

Deferred prosecution scheme

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Practice note: a relationship-based model for working with offenders on out of court resolutions

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Devon and Cornwall Police's out of court resolutions (OoCR) team sits within the reducing reoffending department. As the team manager for the last two years, I have been moved by many cases, including by victims' satisfaction and offenders' successes. Many of these were attributed to the strong relationships that offenders' behaviour change successes had built with keyworkers. This supported offenders in addressing their behaviours and understanding the driving factors behind them.

In 2017, Devon and Cornwall Police became one of the only police forces to deliver a deferred prosecution scheme as a cornerstone of their OoCR offer.

In our force, there is a centralised team of police staff made up of keyworkers. Each keyworker holds responsibility for a caseload of offenders who have opted to engage in deferred prosecution. This is an alternative pathway to the more traditional court route. This model aligns with National Police Chiefs' Council (NPCC) policing standards as the 'gold standard' for OoCRs.

Relationship-based practice

Relationship-based practice recognises that behavioural change and recovery happen within trusting and empathetic relationships. It is widely adopted in other areas of the criminal justice system, such as [youth justice](#) and [probation](#).

However, in policing, it has often been contained to work with victims, young people or neighbourhood roles. Devon and Cornwall Police have extended and enhanced this practice to OoCRs, with the aim of reducing reoffending and harm within communities.

How it works

Firstly, keyworkers complete a needs assessment with the offender. This involves an initial conversation about:

- criminogenic needs (risk factors)
- previous offending
- the context of the offence
- the individual's life and their wider goals
- building rapport and understanding

This forms the foundation for a therapeutic relationship, designed to support behavioural change.

A 16-week contract is agreed with the offender. All conditions are restorative, rehabilitative, reparative or restrictive, and are bespoke to the individual's needs and risks. The contract addresses needs through brief one-to-one interventions and warm introductions to external partners, such as:

- mental health services
- housing
- community and voluntary organisations

This is a particularly important part of exit planning, supporting those with complex pasts who require specialist intervention.

The keyworkers in the team come from various professional backgrounds and are trained in:

- motivational interviewing
- strength-based approaches
- personal safety
- first aid

Keyworkers can:

- implement restrictive conditions
- identify and record crimes
- create safeguarding alerts

- submit intelligence

Important parts of a keyworker's role also include reflection, observed practice and peer learning.

The OoCR centralised team is funded by the core policing budget for staff salary costs.

Eligibility

Deferred prosecution is available for offenders who have committed summary-only or either-way offences. To be eligible, individuals must:

- be over the age of 18 years (although we do offer deferred prosecution for children through a separate process)
- live in Devon and Cornwall
- have committed the offence in Devon and Cornwall
- accept responsibility for the offence
- agree to participate in the scheme

Impact

The Society of Evidence Based Policing conducted a [Maryland level 4](#) study in 2024, into the impact of the deferred charge programme on reoffending in Devon and Cornwall.

Of 383 offenders who were referred:

- 336 offenders completed the 16-week programme
- 47 opted out and were subsequently charged

Of those who completed the programme, 19% reoffended within 365 days. This was less than half of the reoffending rate (40%) for offenders who had opted out of the programme.

In line with the eligibility criteria, both groups in the study (those who opted in and out of the programme) had not offended within the previous two years. It is important to acknowledge that those who chose to opt into the scheme may have had higher motivation to desist from offending than those who opted out. Therefore, we cannot conclude that it was the deferred prosecution

intervention itself that directly caused the difference. Regardless, the results are positive.

[Transform Justice research](#) tells us that victims primarily want offenders not to commit the crime again. With the comparatively low reoffending rates shown, we can start to provide increased satisfaction for victims through deferred prosecution.

A cost-benefit analysis has not yet been conducted in force. Future research is recommended to determine how cost-effective deferred prosecution can be.

Benefits

- Through bespoke interventions, we target the underlying causes of offending and wider harm, not just the causes of the current offence.
- Partnership working is vital. Warm introductions can be made to other departments, such as Integrated Offender Management and Prevention. We are not constrained by lengthy commissioned contracts, which can be inflexible in a rapidly developing landscape.
- Keyworkers can seamlessly access police information, manage occurrences and complete policing tasks. Information sharing is safe and maximised through individual consent, facilitated through the positive keyworker relationship.
- Cases are allocated to keyworkers, removing them from frontline officers' workloads.

Challenges

There are challenges to policing resources being allocated to supporting offenders. However, we know that the offenders we work with are commonly victims too (Neyroud, 2022). Alongside offender work, keyworkers support victims to access services to ensure that:

- they fully understand the process
- their views are taken into account
- they can access support they need

Outcome 22 is used when a case is resolved through diversionary, educational or intervention activity. This is not currently regarded as a 'positive outcome' nationally. In Devon and Cornwall, 'Outcome+' is used to separately count and report on positive outcomes plus Outcome 22s, so that

this can be tracked alongside nationally counted positive outcomes. This was created through agreement at the force's executive level.

It is managed through the performance and analysis team, which has clear parameters about what is included in each separate report on positive outcomes and 'Outcome+'. The Home Office have announced that as of 1 April 2026, deferred prosecution will be moved into its own outcome (23 for children, 24 for adults). This will support recognition of the robustness of deferred prosecution schemes, including the use of relationship-based models of working.

Conclusion

This approach requires endorsement from senior leaders and buy-in from frontline officers and staff. In Devon and Cornwall Police, we have been fortunate that we can continue to build into a fully integrated and established model with a committed team. This will help us to save money and achieve positive outcomes for the force, victims and offenders.

We are currently awaiting national guidance on deferred prosecution and we hope that relationship-based practice can be recognised as an important pillar within this.

- This article was peer reviewed by Police Constable Emma Nockton, Greater Manchester Police

References

Neyroud E. (2021). [First time offenders as once and future victims: Using police records to explore the victim-offender overlap in the Turning Point Project](#). PhD thesis, University of Cambridge

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