



British Transport Police Out of Court Disposal Scrutiny Panel

Meeting notes: 7th July 2021

Introductions

Previous Case Updates:

- ACR1 – Panel members raised queries in several cases that there seemed a lot of paperwork for simple Community Resolutions (CRs). After this specific simple CR (Begging) we took an action to check that an ERO rationale was required for a simple on street CR.

Answer: Yes. An MG6 is still required as a full rationale must be provided. It is considered that the CR form itself does not allow for this.

- ACC4 – This case relates to a female drunkenly abusing Sainsburys staff at Paddington Railway Station. She had opened a bottle of wine in store and started drinking it. She abused staff who insisted she pay. Arrested for D&D and subsequently given a Conditional Caution due to full and frank admission & lack of previous convictions.

Answer: Druglink was not completed within the allotted time and offender has now been charged, currently awaiting first hearing at court.

Updates:

BTP Streamlined Community Resolutions Pilot

BTP Officers in Manchester commenced a pilot in June whereby they were only required to complete the CR document itself when dealing with simple, low level offences. This removed the requirement to complete statements and other case file forms, but on the requirement that the CR document itself is filled in adequately.

We will provide a further update on the progress of the pilot at the October Scrutiny Panel and will also include an example case for review.

Court Backlog Update

Court backlogs have come up in discussion at previous panels, and so we have provided the panel with some data in order to offer some context (NB. Data is for London courts only).

Magistrates Court:

- Approximately 36k outstanding cases in open court.
- +17% since March 2020, but -21% from the peak of August 2020.
- Average time from offence to completion at London Magistrate Courts is currently 36.5 weeks. This represents an increase of 37% on March 2020 levels (from 26.5 weeks)
- London has recently gone above national average (35.1 weeks) for the first time since December 2018.

Crown Court:

- More than 15k outstanding cases in open court.
- +69% since March 2020. There was a sharp increase to the end of 2020, followed by a slow increase throughout 2021 to date.
- Average time from committal to completion at London CC is currently 29.6 weeks. This represents an increase of 64% on March 2020 levels (so from c. 18 weeks).
- London CC have the longest wait times in the country.

Covid-19 Legislation

- Since our last panel, England has been placed into Step 3 restrictions with a view of moving to step 4 on July 19.
- Measures in Wales have eased to the point where you can choose 2 other households to meet in your home, as an extended household and you can meet up to 30 people outside.

Police, Crime, Sentencing and Courts Bill

- The Bill was introduced into Parliament earlier this year. It proposes far reaching changes to the Criminal Justice System, including to OOCDS.
- It is currently at its third reading in the Commons and is not expected to come into law until early 2022.

Overview of cases that were considered by the panel

The cases which were discussed at the panel consisted of the following offences; **Common Assault (1), Possess class B - cannabis (2), D&D (3), Trespass (3), Sec 4a (1), Assault Emergency Worker & Criminal Damage (1), Fare Evasion (1), Drunk in charge of a child (1), Breach of Face Covering Regulations – Coronavirus (10 – FPN).**

Of the 23 cases reviewed, the panel classified the disposals as follows:

OOCDS:	Appropriate and consistent with guidelines / policy	7
	Appropriate but with observations	3
	Inappropriate and inconsistent with guidelines / policy	0
	Panel fails to agree on appropriateness of decision	2
	Not enough information	1
FPNs:	Appropriate and consistent with guidelines / policy	10
	Appropriate but with observations	0
	Inappropriate and inconsistent with guidelines / policy	0
	Panel fails to agree on appropriateness of decision	0
	Not enough information	0

Actions:

- Each of the individual cases discussed by the panel will be fed back to the decision makers with appropriate guidance to both officers in the case and their supervisors, in terms of both lessons learned and best practice
- Case specific enquiries to be carried out to update the panel in the next meeting;
 - ACR5 – answer query as to why OIC accepted that offender was using sister-in-law Freedom pass without, it appears, any further investigation.
- Provide updated data for panel on court backlogs at October panel.
- Provide data for panel on progress of streamlined community resolution pilot at October panel.

Date of next meeting: 10:00 Wednesday 13th October 2021, In person at FHQ, Camden and Online via Microsoft Teams.