



Out of Court Resolution Scrutiny Panel

Feedback Report to Learning & Development

Date Panel Held	5 th March 2026
Number of cases reviewed	10
Panel	Sue ALEXANDER CHAIR (JP); Kathryn BAILEY (JP); John SHARROCK (JP); Karen CZAPIEWSKI (JP), Kirsty DREW (CPS); Sonia ALFORD (CPS); Annie WHITE (OPCC); Verity WALFORD (PB); PS Chris MULROONEY (CJD DEPEND); CI Richard PITMAN (CJD); Becky BAKER (VS); Insp Lynn NORTHFIELD (CJD) RJ Minutes taken: Diane Hamilton, CJD DEPEND
Apologies	Leonora YARWORTH (HMCTS); Jules HOLLAND – CJD DEPEND
Report completed for	CJD – Criminal Justice Department – Crime Investigation Department – LPA Superintendents

How cases are reviewed

The Panel consists of representatives from a cross-section of internal and external stakeholders. Such members normally include the Crown Prosecution Service (CPS), Police Criminal Justice Department (CJD), Probation (PB), Victim Support (VS), Office of the Police & Crime Commissioner (OPCC), Restorative Justice Gloucestershire (RJ), His Majesty's Courts Service - Avon & Somerset (HMCTS) & the Courts and Magistracy (JP).

Ten anonymised cases are selected by the Chair in advance of the Panel meeting. The case file paperwork for each case is researched, redacted and emailed securely to each Panel member two weeks prior to the Scrutiny Panel. Each case is discussed in detail and members vote as to how they feel each case was disposed of as follows:

- 1 = Appropriate and consistent with policy
- 2 = Appropriate with observations
- 3 = Inappropriate and inconsistent with policy
- 4 = Panel unable to reach a decision

Under the terms of reference up to 8 designated members of the Panel are entitled to vote. The voting members at this meeting are marked in bold above. If the Panel are unable to reach a conclusion, the Chair has the deciding vote.

The Chair selected 10 cases with a breakdown of themes being Drugs/General.

ADULT CASES

Case Number	1
Type of Case Reviewed	CR/0036369/25 Possession Article blade or point in public place
Resolution	Conditional Caution
Condition	Engage with MH Services – unable to monitor
Panel Finding	1

Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO
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Summary:

The Offender was an adult male diagnosed with schizophrenia. A neighbour witnessed the offender on her CCTV leaving his property carrying a knife and reported this to police. The Offender was arrested and admitted the offence, stating he sometimes hears voices which on this occasion had told him to harm someone. He had no intention of doing so and hoped the voices would stop him from doing so.

The Offender was given an urgent referral to Cheltenham Mental Health Services whilst in custody. No persons were threatened or harmed, and the small penknife was not used.

An Inspector had authorised the Conditional Caution with a condition to engage with mental health services. It was confirmed that the condition had been completed.

The Offender is a registered sex offender and has a previous Community Resolution for harassment and cannabis from 2025, but nothing in relation to weapons or knives.

Observations:

A Panel member raised a concern over the gravity matrix regarding the offence being reduced from 4 to 1. PS Mulrooney explained that this had been an administrative error. The new CPS representative felt that, given their charging guidance, this case should have gone to prosecution.

PS Mulrooney explained that Out of Court Resolution guidance conflicts with CPS charging guidance here and does allow for a Conditional Caution to be issued with an Inspector's Authority. He said that previous agreement had been reached with senior CPS at the Panel several years ago that a CC can be issued where the weapon has not been threatened or used. The Panel talked around the Offender's mental health and whether this was an escalation/deterioration and wondered who would monitor the urgent referral made. Overall, the majority felt this to be an appropriate outcome.

Case Number	2
Type of Case Reviewed	CR/0042458/25 Possession Article blade or point in public place
Resolution	Conditional Caution
Condition	Engage with Nelson Trust (not suitable - for females only)
Panel Finding	4
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

The Offender was an adult male diagnosed with ADHD, BPD and borderline Autism. He was seen by a member of public carrying a vegetable knife in the waistband of his trousers. Police were dispatched and the Offender was found with the knife and arrested.

The Offender was interviewed and admitted possession of the knife with the intention of using it to self-harm. A Detective Inspector had authorised a Conditional Caution, however the Custody Sergeant selected a condition of working with Nelson Trust which was an incorrect disposal as Nelson Trust only work with female offenders.

