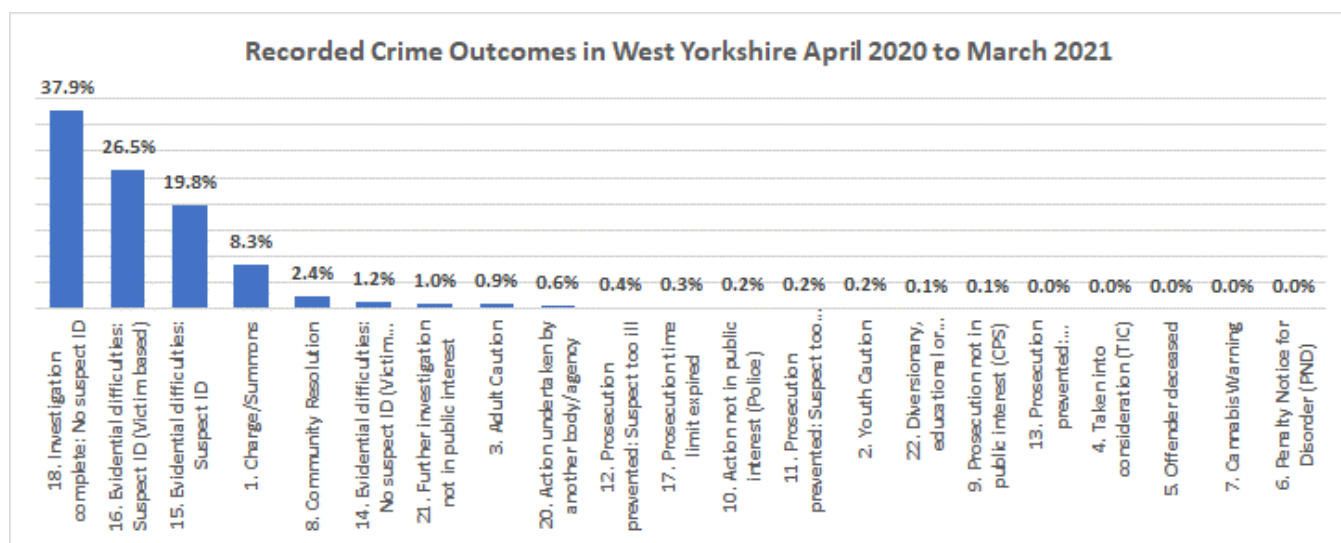
(1) Based on data from 43 Forces. Following the implementation of a new IT system in July 2019, Greater Manchester Police have been unable to supply data for the quarter July 2019 to December 2020.

(2) Outcomes as a proportion of total recorded outcomes in the period

4.6 The chart below provides further comparative outcome data. In relation to charge/summons West Yorkshire police report one of the best charge/summons rates per 1,000 population in the country.



4.7 The chart below ranks the outcomes used by West Yorkshire Police in 2020/21. Like other Forces nationally the vast number of crimes in West Yorkshire (93%) are finalised using either outcome 1 (Charge/summons), outcomes 15 and 16 (evidential difficulties) or outcome 18 (investigation complete – no suspect identified).



4.8 Whilst the recorded crime outcome framework provides Officers with a range of alternatives for providing the most appropriate outcome for the victim, the table below provides a specific focus on outcomes (1-8) and provides details for the last two financial years. Outcomes 1-8 are generally classed as 'positive' outcomes that include sanctioned detections but also takes account of restorative and reparative outcomes. The table highlights an increase in the 1-8 outcome rate for recorded crime overall.

4.9 The table does also highlight a reduction in the number of 1-8 outcomes for some specific offence types. The COVID pandemic has had a significant impact on particular offence types with far

fewer offences being committed. This is certainly the case for shoplifting where restriction of movement and shop closures have resulted in a 42.2% reduction in shoplifting offences in 2020/21 compared to the previous year. This reduction equates to 7,673 fewer offences being recorded and inevitably impacts on the opportunities for achieving 1-8 outcomes. Other offences such as residential burglary (5,119 fewer offences), vehicle crime (8,568 fewer offences) and other theft offences (6,206 fewer offences) will also all have been impacted by the COVID lockdowns and restrictions thereby reducing opportunities for associated 1-8 outcomes.

