



Mae'r ddogfen hon ar gael yn Gymraeg yn ogystal â Saesneg.

This document is available in Welsh as well as English.



Police and Crime Commissioner for Dyfed-Powys

Scrutiny Panel

Dip Sampling Exercise

Review of Stalking and Harassment Cases

Panel Members' Findings & Feedback

August 2022

Contents

1. Overview

On the 1st of August 2022 Members attended the meeting of the Dyfed-Powys Out of Court Disposal Scrutiny Panel. Members reviewed a selection of stalking and harassment cases, which had been dealt with by way of an Out of Court Disposal. The Panel considered a total of 15 cases, 7 involving youth suspects and 8 involving adults.

This meeting was conducted virtually via Microsoft Teams.

1. Background, purpose and methodology

Panel Members collectively agree an area of focus for each meeting. They receive relevant case files two weeks prior to each meeting which have been randomly selected by the Panel Chair. The Panel then meets to discuss each case and where possible reach a conclusion as to the appropriateness of the disposal. In deciding this, the Panel considers the following criteria:

- The views and feedback from the victim and the offender.**
- Compliance with force policy.**
- Rationale for the decision and outcome.**
- Potential community impact.**
- Circumstances and seriousness of the offence.**
- Potential alternative options that may have been available.**

The Panel discuss each case and categorise them as one of the following:

- Appropriate use consistent with policy.**
- Appropriate use with Panel Members' reservations.**
- Inappropriate use or inconsistent with policy.**
- Panel fails to reach a conclusion.**

1. Approval by Panel Chair

I D.L Evans (print name) can confirm that I have read the report, and that it fully represents the views expressed by the Panel during our dip sampling exercise dated 25th August 2022.

Signed: David Evans

Date: 01/08/2022

1. Actions taken following previous panel meeting

As a result of the Out of Court Disposal Scrutiny Panel's work, the following actions have been completed since the last meeting:

- **As a result of discussions within the last meeting the Youth Offending Team (YOT) representative liaised with their teams to ensure all available YOT documentation is added to the OOCDC case files.**
- **For the positive feedback in relation to officer's providing victims with safeguarding advice to be shared.**
- **It was felt that the PCC should raise the awareness of the OOCDC Panel to Magistrates and raise the profile of the work of the Panel on an All-Wales level. The OPCC has prepared a summary report outlining the purpose of the Panel, frequency and focus of meetings and some of the outcomes that have been achieved to date. Briefing will be taken to the next Local Criminal Justice Board meeting in August, and it will be asked that it is shared by partner agencies, HMCTS for Magistrates awareness.**

1. Good practice

The following good practice was identified as a result of the Panel's work this quarter:

- **It was found that 13/15 of the stalking and harassment cases were found to be disposed of appropriately. This included all seven of the Youth cases.**

6.0 Areas for improvement

The following area for improvement was identified as a result of the Panel's work this quarter:

- **There is a need to ensure that when children are connected to more than one authority that communication is made to ensure that both authorities are a part of the decision making.**
- **Feedback is needed to be passed back to Officers in relation to ensuring that crime logs are detailed, as files could be re-visited or reviewed by scrutiny panels.**
- **Feedback to be given to Chief Inspectors to ensure that YOT and relevant agencies are involved in the decision making when issuing Anti-Social Behaviour Contracts (ABC's).**

7.0 Consideration of stalking and harassment cases - youth suspects

Seven stalking and harassment youth cases were considered, the cases were dealt with via: three Youth Cautions and four Youth Restorative Disposals.

Members' assessment	Number of cases
Appropriate	7

Panel Members' observations are detailed below.

Case 1 and 2

Case 1 and 2 relate to the same suspect. The suspect in these cases had made numerous unwanted phone calls to the victim, making derogatory comments. Members felt that both cases had been appropriately disposed with a Youth Caution. It was noted that although the individual had received a previous Caution, there had been a significant gap in between. The suspect had admitted to the offence and support was given.