The CC file was sent to the Depend team to process however, after liaising with Nelson Trust, it was returned to the Officer in the case, who decided this would need to be charged due to non-compliance with the condition. It was reviewed by PS Mulrooney and a decision made that the CC would stand as it was not the Offender's fault that he had not engaged. The OIC was tasked with locating the Offender and arranging a more suitable condition, either with V-I-A, mental health services or referral via his GP. This decision was supported by DS Morrow (Senior ERO).

The crime report states there is a linked crime of Section 4A Public Order where a knife was also found. This has been reviewed and there is no connection (different suspect) so was not included.

Observations:

The Panel were happy with the decision to issue the Conditional Caution, however, overall were unable to reach a decision as the condition given was incorrect, although recognising that it was no fault of the Offender. More information is required for the next Panel meeting as to whether the OIC has located the Offender and what alternative condition/support has been made.

Case Number	3
Type of Case Reviewed	CR/0044163/24 Possession with intent to supply controlled drug Class B Cannabis
Resolution	Community Resolution
Condition	Out of County Drug Support – unknown if engaged
Panel Finding	2

Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, COM RES, MO
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Summary:

A female was stopped and searched after Officers saw her vehicle speed away from the area. She was found in possession of a quantity of cannabis which she said she had been sold at a nearby shop from a black bag under the counter and that drugs were also kept there in a small bin across the road. Officers attended the store and arrested the suspect. Whilst the officer was in the store, another member of the public entered the store and attempted to buy cannabis. The store was searched and a small amount of cannabis found under the counter. Additional cannabis was found in the bin across the road. All cannabis and mobile phone seized.

In interview the Offender denied Possession With Intent to Supply but admitted simple possession. Issues with the investigation led to loss of the mobile phone and the packaging for the drugs which were located outside the premises. Therefore, the police couldn't complete phone downloads or forensics and were unable to link the Offender to the cannabis found outside of the shop. The Offender had no offending history.

It was decided that a Community Resolution for simple possession of a small amount of cannabis would be the most suitable disposal. The Offender lived in Wigan and Immigration Services had confirmed an intention to deport him once the offence had been completed.

A condition was imposed for the Offender to seek support locally for his drug use prior to being deported. There is no information regarding any action being taken against the female purchaser who would have been in possession of cannabis.

Observations:

The Panel had concerns with this case. They identified issues with the investigation throughout - delays in actioning, loss of evidence, forensics' missing - all of which reduce public confidence in policing. Several attendees would have preferred a Conditional Caution to a Community Resolution but, given the evidential problems, accepted the outcome.

Case Number	4
Type of Case Reviewed	CR/0028923/25 Threaten a person with offensive weapon in a public place
Resolution	Conditional Caution
Condition	Intervention Thinking Skills Hub Course - completed
Panel Finding	1
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

This crime relates to two Offenders – this one was 18 years old and his co-accused 17. Both went to a children’s playground to have an altercation with a group of younger boys over an incident with the co-accused’s girlfriend.

On arrival at the location there was a physical confrontation between the parties. The co-accused felt pushed around by the younger children so asked this Offender to pass him a hammer which was hidden up the Offender’s sleeve. The hammer was not used by him - he held it by his leg the whole time and did not make any threats.

Once passed the hammer, the 17-year-old lifted it up into the air above his head shouting “get back”. The Children First Panel dealt with the 17-year-old co-accused by way of a Youth Diversion.

The 18-year-old Offender claimed he had found the hammer in the bottom of a bin and picked it up to prevent anyone else taking it. He intended to hand it to the police and put it in his waistband to hide it from view. The younger children set upon him and the co-accused but he did not make any threats in response. A Conditional Caution was properly given with a Detective Inspector’s Authority.

A linked crime relating to an assault on the 17-year-old co-accused by two of the younger boys appears still to be resulted. It looks like it has all been tied up with the linked crime and PS Rogers (CF lead) is chasing this up.

Observations:

The Panel discussed this one at length and found it quite confusing. They did not believe that the Offender would have found the hammer in a bin and had concerns over him bringing a hammer to the park. However, they accepted that the co-accused appeared to be the main aggressor and had already been dealt with via the Children First Panel by way of an Out of Court Resolution. Overall, the Panel were happy with this commensurate outcome.

