

October
2019

**SCRUTINY PANEL REPORT
QUARTER 1&2 (APR – SEP 2019)**



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DYFED-POWYS
POLICE AND CRIME
COMMISSIONER**

**Police and Crime
Commissioner for Dyfed-Powys**

**Scrutiny Panel
Dip Sampling Exercise**

**Review of 2019/20 Quarter 1&2 (Apr-Sep)
Support for victims of domestic-related crimes**

Panel Members' Findings & Feedback

October 2019

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1.0 Summary

The Quality Assurance Panel looked at a selection of 14 domestic-related cases in order to review how victims had been supported and communicated with throughout their case. Cases were selected from within the six months prior to and six months following the introduction of Dyfed-Powys Police's "Vulnerability Desk" in order to seek any insights into the impact the Desk may have had on victims' experiences.

On the whole, Panel Members considered that victims had been well supported and reasonable steps had been taken to investigate each of the crimes reviewed. However, only one case positively documented that CCTV footage had been considered but was not available to support the investigation. The Panel identified no other cases where either Body Worn Video (BWV), CCTV or victim video interview recording had been used or considered. This may be an opportunity which could be considered more in order to secure ongoing support from victims, or to be able to continue with pursuing prosecution without the victims' support. There was good evidence in every case of supervisors regularly reviewing and endorsing officers' decision making.

The majority of the cases reviewed were finalised within 31-100 days. Most of these longer investigations occurred after the introduction of the Vulnerability Desk. Only just over half of the cases had evidence of victim contracts, agreements drawn up between the officers and the victims as to how and when they would like to be updated on the progress of their case. Support services had been offered to 10 out of the 14 victims. The Panel considered that both contact agreements and support services should be offered in every case.

The Panel however wished to note that the victims' choice to withdraw their support for investigations was not necessarily a sign of police failure, as officers were unable to control the victims' decisions.

2.0 Outcome

The Commissioner's Quality Assurance Panel was asked to consider a selection of domestic-related cases in order to review how victims had been supported and communicated with throughout their case. Specific attention was given to whether:

- a contract of preferred contact had been agreed with the victim;
- they had then been updated on the progress of the case in line with what had been agreed;
- they had been offered support services;
- the case was finalised in a timely manner;

- opportunities to gather video evidence to increase the chance of prosecution were considered; and
- supervisors oversaw and regularly endorsed the actions being taken.

The cases were selected independently by a member of the Commissioner's team, who sought to identify domestic cases with a range of crime categories and outcomes. The purpose was to evaluate if there were any notable differences in the quality of the support for, and interaction with, victims of different crime types and if this had any bearing on the final outcome of the case. The findings of this review would contribute to the OPCC's current Deep Dive focusing on victim withdrawal.

The selection also included a comparison of cases reported before 1st April 2019 and comparable crimes after this date, in order to review whether there were any obvious improvements which may be attributed to the introduction of the "Vulnerability Desk".

Introduced within the force communication centre following mounting evidence from HMIC inspections and internal reviews, the Vulnerability Desk has provided closer quality assurance around domestic-related calls for service to ensure appropriate crime recording and completion of DASH (Domestic Abuse, Stalking and Harassment) risk assessments. Any insights found as a result of the Panel's work would also contribute to the OPCC's Follow-Up Review of the Vulnerability Desk which sought to assess the impact the Desk was having on the service provided to victims.

Full details of the OPCC's scrutiny framework can be found on the Commissioner's website.

3.0 Situation

3.1 Statistics

The table below shows the selection outcomes considered as part of this review as a percentage of all outcomes applied to domestic-related crimes, within the time periods noted. Whilst it appears the rate of charges have dropped considerably, it must be noted that 8% of investigations from April to September 2019 were still ongoing, which may result in the charge rate increasing as the cases are finalised. The other most obvious differences are an apparent reduction in the volume of cases concluding as a result of evidential difficulties (outcome 15) and a rise in the volume of cases where the victim has withdrawn support, even though the suspect has been identified (outcome 16).

Outcome ¹	Apr – Sep 2018		Oct '18 – Mar '19		Apr – Sep 2019	
	Total	Percentage of all outcomes	Total	Percentage of all outcomes	Total	Percentage of all outcomes
1a Charged	327	16%	264	11%	211	8%
3a Adult Caution	47	2%	37	2%	33	1%
14 Victim declines/unable to support action - named suspect not identified	65	3%	90	4%	103	4%
15 Victim supports action but evidential difficulties	371	18%	418	17%	371	13%
16 Victim does not (or has withdrawn) support - named suspect	1,068	51%	1,294	54%	1,610	57%
Total domestic-related crimes (all outcomes)	2,108		2,390		2,807	

¹ Only outcomes reviewed within this report have been listed.