West Yorkshire	2019/20	2020/21	Change in Rate	Change in Outcomes 1-8
Arson	4.8%	4.7%	-0.1%	1
Bicycle theft	1.9%	2.4%	0.5%	5
Burglary - residential	4.9%	6.0%	1.1%	-136
Burglary - business and community	7.5%	11.1%	3.6%	-79
Criminal damage	8.2%	9.4%	1.1%	-20
Homicide	80.8%	114.3%	33.5%	3
Miscellaneous crimes against society	18.5%	17.8%	-0.7%	-107
Other sexual offences	8.6%	11.1%	2.5%	60
Other theft	3.1%	3.6%	0.5%	-112
Possession of drugs	77.4%	83.9%	6.5%	1192
Possession of weapons	41.3%	52.7%	11.4%	144
Public order offences	9.5%	9.3%	-0.1%	169
Rape	4.3%	8.7%	4.4%	126
Robbery	12.2%	13.8%	1.6%	-92
Shoplifting	29.2%	29.9%	0.7%	-2172
Theft from the person	2.4%	3.4%	1.0%	-34
Trafficking in controlled drugs	47.2%	51.2%	4.0%	182
Vehicle offences	2.9%	4.2%	1.4%	-68
- Theft of motor vehicle	5.0%	5.3%	0.3%	-44
- Theft from motor vehicle	1.8%	3.0%	1.2%	-36
- Vehicle interference	3.3%	5.8%	2.4%	12
Violence with injury	13.7%	14.3%	0.7%	-403
Violence without injury	6.6%	6.8%	0.3%	280
Total	10.8%	12.0%	1.2%	-1061

4.10 Nationally, there is increasing focus on high harm offences such as serious sexual offences and most serious violent crimes and bringing those offenders to justice through the new National Policing and Crime Measures. This focus is also reflected locally within the revision of the Police and Crime Plan performance framework. The table below provides the very latest position for rape, robbery, most serious violence and residential burglary in relation to outcomes 1-8.

West Yorkshire	12 months to May 2020	12 months to May 2021	Change in Rate
Rape	4.4%	8.7%	4.3%
Robbery	12.3%	12.6%	0.4%
Most Serious Violence	28.2%	25.7%	-2.5%
Residential Burglary	4.8%	5.9%	1.1%

- 4.11 Disclosure in regards to Rape - Digital Processing Notice is still awaiting formal ratification by the NPCC and the CoP as there has been extensive consultation across all relevant stakeholders. Once the relevant guidance has been released further work will be conducted internally to ensure compliance with national guidance. Review of the current position within West Yorkshire Police pending release of guidelines demonstrates compliance over and above all current legislative framework and guidance. Further work with regards to all aspects of digital capability and disclosure for rape and serious sexual offences is captured within the National Joint Action Plan (NJAP) which has recently released jointly by the CPS and NPCC. There is a Yorkshire and the Humber joint tactical plan currently being developed to encompass the strategic objectives nationally.
- 4.12 The new Sexual Assault Referral Centre (SARC) was opened in June 2020. The refurbished Police building, which houses both adult and child examination facilities as well as live links to the courts, aims to improve the experiences of victims and witnesses of serious sexual offences across West Yorkshire. During the COVID 19 pandemic services continued to operate in line COVID guidelines. The new building won the best major construction project award at the National Police Estate Group Awards in October 2020. The SARC was inspected by CQC in February 2021 and the service was found to be providing safe, effective, caring, responsive and well-led care in accordance with the relevant regulations. There are no areas for improvement. The court remote sites housed in the SARC are available to be used for live link cases. The site has also been identified to pilot the section 28 cross examinations and are currently undertaking testing between the site and the court.