Case Number	5
Type of Case Reviewed	CR/0043966/25 Possession with intent to supply a controlled drug Class B Cannabis
Resolution	Community Resolution
Condition	Sessions with V-I-A – but not compulsory
Panel Finding	1
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, COM RES, MO

Summary:

Officers attended Gloucester Royal Hospital for an unrelated matter and on arrival could smell cannabis. The Offender was sitting on a bench near the entrance, so was approached by officers who told her they could smell cannabis. She admitted she had just smoked a spliff and had thrown it on the ground. She pointed to the grass area next to her, where there was a spliff with a small amount of cannabis left in it. The Offender was stop searched under Section 23 of the Misuse of Drugs Act. Nothing further was found, and the spliff was seized.

There was no previous for cannabis so a Community Resolution was issued for simple possession, with referral to V-I-A (which appeared to be self-referral).

When police spoke to the Offender, she disclosed coercive, controlling behaviour from her partner, by way of controlling her finances and taking her to a cashpoint and taking her money.

A crime of Coercive and Controlling Behaviour was linked to this offence because the victim of that crime was the person in possession of cannabis here. The linked Domestic Abuse offence was resulted as No Further Action due to limited disclosure, and an Evidence Led Prosecution not being suitable.

Observations:

The Panel felt the outcome was right as this never looked like a supply case rather than simple possession. They were pleased to note that the victim of the Domestic Abuse offence had been offered support via Nelson Trust.

Case Number	6
Type of Case Reviewed	CR/0015163/25 Possession with intent to supply a controlled drug Class A - Other
Resolution	Conditional Caution
Condition	Deported – not to enter UK for 5 year period
Panel Finding	1
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

The Offender was stopped in his vehicle by police and a search found him to be in possession of 3 small bags of suspected Class A cocaine, 2 mobile phones and approximately £500 in cash. The quantity of drugs was consistent with personal use only.

The Offender was arrested for Possession With Intent To Supply Class A drugs. He admitted the offence of simple possession but said he did not know what the drug was and denied supply. He had one previous conviction for possession 5 years previously, and a Detective Inspector authorised the Conditional Caution and condition.

The Offender was subject to deportation by Immigration Services so any outstanding investigation would have held up the process. A CC for simple possession of Class A assisted Immigration Services in enabling deportation and appeared to be a proportionate disposal. A condition was set of no return to the UK for 5 years which, although not compliant with rules set around conditions needing to be between 16 and 20 weeks, appeared the most suitable outcome and would tie in with Immigration directions. A (FNO) Foreign National Offenders CC would be a possible alternative but the Unifi system does not provide the option to do this.

Observations:

Some of the Panel had concerns over the fact that PWITS had been dropped to simple possession purely for expedience so that the Offender could be deported. However, the CPS representative explained that is the most pragmatic solution due to current court delays - by releasing the Offender on bail and then waiting several months for a court date, the Offender would likely abscond or spend a significant time in the UK before being deported. It was confirmed that there was an IS91 on the file which means the Offender was collected by Immigration and taken to the holding centre. Although this did not guarantee that the Offender had been deported, it did mean that it was highly likely.

Case Number	7
Type of Case Reviewed	CR/0036465/24 Produce Cannabis
Resolution	Conditional Caution
Condition	Sessions with V-I-A - completed
Panel Finding	1
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

Police received a report from Stroud Council that a tenant was growing 12 cannabis plants in a greenhouse. Police arrested the Offender and seized the plants. The Offender admitted the offence stating he was growing the plants to help provide pain relief.

The plants were in the early stages of growth and not sufficient to be harvested. The Offender had a previous conviction for possession of Class A drugs but back in 2008. An Acting Inspector had authorised the Conditional Caution.

Observations:

The Panel agreed that the outcome was appropriate, but some concerns were raised about the delays/timescale in resolving the matter.

Case Number	8
Type of Case Reviewed	CR/0045268/25 Possession with intent to supply controlled drug Class A - Other
Resolution	Conditional Caution
Condition	Deported - Not to enter UK for 5 year period
Panel Finding	1
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

The Offender was stopped by police, his vehicle searched and a quantity of white powder (believed to be amphetamine) in 20 wraps was found in a chewing gum tub under the driver's seat, along with a quantity of cash in the rear of the passenger's seat. The Offender was interviewed and stated that Albanians were making him sell drugs and threatening him.

The Offender was subject to deportation. The Conditional Caution was authorised by an Inspector (this should have been for simple possession but note the Custody record remained as PWITS in error). Its issue allowed Immigration Services to remove the Offender from the UK. The condition not to return to the UK for 5 years is, again, not something that can be enforced but the Offender would already be subject to similar conditions under the rules of deportation.