3.2 Previous findings

The Quality Assurance Panel had not directly reviewed the specific topic of support for victims previously.

4.0 Consequences

4.1 Summary of cases reviewed

Crime type	Outcome	Case no.
Stalking	1a – Charged	1, 2
	3a - Adult caution	5, 6
Harassment	15 – Victim supports action but evidential difficulties	10, 11
Common assault	1a – Charged	3, 4
	16 – Suspect identified but victim does not (or has withdrawn) support	14
Rape of female over 16	14 – Victim declines / unable to support action. Suspect NOT identified	7, 8
	15 – Victim supports action but evidential difficulties	9
	16 – Suspect identified but victim does not (or has withdrawn) support	12, 13

4.2 Summary of findings from this review

In addition to providing their views on how victims had been supported within the 14 cases considered, Panel Members were asked to measure a set of criteria for each case, the results of which can be seen in the table below.

Criteria	Number of cases	Comments
Case finalised within 1-5 days	3	
Case finalised within 6-30 days	3	
Case finalised within 31-100 days	7	Delays noted included: outcome changed, availability of suspects and officers and indecisiveness of victim.
Case finalised within >100 days	1	A complex and lengthy investigation with a victim with serious mental health issues and requiring multi-agency involvement.

Victim contract created	8	One declined, one opted out and another was a mental health ward inpatient and unable to engage fully.
Victim updates in line with contract	13	Many updates were not applicable due to there being no contract, or a lack of victim engagement (they opted out). One case where the victim had been updated on numerous occasions but there was no evidence that the victim had been informed of the final outcome.
Support services offered	10	One case where the victim was an inpatient at a mental health ward did not appear to have had the usual victim support services offered but there were multiple agencies involved in their care and the Panel considered the police had done all they could.
BWV activated / CCTV considered for victimless prosecution	1	One case made reference to CCTV not being available, but it had been considered.
Video recorded interview conducted with victim	0	The victim within one case declined.
Cases regularly endorsed by supervisor	14	

When comparing similar crimes with the same outcome from before and after the introduction of the Vulnerability Desk, the Panel identified only slight differences in the victim experience. Four of the compared pairs showed that investigations took longer post-Desk introduction, which may have been due to incidents being identified as more complex than previously recognised (Dyfed-Powys Police has reported an ongoing improvement in the detection of “crimes within crimes”). The level of support provided and contact arrangements remained relatively comparable.

4.3 Best practice

- The Panel considered that the Police’s internal scrutiny of outcome application was very good within the 14 cases reviewed.
- It was felt that in the main, victims were well supported and were offered support from both the Police and other external agencies.
- The Panel noted that actions and rationales within the majority of cases were well documented and in the majority of cases the reasons for victim withdrawal was captured where appropriate.

- It was felt that officers were giving significant time to investigating the incidents and empathy was shown towards the victims.
- The Panel also wished to note that the victims' choice to withdraw their support for investigations was not necessarily a sign of police failure, as officers were unable to control the victims' decisions.

4.4 Areas for learning

- Every effort should be made to secure a contact agreement with the victim to agree how and when they wish to be updated on the progress of the case. This should be coupled with the offer of referral to relevant support services in every case.
- It was felt that one of the cases had been incorrectly recorded as an outcome 15 (victim supports action but evidential difficulties). The Panel felt that outcome 16 (victim does not (or has withdrawn) support) would have been more appropriate on this occasion. Members considered there may be some confusion about the appropriate application of outcomes which may require clarification internally. They did not however consider this to be detrimental to the delivery of support for victims.
- It appeared that there was a reliance on the police to prompt and encourage a response from other agencies to support victims. Whilst the Panel praised the service for ensuring victims receive the appropriate support, they expressed concern that this was, or could become, overly time consuming and therefore have a negative impact on the service's primary functions.
- It was noted in one particular case that there were delays due to officer abstractions such as officers being re-rostered. This did cause delays for the victim and subsequently raised a query about cases being handed over to colleagues to progress.
- In one case it was felt that the victim's expectations were raised by not being told until late into the investigation that part of the incident could not be investigated due to it happening abroad. It was felt that this should have been explained to the victim sooner.