A discussion took place in relation to the importance of ensuring that where a child is cross-border/involved with two authorities, that both areas are consulted and are involved in the decision making. When children are connected to two Youth Offending Teams it is important that both authorities communicate with each other in relation to the child.

Panel's Assessment: Appropriate

Case 3

The suspect in this case had assaulted the victim and had been posting messages online causing distress and anxiety. Members noted that this was a thorough investigation. The suspect had received a Youth Restorative Disposal previously, but due to the seriousness of this offence was given a Youth Caution. It was noted that it would have been useful for the Panel to receive some information on the previous Youth Restorative Disposal, to provide further context on the individuals offending history.

It was also highlighted that due to the individual having previous offences, the individual would have been eligible for the prevention programme to try and prevent any future offending. This may have been beneficial for this individual and should have been offered.

Panel's Assessment: Appropriate

Case 4

The suspect in this case was given a Youth Restorative Disposal for making a hoax TikTok about the victims, making derogatory comments and causing embarrassment and distress. Members felt that this case had been disposed of appropriately.

It was however noted that the case file did not have much detail included in relation to what the offence was, such as a description or a screenshot etc. It was felt that the information logged within the crime log could have been strengthened.

Panel's Assessment: Appropriate

Case 5

Members were satisfied with the actions taken within the investigation of this case. The suspect was given a Youth Restorative Disposal for harassing and throwing eggs at the victim's house. The suspect had fully admitted the offence, had written a letter of apology and the victim was happy with the outcome.

Panel's Assessment: Appropriate

Case 6

This case was in relation to the suspect egging an individual's house, the victim reports ongoing issues with a group of youths. It was found that although the case file states the victim received a Youth Restorative Disposal, the suspect received an Anti-Social Behaviour Contract (ABC). Members felt that this outcome was appropriate.

It was however noted that an ABC should be given in conjunction with YOT and relevant services and not by Police alone.

Panel's Assessment: Appropriate

Case 7

The suspect in this case had sent several threatening messages to the victim and was given a Youth Restorative Disposal. Members had no concerns in relation to this case and felt it was consistent with policy. The suspect had accepted responsibility, was engaging well with the YOT and the victim did not wish to progress the case further.

Panel's Assessment: Appropriate

8.0 Consideration of stalking and harassment cases- adult suspects

Panel Members reviewed eight cases. Four had been dealt with by way of a Caution, one via a Conditional Caution and three via Community Resolution.

Members' assessments were as follows:

Members' assessment	Number of cases
Appropriate	6
Inappropriate	1
Fail to reach conclusion	1

Panel Members' observations on each case are detailed below:

Case 8

The suspect in this case was given a Caution for sending several threatening messages to the victim. Members felt that although this individual did not have any previous offences, due to the seriousness of the threats and the evidence of coercive behaviour, this case should have been escalated to Court. Members noted that the victim was very vulnerable and did not support the outcome of a Caution. It was found that the case had gone before a pre-charge advisor, and it was noted that the case did not meet the threshold for Court. Members felt that the rationale from the pre-charge advisor should have been recorded within the case file.

Panel's Assessment: Inappropriate

Case 9

This suspect was given a Caution for sending messages to the victim despite being warned not to. It was noted within the meeting that this case was also recorded as a blackmail crime in addition to harassment. Members had no concerns in relation to how this case was disposed.

Panel's Assessment: Appropriate

Case 10

Members were satisfied with a Caution outcome relating to an incident where the victim was receiving unwanted messages from the offender. It was noted that the messages did contain homophobic references and therefore should have been sent to CPS for advice. It would be useful if advice is recorded within the case files for clarity.

Panel's Assessment: Appropriate

Case 11

The victim in this case had received a malicious telephone call and several unwanted messages over Facebook threatening herself and her pet. This individual had previous convictions and had been given a restraining order. It was noted that the length of the restraining order is not clear within the records, and this would have been useful to have been recorded. It was also found that within the record it notes that advice was given, and a Conditional Caution was given, however, a Caution is recorded within the system. It was felt that a Caution would have been appropriate, but due to the unclear outcome, members were unable to reach a conclusion.

