

**NOT PROTECTIVELY MARKED**

Published

Event History

**Policy owned by Operational Services****Offence Resolution****1. Policy Purpose and key drivers**

Staffordshire Police is committed to the prevention and detection of offences as a means of reinforcing its commitment to the community, thereby making the county a safer place to live. To this end offenders dealt with for offences will, where appropriate, be given the opportunity and support to turn away from offending in the future.

The procedures forming this policy play a significant part in the Offenders Brought To Justice (OBTJ) philosophy. They are also referenced in the College of Policing Authorised Professional Practice and which these local procedures support.

The overarching principle is that of the Force mission 'Keeping our communities safe and reassured'.

This policy is designed not only to assist staff unfamiliar with the varied processes of the finalisation and case disposal of offences, in particular, but not confined to, 'out of court disposals'. It is also aimed at experienced staff to assist them in adopting a corporate approach within the various options for case disposal.

The policy and procedures are not overly prescriptive and allows for officers to use their professional judgement and discretion in dealing with offenders within acceptable parameters. These parameters take account of the needs and best interests of any victims as well as dealing with offenders (particularly young people) in a way that is sufficiently flexible to deter them from future offending, as well as being robust with those who refuse support or who persist in their criminal activities.

**Related Documents**

Links to related documents:

[Offence Resolution - Adults - Simple Cautions & Conditional Cautions \(Procedure\)](#)  
[Offence Resolution - Alcohol in a Public Place \(Procedure\)](#)  
[Offence Resolution - Cannabis and/or Khat Possession \(Pilot Scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Community Resolutions \(Pilot Scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Conditional Caution - Foreign Offender Condition \(Procedure\)](#)  
[Offence Resolution - Domestic Abuse - Out of Court Disposals \(Pilot Scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Drugs Possession - Out of Court Disposals \(Procedure\)](#)  
[Offence Resolution - Hate Crime - Out of Court Disposals \(Pilot Scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Knife Offences \(Pilot scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Offences Taken Into Consideration \(TIC\) \(Procedure\)](#)  
[Offence Resolution - Out of Court Disposals & 'Foreign Convictions' \(Procedure\)](#)  
[Offence Resolution - Penalty Notices for Disorder \(Pilot Scheme from 3/11/2014\) \(Procedure\)](#)  
[Offence Resolution - Persons Apparently Drunk or ILL/Affected by Drugs](#)

& Incapable in a Public Place (Pilot Scheme from 3/11/2014)  
 (Procedure)  
 Offence Resolution - Restorative Justice (Pilot Scheme from 3/11/2014)  
 (Procedure)  
 Offence Resolution - Young People - Youth Cautions & Youth  
 Conditional Cautions (Procedure)  
 Offence Resolution - Alcohol in a Public Place; Offence Resolution -  
 Cannabis Possession; Offence Resolution - Community Resolution;  
 Offence Resolution - Conditional Cautions; Offence Resolution - Knife  
 Offences; Offence Resolution - Offences Taken Into Consideration  
 (TIC); Offence Resolution - Penalty Notices for Disorder (PND); Offence  
 Resolution - Persons Drunk & Incapable in a Public Place; Offence  
 Resolution - Reprimands & Final Warnings; Offence Resolution - Simple  
 Cautions

**Gatekeeper** - the Author suggested the following Procedure document(s) to link to.

#### Relevant Dates and Review Period

Effective Date:	30/06/2014
Review Date:	17/07/2018
Review Frequency:	Annually

#### Policy Basis and Implications

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| 2. Legal Basis:                             | There is no single piece of legislation governing this policy but when dealing with offenders the main legislative driver is the Police And Criminal Act 1984.   |
| 3. Management of Police Information (MoPI): | <p><b>MoPI Policing Purpose:</b><br/>                 Protecting Life and Property, Preserving order, Preventing the commission of offences, Bringing offenders to justice, Any duty or responsibility arising from common or statute law</p> <p><b>MoPI Review, Retention and Disposal addressed as follows:</b><br/>                 Protecting Life &amp; Property/Preserving order/Prevention the commission of offences/Bringing offenders to justice/Any duty or responsibility arising from statute or common law.</p> <p>As the Offence resolution procedures cover a wide range of case disposal options it is not practicable to detail here the retention periods for the whole range of those options as they apply across the spectrum of offence types.</p> <p>Most of the procedures concern out of court case disposals therefore only lesser offences are likely to be finalised using them, which will fall predominantly in groups 3 and 4 of the Information Management section of Authorised Professional Practice. Those procedures where more serious offences are dealt with e.g. TICs are heard at court but again the most serious categories of offences are unlikely to be suitable for case disposal by such methods save in the most exceptional of cases. As a consequence records should therefore be retained, reviewed and disposed of in line with the APP Information Management category relative to the offence concerned.</p> |
| 4. Associated Benefits:                     | The main benefits of the policy are that offenders will be brought to justice, victims interests will be catered for including compensation where applicable. Offenders will also where appropriate to their circumstances be given the opportunity and support to make reparation to victims and to turn away from future offending behaviour.  |
| 5. Consultation:                            | Central Ticket Office;<br>Case Management Unit;<br>Force Crime Registrar;<br>Integrated Offender Management Unit;<br>Police Federation;<br>Unison.   |
| 6. Financial Implications:                  | None specific to this policy.  |

7. Human Resources / Training:	No specific training is required for the introduction of this policy as its procedures are part of existing training requirements of new and existing officers and staff.
8. Associated Policy:	Nil

**FOI, Human Rights and Equality Impact Assessment Indicators**

FOIA:	Release to Public	
ECHR:	Compliant with proportionality test	Articles engaged: Article 6 Fair Trial; Article 7 No Punishment without Law; Article 8 Right to respect for Private and Family life
EIA:	Compliant	

**Indexing**

Categories:	Crime Recording Custody Drugs Justice Services Offence Resolution Victims and Witnesses Young Offenders
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