Investigations Review / Victim Journey

5 Background

- 5.1 The Investigations Review was launched in February 2018 following publication of the 2017 HMICFRS PEEL inspection in January 2018.
- 5.2 The 2017 inspection concluded that West Yorkshire Police's approach to investigating crime and reducing reoffending required improvement. The inspection highlighted that the quality of investigations in more serious and complex cases was generally good, however the force was required to improve the quality and supervision of investigations for volume crimes, such as street robbery, burglary and vehicle crime.
- 5.3 A cause of concern was provided regarding initial investigations and how investigations are handed over, team to team, for further investigation and case progression. It further noted that officers and supervisors required further training in basic investigative skills.
- 5.4 Running parallel to the Investigations Review is the WYP "Victim's Journey" review, which was launched following the HMICFRS 2019 PEEL inspection, focusing on delivering a better service

to victims. The Victim's Journey review is to ensure the victim's voice is at the centre of all that we do.

5.5 In 2020 the publication of the HMICFRS PEEL 2018/19 inspection report identified a further Cause of Concern with recommendations in respect of the capacity and capability for West Yorkshire Police to effectively deal with investigations involving vulnerability:

- The force should review its capacity and capability across the five district safeguarding units and ensure that workloads are manageable and aligned to demand and risk. It should also ensure that adequate welfare and support is available for the officers and staff working within them.
- The force should ensure that officers and staff have appropriate professional skills and experience to investigate complex cases involving vulnerable victims and that these are supervised effectively.

5.6 **Continued progress to date:**

- The Force has undertaken a comprehensive Safeguarding Review which included a review of demand across its safeguarding teams, operating model and associated shift patterns.
- The wellbeing provision for officers and staff working in the vulnerability arena has been reviewed.
- Over the last 12 months there have been uplifts of staff in a number of areas of vulnerability including, Paedophile Online Investigation Team (POLIT), Digital Forensic Unit, non-recent Child Sexual Exploitation/Abuse investigations, and Domestic Abuse Teams.
- The Safeguarding Review Business Case has recommended a further uplift of 65 investigators and 15 supervisors with a phased implementation to commence immediately.
- The force commenced a training programme at the start of 2021, launching with the delivery of three Supervisor Safeguarding courses.
- There is a training plan underway for 2021/22 across all areas of vulnerability training including Specialist Child Abuse Investigation Development Programme (SCAIDP), Video Recorded Interview (VRI), Child Death and Professionalising Investigation Programme 2 (PIP 2).

5.7 Due to the Force demonstrating significant positive progress in this area, on the 10th May 2021 HMICFRS reported that it was disproportionate that a Cause of Concern remain for the Force. However, given that the force is yet to deliver the uplift in staff as outlined in the business case, and that the impact of any training is not yet able to be tested, it was recommended that the Cause of Concern be reduced to an Area For Improvement (AFI) that will be subject of monitoring through the PEEL continuous assessment activity.

5.8 Four further Areas for Improvement (AFI) were identified for investigations in the HMICFRS PEEL 2018/19 inspection report.

- AFI 1 - The force should ensure that supervisors are equipped with the necessary skills needed for effective supervision of investigations and that there is sufficient capacity within the sergeant rank for intrusive supervision to take place.
- AFI 2 - The force should ensure that all evidence is retrieved at the first opportunity and initial statements are completed to a high quality to maximise the likelihood of investigations being conducted successfully.
- AFI 3 - The force should improve its ability to retrieve digital evidence from mobile phones, computers and other electronic devices quickly enough to ensure that investigations are not delayed.
- AFI 4 - The force should take steps to understand its investigation outcome data and to ensure that it is pursuing justice on behalf of victims of crime.

5.9 Since November 2020 work has continued to address the 2017 Cause of Concern, Recommendations, and the AFI's from the 2018/2019 PEEL Inspection. Due to the improvements demonstrated by West Yorkshire Police, HMICFRS on the 10th May 2021, lifted the Cause of Concern, four of the Recommendations that constituted it and two of the AFI's from 2018/2019 Inspection. On the 23rd June a third AFI from the 2018/2019 Inspection was signed off and shown as complete by HMICFRS.

5.10 HMICFRS have subsumed the remaining element of the 2017 Cause of Concern recommendation under the outstanding AFI from 2018/2019, which will be addressed by the ongoing Victim's Journey and Investigations review.