Panel's Assessment: Fail to reach a conclusion

Case 12

Members felt that the outcome of a Conditional Caution was appropriate for this case where the suspect had sent several unwanted messages and photos of the suspects address. Members noted that this was a thorough investigation and was in line with policy.

Panel's Assessment: Appropriate

Case 13

The suspect in this case had sent numerous unwanted texts to the victim and was given the outcome of Community Resolution. The Panel Members felt that this outcome was appropriate. It was also noted that the suspect had been offered the Diversionary Scheme.

Panel's Assessment: Appropriate

Case 14

The suspect in this case was given a Community Resolution for verbally abusing their neighbour, which has been an ongoing issue for some time. The Panel felt that this case had been thoroughly investigated, advice was given and was in line with policy.

Panel's Assessment: Appropriate

Case 15

This case relates to a common assault and public order offence from the victim's neighbour, which has caused stress and harassment. The Panel were happy with a Community Resolution as the suspect was remorseful and it was felt to be appropriate.

Panel's Assessment: Appropriate

9.0 Panel's assessments to date

The chart below demonstrates the Panel's assessment of the stalking and harassment cases considered at the most recent meeting:

Stalking and Harassment Cases



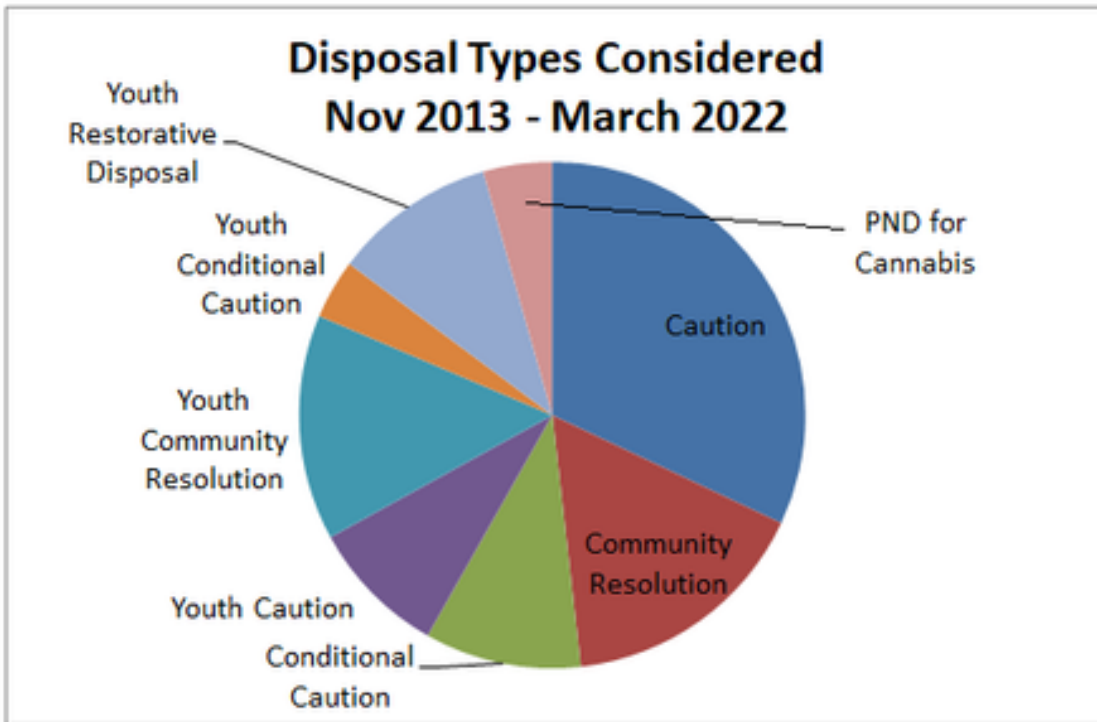
■ Appropriate

■ Appropriate with Reservations

■ Inappropriate

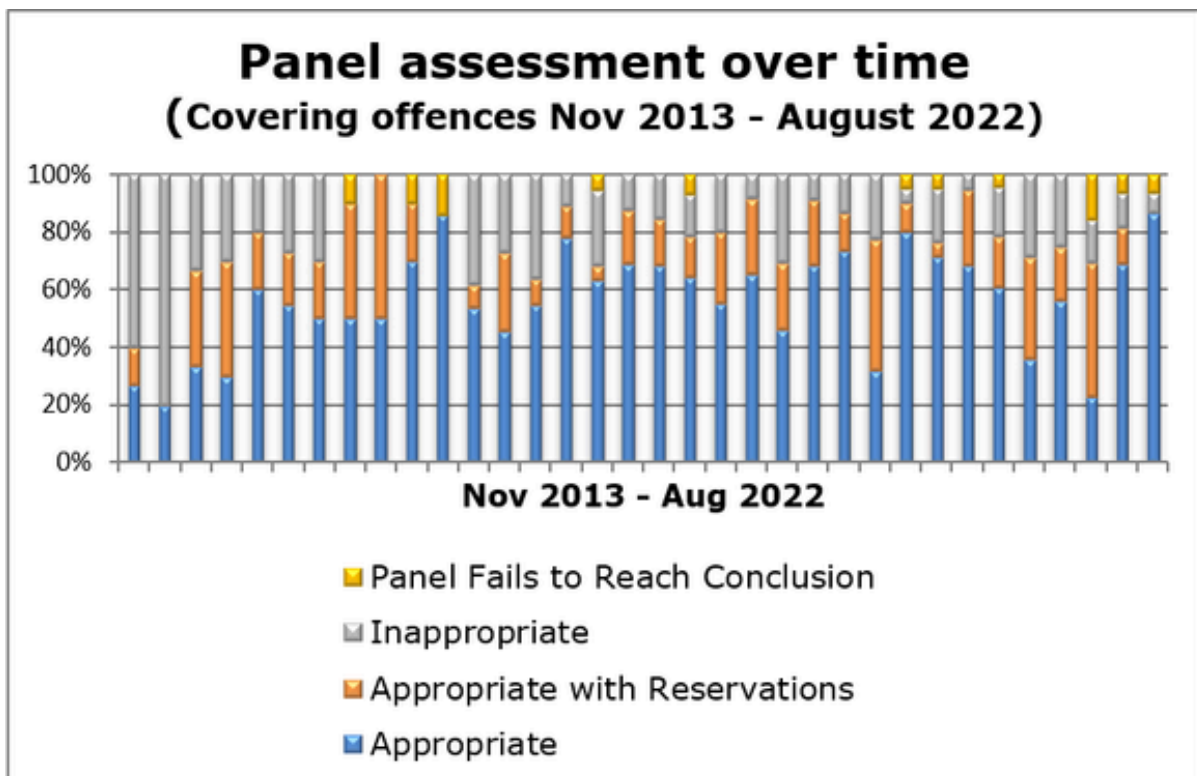
■ Panel Fails to Reach Conclusion

Since November 2013 the Panel has considered a range of disposals, as displayed in the graph below.

