

NOTES - SCRUTINY MEETING (TACKLING OFFENDING AND REOFFENDING - USE OF OUT OF COURT RESOLUTIONS AND OUTCOME 16)
24 SEPTEMBER 2025

Question	Brief Summary of Evidence	Decision of PCC
1. What are the main barriers encountered by the Force in issuing OoCRs? What measures does the Force have in place to address these barriers and improve performance in respect of community resolution rates and unsupportive victim rates?	• Out of Court Resolutions (OoCR) refer to any criminal offence that is concluded without formal prosecution, using one of the following outcomes (including all associated sub-categories): • Youth Caution (Outcome 2) • Adult Caution (Outcome 3) • Taken Into Consideration (TIC) offences (Outcome 4) • Penalty Notices (Outcome 6) • Cannabis/KHAT Warnings (Outcome 7) • Community Resolution (Outcome 8) • Educational or Diversionary Intervention (Outcome 22) • The first six of the seven outcomes detailed above, are classed as solved crimes. • A significant proportion of crime in Cleveland is classified as serious violence, which reduces the volume of cases eligible for OoCRs. • Over the past year, the Force has achieved a slight increase in the use of Out-of-Court Resolutions (OoCR); however, this improvement has been minimal and performance remains below both the Most Similar Group (MSG) and the national average. • The Force demonstrates strong performance in Outcome 22, ranking among the top performing forces across England and Wales. Unfortunately, Outcome 22 is not officially classified as a 'positive' police outcome under Home Office performance metrics primarily because it does not result in a formal charge, caution, or conviction, even though it involves meaningful intervention. With growing emphasis on early intervention and reducing reoffending, it is hoped Outcome 22 may eventually be reclassified. • In relation to Outcome 22, the Divert Scheme is funded by the Office of the Police and Crime Commissioner (OPCC) and delivered in partnership with the Force and the Probation Service. The initiative is designed to prevent first-time and low-level offenders from entering the criminal justice system. • The Divert Scheme reoffending rate for the period June 2024 to June 2025 was 3.8%. • The Divert Team is currently operating at 50% capacity. To address this, the Force intends to implement targeted measures aimed at increasing referral rates. Enhancing referrals will enable more individuals to access tailored support services, ultimately reducing the risk of future reoffending. • With regard to Outcome 8, the Force has seen a small increase in the use of community resolutions compared to last year. However, this improvement remains limited. As a result, targeted efforts are underway to enhance performance in this area and maximise the use of OoCRs.	Not Assured <i>Since the previous update in September 2024, when the Police and Crime Commissioner (PCC) was partly assured, the PCC has concluded that although improvement plans are in place, they have yet to demonstrate meaningful impact on Out-of-Court Resolution (OoCR) rates. Enhancing performance in this area is important, taking into consideration the national emphasis on expanding the use of OoCR and the strategic priorities outlined in the Police and Crime Plan - particularly the commitment to improving use of OoCR and ensuring victims feel supported and heard.</i> <i>The PCC will continue to monitor developments closely, with a further performance update to be requested in six months.</i>

	• For clarity, Outcome 8 is recorded as a solved crime, regardless of whether any intervention is delivered - there is no mechanism for recourse if action is not taken. In contrast, Outcome 22 requires that an intervention be delivered before the crime can be considered closed. • To support the effective application of OoCRs, the Force has a dedicated U-Turn Team that is responsible for triaging cases, monitoring compliance, and upholding ethical decision-making. The U-Turn Team ensures the adoption of a whole-system approach, promoting consistency and integrity in the use of OoCRs across the organisation. • Looking ahead, the Force recognises several key challenges and is committed to addressing them by: • managing competing demands; • driving cultural change by raising awareness and delivering tailored training to support a shift in organisational mindset and behaviour; • clarifying expectations and making appropriate policy decisions that reflect the Force's long-term ambitions; • strengthening oversight and accountability to help promote transparency, uphold compliance, and drive continuous improvement. • To enhance performance and accountability, through robust scrutiny and oversight, and drive continuous improvement, the Force has the following mechanisms in place: • The Force IMPACT Board is chaired by the Deputy Chief Constable (DCC) and monitors force-wide performance. • The Crime Governance Meeting is chaired by the Assistant Chief Constable (ACC) and focusses on crime trends and reduction. • The OoCR Scrutiny Panel involves multi-agency partners and ensures transparency and external challenge. • The Tactical Group is led by the Detective Chief Inspector (D/Ch Insp) and coordinates frontline responses and tactical interventions. • The U-Turn Team and Custody Sergeants conduct daily reviews of potential detainees to identify and pursue opportunities for OoCRs. • Inspector feedback aims to identify learning points and inform continuous improvement. • Power BI Dashboards are used to identify missed opportunities and track performance metrics. • The Force researches the solutions and approaches taken by other forces to identify innovative solutions and recognise best practices, considering their suitability for local adoption and implementation. • The Force's OoCR e-learning completion rate stands at 95%, reflecting strong compliance. • The ACC plans to deliver training and in-person sessions on the use of OoCR and the Community Remedy to offer guidance and communicate expectations.	
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2. What progress has been made by the Force to adopt the two-tier out-of-court-resolution framework and how will compliance with community cautions and diversionary cautions be monitored?	• The Force is currently awaiting formal guidance and a confirmed timeline for the implementation of the proposed 'two-tier' framework. Meanwhile, local planning and preparations are progressing, ensuring the Force remains fully prepared to proceed when required. • In preparation for the implementation of the 'two tier' framework, the Force has: • discontinued the use of simple cautions, except in cases involving domestic abuse; • ceased issuing cannabis warnings and fixed penalty notices for disorder-related offences; • established processes to support the implementation of conditional cautions; • agreed a process for issuing court-imposed fines in collaboration with the courts via U-Turn Team; • developed a local process through the U-Turn Team to manage breaches of diversionary cautions; and • introduced monthly OoCR meetings, led by a Detective Chief Inspector, to ensure consistent scrutiny and oversight.	
3. What are the main offence categories that OoCRs are used for?	• With respect to the Force's application of OoCRs in victim-based crimes, the highest frequency of use has been in cases involving violence, followed by criminal damage and arson, then theft. Usage has been notably lower for sexual offences, with minimal application in robbery cases. In cases classified as violence, this includes offences involving violence without injury. • In relation to the Force's use of OoCRs for non-victim-based offences, the highest incidence has been observed in drug-related cases, with comparatively lower application in offences involving weapons possession, miscellaneous categories, and public order. • To provide assurance, the Force's Child Protection and Operation Soteria Superintendent conducted a review of a sample of cases in which Outcome 22 (educational or diversionary intervention) had been applied in relation to sexual offences. Following a thorough assessment, it was concluded that the use of Outcome 22 had been appropriate in all instances, based on the following factors: • all cases were referred by a third party; • both victims and suspects were children; • none of the victims wished to pursue a criminal justice outcome; • all cases were referred to Brook - a service commissioned by Cleveland's local authorities. Brook provides tailored support to young people who meet the referral criteria, offering up to six sessions either at home or in school. The service currently operates in Hartlepool and Middlesbrough, with a similar provision available in Stockton; • a recurring theme across the cases was the perpetrator's lack of understanding regarding the concept of 'true consent'; and	