5.11 **Outstanding AFI 1 - The force should ensure that supervisors are equipped with the necessary skills needed for effective supervision of investigations and that there is sufficient capacity within the sergeant rank for intrusive supervision to take place.**

Continued progress to date:

- Standard Operating Procedures (SOP) for Sergeants and Inspectors outlining their daily priorities has been developed.
- A mandatory Sergeants Investigation symposium has been developed to upskill sergeants in conducting investigation plans, investigative reviews and case finalisation.
- The Victim Journey Team continue to quality assure Investigation plans, officer updates and case progression and reviews in a number of crime categories. The findings are raised at a Force level for shared learning.
- There is continual development of the Investigation Intranet page which is available to officers and sergeants 24/7, providing guidance on all aspects of investigations.

- 5.12 Chief Officer Team oversight of the AFI's continues at the HMICFRS Improvement Board chaired by the Deputy Chief Constable where investigation progress is tracked.
- 5.13 The current number of budgeted Sergeant posts is 728.71 (Full Time Equivalent posts). The current Force position is there are 720.04 FTE Sergeants in post, 61.56 of these FTE Sergeants are within their twelve-month National Police Promotion Framework (NPPF) process following temporary promotion. There are additionally 8.66 FTE Temporary Sergeants in post ensuring full capacity at the Sergeant rank.
- 5.14 Since 2019 West Yorkshire Police has seen a Sergeant uplift totalling:
- 2019: 20.69 FTE Posts
 - 2020: 44.2 FTE Posts
 - 2021: 14.5 FTE Posts
- 5.15 The Force wide totals give a supervision ratio of 6.3 Constables per Sergeant, with the Patrol Team average of 9.1 Constables per Sergeant. This ratio does not include Student Constables currently assigned to Learning and Organisational Development.
- 5.16 From 2019 to current date 519 officers have applied for promotion at the rank of Sergeant, 274 were successful and 254 were unsuccessful in the promotion process.

6 Victim Journey Governance and Workstreams

- 6.1 For the continued governance and improvement of investigations in addition to HMICFRS Improvement Board and Victim Journey Delivery Group there is also the Investigation Governance Group (IGG), fortnightly meeting. The purpose of the IGG is to ensure the strategic aim of the Victim's Journey Delivery Group is translated into operational activity with Districts and Departments.
- 6.2 The Investigation Improvement Meeting (IIM) is held monthly, the purpose is to share good practice across the five Districts and Departments. Developing and implementing Standard Operating Procedures, Aide-memoires, upskilling symposiums and guidance documents to improve the standards of investigations and outcomes for the victim. The IIM is attended by Districts and Departments.
- 6.3 WYP have also established a National Working Group attended by the College of Policing, NPCC National Lead for Professionalising Investigations Programme (PIP), HMICFRS and 11 other Police Forces. This meeting is intended to share good practice and innovation so that we can deliver the best possible service to victims and our communities.

- 6.4 District Patrol Investigation Standards Visits. The purpose of these visits was to reality check and assess the standard of volume crime investigations and to identify areas of good practice and improvement across the force.

The visits were conducted from January to March 2021. In addition to twenty-five Sergeants and fifty response officers being interviewed, ninety-six investigations were also reviewed. The following areas were assessed:

- Make-up of the Patrol Team
- Crime allocation
- Workloads
- Investigation plans
- Supervisor Reviews
- Team Accountability Meeting (TAM), Personnel Evidence Notebook (PEN), Personnel Development Record (PDR), Individual Accountability Meeting (IAM) use
- Function of the District Investigation Team/ Suspect Management Unit/Continuous Improvement Unit
- Concerns/barriers of officer and sergeants
- Knowledge of Victim's Journey, Standard Operating Procedures (SOP's), Upskilling Symposiums and guidance documents
- Live investigation review

At the conclusion of the assessments findings were provided to each District and shared through the bi-weekly Investigations Governance Group (IGG) to ensure force-wide learning.