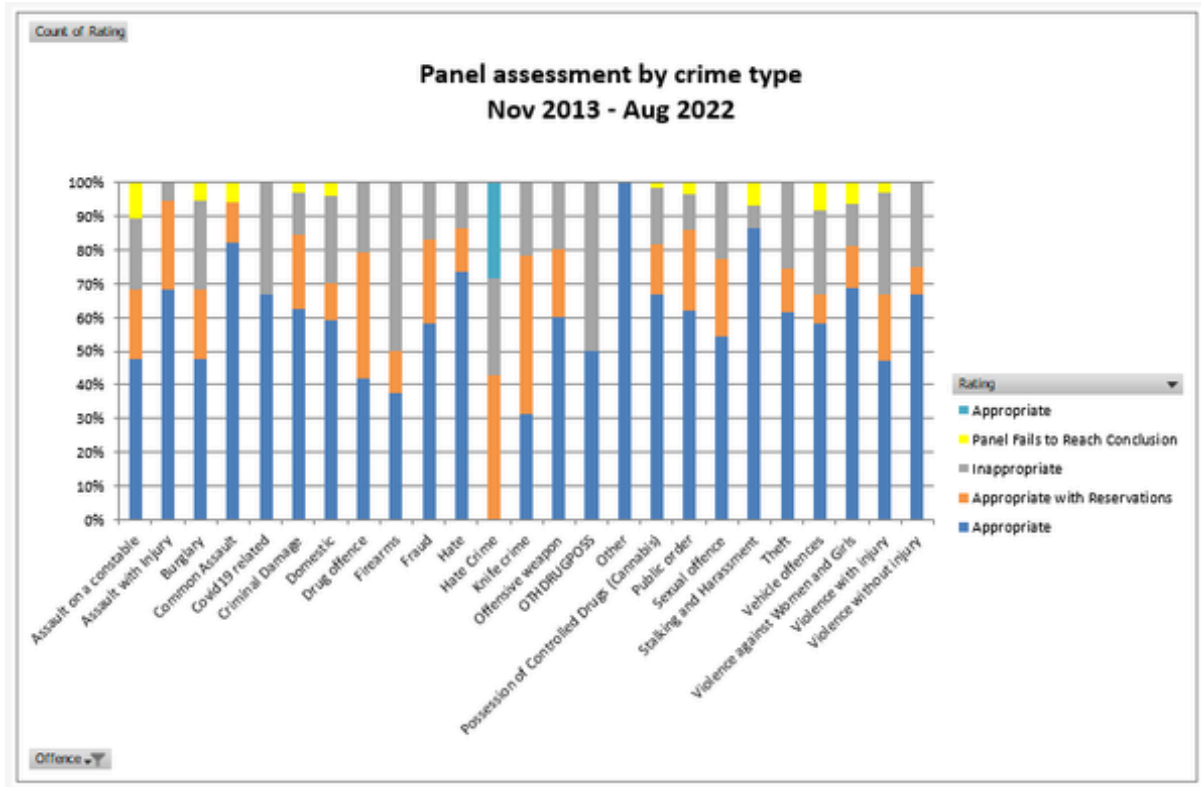


Of the 500 cases examined between April 2013 and August 2022, 58% were assessed as appropriate, 20% as inappropriate, 20% as appropriate with reservations and the panel failed to reach a conclusion in 2% of cases.

The change in conclusions reached over time can be seen in the graph below:



