



Out of Court Disposals – Options for Victims

Some crimes and anti-social behaviour incidents can be suitable for dealing with outside of courts. These are known as out of court disposals.

This document fulfils the statutory duty, known as the Community Remedy and outlined in Section 101 of the Anti-Social Behaviour, Crime and Policing Act 2014, on Northamptonshire Police and Crime Commissioner and Northamptonshire Police to involve victims in having a say on how offenders are dealt with.

Actions are suitable to be carried out by a person only if it has one or more of the following objects:

- a) Assisting in the person's rehabilitation;
- b) Ensuring that the person makes reparation for the behaviour or offence in question;
- c) Punishing the person.

Essentially there are two types of out of court disposal:

- Community resolution for both crimes and anti-social behaviour. These do not result in a criminal record for the offender
- Conditional cautions for crimes. These do result in a criminal record but do not require the person to attend court.

The police officer in question must decide that the offence or incident is suitable for discharging without the need for charging and taking through court. The offender must also have admitted the offence.

Options that are available to the victim fall within these categories:

1. Reparative. For example this could be paying to repair damage or undertaking unpaid work at a venue of the victim's choosing.
2. Restorative. This could be the victim being able to put their feelings down in writing, face to face or through an alternative means to help the victim cope, recover and thrive. Another example could be letters of apology
3. Rehabilitative. For example this could be the offender agreeing to undertake a course to address underlying behaviours such as drug or alcohol issues. Typically the offender would pay to attend this course.
4. Warning and Agreement. For example this could be signing a contract to outline what acceptable behaviour is.