- 6.5 The overall findings of the visits were positive, with evidence of the Victim Journey Delivery Group's strategic intent being translated into operational activity and service delivery in that:

- Officer workloads are predominately of a manageable number.
- Evidence that District Investigation Teams (DIT) are reducing patrol officer workloads.
- The reduction in officer workloads is creating capacity within the patrol function helping support a more effective and responsive service.
- An increase in bespoke but corporate and consistent investigation plans through the use of allocation and review templates by supervisors.
- An increase in 28 Day supervisor investigation reviews in line with Force Policy.
- Officers recording investigative updates.
- Predominantly Officers receiving regular PEN entries.
- Overall, investigations are being allocated to the appropriate Teams and Officers.
- The work undertaken by the Victim Journey Team is disseminating through Districts, there is an awareness of the Victim's Journey, its purpose and application through crime investigations.

- Sergeants and Officers are utilising the key crime SOP's.
- There is an increased awareness and use of the Investigations Intranet site.

6.6 The Victim Journey Team are currently working on a six-month Thematic Plan - 6th April to 30th September 2021 in order to continually assess quality and standards of investigations. The findings are provided to each District and shared through the bi-weekly Investigations Governance Group (IGG) to ensure force-wide learning and best practice.

The following thematic areas are subject to review by the Victim Journey Team:

- Supervisor review of investigations and OIC progression
- Outcome 16 Domestic Abuse
- Statement quality
- Suspect interview quality
- Victim management
- Physical and digital forensic retrieval and submission
- Investigation handovers and Key Investigative Summary (KIS)
- Investigation timeliness and proportionately
- Suspect management
- File Standards

6.7 The Victim Journey Review is supported by the Internal Audit Team. The Internal Audit team randomly select 50 investigations each month and review them in line with the HMICFRS Victim Service Assessment criteria and include investigations of Robbery, Assault, Theft, and Sexual Offences. The purpose is to quality assure investigations and identify themes and areas of improvement. Findings and recommendations are disseminated and tracked through actions via the Investigations Governance Group for force-wide learning.

6.8 Domestic Abuse Workshops are being held between April and July 2021. The purpose of the Workshops is for subject matter experts from across the Force, Partners and Survivors to come together to consider how West Yorkshire Police and Partners can build on current successes and improve our response to Domestic Abuse.

6.9 The Force is currently piloting District Investigation Teams (DITs) for the investigation of volume crime. The early indications are improvements in victim led outcomes, victim updates, victim satisfaction and a reduction in patrol officers' workloads. The length of time an investigation takes has improved on patrol teams and within the DIT. The Force is conducting a review of the pilot which includes a peer review and will assess if the implementation of a volume crime model will improve the victim's journey.

7 Out of Court Disposals

- 7.1 The Mayor's Office hosts the West Yorkshire "Out of Court" Scrutiny Panel. The refreshed structure 'post COVID' now meets bi-monthly and have separate panels sitting to look at all adult, or all youth cases. The panel and consists of representatives from West Yorkshire Police, Crown Prosecution Service, Her Majesty's Court and Tribunal Service, The Mayor's office, Youth Offending Service, National Probation Service, Community Rehabilitation Company (until reunified), Victim Support, West Yorkshire Criminal Justice Board, a defence solicitor, liaison and diversion and the Judiciary represented by the West Yorkshire Bench Chairs.
- 7.2 The national protocol released in 2018/19 noted that the panel would benefit from a wider membership. Through this, representatives from the defence community and Liaison and Diversion were invited and now form part of the regular panel representative. Work remains ongoing through the OPCC/Mayors office to appoint an independent Chair and PCP representation. The tri-partner funded Local Criminal Justice Board (LCJB) performance manager is the current interim Chair.
- 7.3 The panel review 20 cases during each sitting. They are all recently issued out of court disposals to ensure that any feedback is relevant. The previous structure would review an average of 128 cases per year, whereas the new model will review 480 due to increased capacity by separating session and holding them more frequently. Each case may involve more than 1 defendant. Cases are chosen at random by the Local Criminal Justice Board (LCJB) to represent the volumes in each district and type of disposal.
- 7.4 The WYP Criminal Justice Chief Inspector attends the panel and presents the cases to the panel members and provides background. The feedback from the panel is then shared with the local district SLT lead for action and feedback provided to the officers directly with the outcomes and findings from the panel meeting to ensure any learning or praise reaches the relevant people.
- 7.5 In line with the national protocol requirements, the panel also record gender and ethnicity to ensure that the cases reviewed are representative of the West Yorkshire population.
- 7.6 The panel now incorporates thematic topics to focus on during every alternate sitting with the last Adult panel looking at just Domestic Abuse cases. The next Youth panel will look at cases returned from CPS for an OoCCD to be offered to scrutinise appropriateness and potentially missed opportunities.
- 7.7 The most recent panel in June reviewed 20 adult and 20 Youth cases. 7 received an Adult Conditional Caution and 12 received a Community Resolution. 8 received a Youth Conditional Caution and 8 received a Youth Community Resolution. A further 4 cases were from the 'Chance to Change (C2C)' pilot that West Yorkshire Police are taking part in.
- 7.8 The panels finding were that in relation to 36 OoCD cases (not included C2C) the disposal was appropriate. 24 were considered appropriate with observations. 10 were considered inappropriate