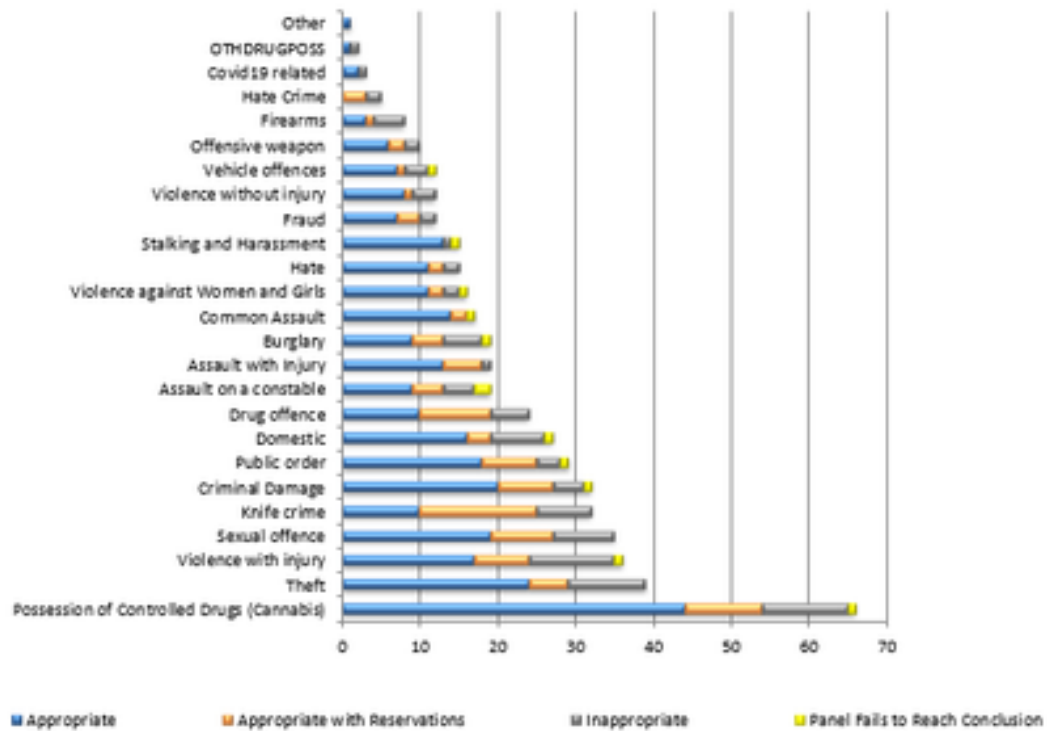
The graph below shows the breakdown by crime type as a percentage of cases considered between November 2013 and August 2022.



The following graph displays the actual number of cases assessed within each crime type and the resulting Panel opinions at their meetings between November 2013 and August 2022

Panel assessment by crime type (number)

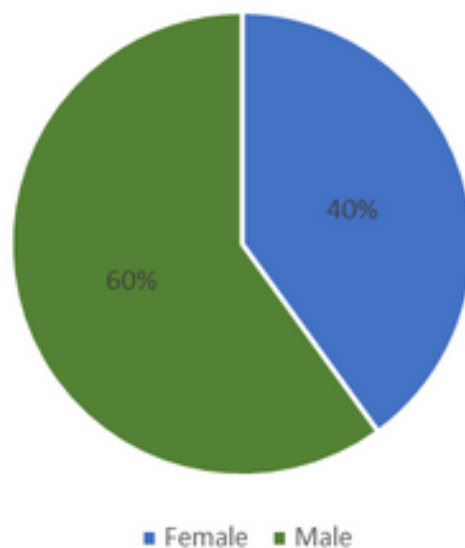
Nov 2013 - Aug 2022



10.0 Ethnicity and Gender

The following chart shows the breakdown of cases reviewed within this meeting in terms of their gender:

Cases Reviewed - Gender



The following table shows the breakdown of cases reviewed within this meeting in terms of ethnicity.

Ethnicity Noted	Suspect's	Officer's Assessment
	Self - Assessment	
White British	12	0
White - North European	0	11
Not noted	3	4

It was identified that where ethnicity had been recorded, all suspects identified as White - British but officers identified them as White - North European.

There were no race or gender equality issues identified as part of the Panel's review.

11.0 Future Panel focus

Following a discussion, it was decided by the Panel that they would like to focus next on a mixture of firearms and hate crime cases.

Action 1: YOT to provide feedback in relation to ensuring that when children are connected to more than one authority that communication is made to ensure that both authorities are a part of the decision making.

Action 2: Crime Recording to see if information on past Youth Restorative Disposals can be included in future meeting case files.

Action 3: Feedback to be passed back to Officers attending an upcoming performance event in relation to ensuring that crime logs are detailed, as files could be re-visited or reviewed by scrutiny panels.

Action 4: Feedback to be given to Chief Inspectors to ensure that YOT and relevant agencies are involved in the decision making when issuing ABC's.

Action 5:For the rationale from the pre-charge advisor to be found and communicated back to the Panel.

Action 6:For the outcome of case 11 to be confirmed and brought to the next meeting.