Observations:

The Panel felt this was a more serious case than case 6 due to the quantity of drugs found and felt that this should have been charged. However, it was again explained that if it had been charged instead that would significantly delay the deportation process and the public would have to pay the costs of detention. It was therefore agreed that, as the Offender was indeed picked up for deportation, this outcome was appropriate.

Case Number	9
Type of Case Reviewed	CR/0038111/25 Possession with intention to supply controlled drugs Class A - Other
Resolution	Conditional Caution for Class A & B
Condition	Sessions with V-I-A - completed
Panel Finding	3

Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO
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Summary:

Police were called to a concern for safety after a male was seen on the wrong side of the barrier on a bridge. On arrival officers found a vehicle with two occupants and a strong smell of cannabis. Officers stopped the vehicle and carried out searches under the Misuse of Drugs Act. Drugs were found in the front passenger side of the car, where police found a holdall containing a quantity of cannabis and white powder.

When a search of the passenger's address was also conducted, further drugs were located, including Class A and Class B. Police found a quantity of what was believed to be magic mushrooms, 3-4 small snap bags of white powder and further cannabis. They also seized several mobile phones, a laptop, scales and snap bags.

In interview the Offender admitted possession of the items found in both the vehicle and at his home address, explaining he buys them in bulk as it is cheaper and less risk.

A Detective Inspector had authorised a Conditional Caution for possession of Class A and Class B with a condition to engage in V-I-A referral. No drugs were found at the driver's address and no action was taken against him.

Observations:

The Panel felt this case should have gone for prosecution, given the quantity and variety of drugs and supporting evidence found. They also noted that only a manual triage of the phone appeared to have taken place, which possibly led to this lesser outcome. They felt that a full phone download should have been obtained to check for deleted messages etc.

Case Number	10
Type of Case Reviewed	CR/0028561/25 Produce Cannabis
Resolution	Conditional Caution
Condition	Sessions with V-I-A - completed
Panel Finding	2
Documents Reviewed	CRIME REPORT, LINKED CRIMES, STORM LOG, PNC, MG05, MG06, MG14, MO

Summary:

The Offender had been growing cannabis plants at her home address for the past 3-4 years. Police found over 39 plants growing in the greenhouse, along with a lot of cannabis stems and buds in jars. Further cannabis stems and seeds were found in the house. At the scene the Offender admitted possession of the cannabis. A police drugs expert witness confirmed they were low quality. Her phone was reviewed and confirmed no evidence of supply.

The Offender admitted the offence in interview, stating she used the cannabis to help with her anxiety and sleep. A Conditional Caution for cultivation of cannabis had been authorised by an Inspector with a condition to complete 3 sessions with V-I-A.

Observations:

Some of the Panel members had concerns over the significant length of time the Offender had been growing the cannabis and the quantity involved. It was felt that possibly she should have been charged. However, the Panel noted that the Offender had no previous offending history and had received help by obtaining a medicinal script, which indicated that she had taken on board the seriousness of the situation. It was also noted that the plants were of poor quality and low yield.

NOTES – Date of next meeting due to be **4th June 2026** this will be online (TEAMS) at the normal time of 09.30am.

Future Panel Dates:

3rd September 2026

3rd December 2026

It will be decided at each meeting if they are to be online or in person.

CONCLUSIONS

From the 10 cases discussed at Panel the following results were obtained with approximately 80% of cases receiving a score of 1 or 2:

	Outcome	Number of Cases
1	Appropriate and consistent with policy	6
2	Appropriate with observations	2
3	Inappropriate and inconsistent with policy	1
4	Panel unable to reach a decision	1

All investigating officers and their line managers will be provided with a copy of this report to ensure that they are aware that their case was discussed at Panel. Chief Inspector of CJD will establish contact with individuals for all cases that obtained scores of 3 or 4 to provide specific feedback and guidance.

Any Other Business

CJD Chief Inspector Andy Poole had retired in January 2026; his replacement is Chief Inspector Richard Pitman.

Due to Niche implementation from 10/2/26, there were some difficulties at present running reports.

Sonia Alford is going on maternity leave so won't be attending for a while.

John Sharrock made his apologies for the next meeting as on holiday.

Thanks were given to Sue for chairing the Adult Panel Scrutiny Meetings for the past 3 years. Her successor, Karen Czapiewski, will Chair this Panel from April.

Actions

Update required for next meeting in relation to cases 2 (as to whether the OIC has been able to locate the Offender and provide them with more appropriate support) & 9 (why the Offender was not charged).

Theme for next Panel: Ethnicity