or inconsistent with policies and procedures. 2 cases were referred with requests for further information to reach a decision.

- 7.9 Of the cases considered as inappropriate and inconsistent with policies and procedures, these all related to Adult Domestic Abuse cases. The panel considered that a number of these cases should have been eligible for an OoCD and the rationale was strong for issuing, but noted that current policy did not allow for this. The Mayors office will continue to support WYP towards improving this situation. The panel also requested that a new grading of 'Inappropriate with observations' was introduced to acknowledge this category of cases examined.
- 7.10 Following each meeting a public summary is created and agreed at the next meeting and is has been published on the OPCC website (now published on the West Yorkshire Mayoral website), which is anticipated to continue with the new Mayoral office.
- 7.11 Development of dedicated forcewide pathways into education of treatment services continues to progress. These are designed for use as conditions that are attached to cautions.
- 7.12 The West Yorkshire wide Cautions and Relationship Abuse (CARA) service was commissioned by the PCC in 2020. The evidence-based programme is a proven and recognised model of interventions with perpetrators of domestic abuse who are subject to conditional cautions. West Yorkshire Police is Two Tier Force, therefore part of dispensation granted is the ability to make decisions on Domestic Abuse at standard risk and not permitted for anything higher. CARA has so far received 263 bookings and includes two 3-hour workshops that are delivered 4-5 weeks apart. Victim contact is made between workshops to seek information on any changes (positive or negative) that they have observed in the offender's behaviour, and to assess any safeguarding and/or other referral needs. Results indicate that 82% of victims report positive improvements in perpetrator behaviour.
- 7.13 Restorative Justice (RJ) now offer a dedicated Conditional Caution pathway where victims want to take part and the offender is required to take part in the first session to ensure the victim has an opportunity to access some restorative activity. From 1st June 20, we have expanded the service offered by Restorative Justice to include a bespoke Hate Crime Awareness Course (HCAC) that complements RJ practices. This is a 2-hour educational course and has been identified as a best practice model in Hampshire that is now available in West Yorkshire.
- 7.14 The final stages of the C2C roll out is now complete and all five Districts being live. One of the key criteria of the C2C pilot is that there was no requirement for full admissions of guilt to be made, just an agreement to take part as an alternative to a Caution or prosecution. C2C was developed by the MOJ in response to the Lammy report and West Yorkshire are one of only two forces taking part to date. So far, 139 young people (105 males and 34 females, with ethnicity of 114 white, 9 black and 16 Asian) have had the opportunity to be part of C2C and work with Youth Justice Service to complete the requirements, but avoid being criminalised in the process subject to successful completion.

- 7.15 The next Steps for new OoCD pathways is to introduce a new Gambling related harm educational course. Financial pressures are featuring within the triggers for some forms of offending and this new pathway will help to divert appropriate cases into treatment and support.
- 7.16 During January and February 2020, a 'sprint' review was conducted of the forces use of OoCD's following the HMICFRS reported findings at GMP. The findings were encouraging, but areas were identified where continued improvements could be made. Accordingly, WYP Criminal Justice Department has been supported to appoint a temporary Inspector for 6 months to co-ordinate these improvements.
- 7.17 This includes design and overseeing the delivery of further force-wide training, which includes a dedicated input on the operational officers training days (September cycle) and working with the charity 'Transform Justice' to conduct independent academic research to help identify barriers to increased appropriate use of OoCD's and to make recommendations.