	- the intervention provided by Brook was deemed essential; without it, the concerning behaviours reported would likely have remained unaddressed, increasing the risk of reoffending. - The same sample of cases was independently reviewed by the Force Crime Registrar, who also confirmed that the application of Outcome 22 was appropriate in each case.	
4. How does the Force maintain fairness, consistency and proportionality in terms of the OoCR decision-making of each individual officer?	- The Force has a structured decision-making model in place to ensure the effective and appropriate use of OoCRs: - With regards to the offender, the Force ensures that its decisions are fair, consistent and proportionate. - In respect of the victim, the Force ensures its decisions are informed by the needs and wishes of the victim. - In terms of the community, the Force promotes public confidence through ethical and transparent decision-making.	
5. To promote public confidence in the OoCR process, what action has been taken to implement the Community Remedy document?	- The Force will collaborate with the OPCC to develop a comprehensive communications plan aimed at promoting the Community Remedy document and ensuring its consistent practical application across the organisation. - The ACC will deliver in-person training across the Force to facilitate adoption and implementation of the Community Remedy.	
6. What action has the Force taken to ensure victims are at the heart of OoCR decision-making, are listened to and understood and are informed of action taken? How does the Force ensure there is always an auditable record of each victim's wishes?	- As part of its decision-making model, the Force ensures decisions are guided by the needs, views, and best interests of the victim, ensuring their voice is central to the process. - In the pursuit of equity and fairness, the needs of the victim must be carefully balanced against the rights of the offender and public interest. While a victim may wish to pursue prosecution, this is not always feasible if the evidential threshold required for legal proceedings is not met. - To record victim contact in the context of OoCRs, the U-Turn Team uses the OEL (Offence Evaluation Log).	
7. Is there a Force-wide policy requiring a health vulnerability screening and assessment during the OoCR decision-making process?	- In terms of health vulnerability screening and assessment in OoCR decision-making: - comprehensive screening processes are in place to identify health vulnerabilities; and - needs assessments are routinely conducted to ensure appropriate support and intervention.	

8. Through data collection and evaluation, is the Force able to evidence how OoCRs can help to address health vulnerabilities?	• The Force plans to actively engage with the National Lead to conduct enquiries and obtain guidance to determine specific requirements. • A case study highlighted the positive impact of the Divert Scheme. The individual in question had been homeless, living in a tent within the local area, and struggling with drug addiction. Isolated from family and friends, they were frequently targeted by local youths, which resulted in an altercation that led to an assault charge. Following intervention and support from the Divert Scheme, the individual reduced their drug use, secured accommodation and employment, and successfully reconnected with family members.	
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Other areas discussed included:

- The implications of the Government policy FTR48 (Fixed-Term Recall for sentences of up to 48 months) and the need to manage those offenders within the community.
- The introduction of a pilot initiative in Cleveland, modelled on the Metropolitan Police's V100 programme, which utilises both covert and overt tactics to identify and disrupt high-risk offenders.

Actions

1.	That the Force collaborates with the OPCC to develop a comprehensive communications plan aimed at promoting the Community Remedy document and ensuring its consistent implementation across the organisation.
2.	That a conversation takes place between the Force and the OPCC to explore opportunities to enhance the use of OoCRs and discuss current Divert Team capacity.
3.	That a further performance update be presented to the PCC, by the Force, in six months' time.