4.5 Detailed case breakdown

Stalking cases resulting in outcome 1a - charge

	Case 1	Case 2
Days to apply outcome	1-5 A large amount of activity carried out.	31-100 The case went to trial.
Rationale / evidence for outcome (if difficulties)?	Victim pursued with less serious crime as did not wish to relive the events of the more serious crime in court.	N/A
Victim contract created?	Yes	No
Victim updates in line with contract?	Yes	N/A
Support services offered?	Yes	No No evidence found.
BWV activated / CCTV considered for victimless prosecution?	N/A	N/A
Video recorded interview conducted with victim?	No Victim declined.	No
Case regularly endorsed by supervisor?	Yes	Yes
Other comments	<ul style="list-style-type: none"> • The victim did not wish to continue with the additional incident of assault, however Members considered it sufficiently serious to warrant an additional charge. 	

Common assault cases resulting in outcome 1a - charge

	Case 3	Case 4
Days to apply outcome	1-5	31-100 Considered appropriate due to the level of investigation required.
Rationale / evidence for outcome (if difficulties)?	N/A	N/A
Victim contract created?	Yes	Yes
Victim updates in line with contract?	Yes	Yes
Support services offered?	No	Yes
BWV activated / CCTV considered for victimless prosecution?	No	No / N/A
Video recorded interview conducted with victim?	No	No
Case regularly endorsed by supervisor?	Yes	Yes
Other comments	<ul style="list-style-type: none"> • Members noted that there was a 'sudden death' recorded as part of past calls. There was no further reference to this past incident and therefore the Panel felt unable to assess fully whether past/linked incidents were taken into account. 	<ul style="list-style-type: none"> • Call centre gave a rapid response and interactions with the team were efficient and effective. • Final means of contact notifying the victim of the outcome was via an answerphone message as there was no reply to their call. The Panel felt that the case should have been closed by speaking to the victim.

Stalking cases resulting in outcome 3a - caution

	Case 5	Case 6
Days to apply outcome	1-5	6-30
Rationale / evidence for outcome (if difficulties)?	N/A	N/A
Victim contract created?	Yes	Yes
Victim updates in line with contract?	Yes	No Victim was updated on numerous occasions and informed of words of advice being given, however, there was no record of the victim being informed of the final outcome.
Support services offered?	Yes Signposted to Goleudy and Victim Support.	Yes Declined but given Victims of Crime leaflet.
BWV activated / CCTV considered for victimless prosecution?	No / N/A	N/A
Video recorded interview conducted with victim?	No	No
Case regularly endorsed by supervisor?	Yes In detail.	Yes Different supervisors reviewing the log with differing opinions led to ongoing actions.
Other comments	<ul style="list-style-type: none"> • Thorough and quick processing with both victim and suspect satisfied with the police action and result. • No firearms checks undertaken as part of the risk assessment, despite potential harm identified. 	<ul style="list-style-type: none"> • The Panel felt that there was a contradiction within the risk assessment with threat being recorded as no, though the victim was recorded as requiring safeguarding.

Rape cases resulting in outcome 14 – victim declines / unable to support police action

	Case 7	Case 8
Days to apply outcome	100	31-100
Rationale / evidence for outcome (if difficulties)?	Delay due to the outcome being changed. Alleged crime reported as part of reason for deterioration of victims' mental ill-health which was being treated in hospital.	Rationale provided – victim did not support investigation and had not identified the suspects.
Victim contract created?	No However, members felt that the Police had done all they could.	No
Victim updates in line with contract?	N/A	N/A
Support services offered?	No See comment above.	Yes Members noted that both the Police and Goleudy had made attempts to engage with the victim and to provide necessary support, including a referral to counselling. Every effort was made in the attempt to support victim to progress with case.
BWV activated / CCTV considered for victimless prosecution?	No / N/A Historical offence.	N/A
Video recorded interview conducted with victim?	No Inappropriate due to poor mental state.	N/A
Case regularly endorsed by supervisor?	Yes Thoroughly.	Yes
Other comments	<ul style="list-style-type: none"> • Intensive enquiries were undertaken but there was insufficient evidence to support case. • The Panel noted that due to circumstances and the mental ill- 	<ul style="list-style-type: none"> • Disclosure of a historical rape with no names being provided of those responsible. • The Members felt that the victim was incorrectly recorded as being not

- health of the victim, outcome 14 was unavoidable.
- Although this was not detrimental to the outcome, the late identification of the rape allegation in the call report caused a near three month delay in the investigation.

vulnerable, as they considered there was some evidence that the victim was still at risk and it did not appear that they were receiving ongoing support. Members considered that neighbourhood enquires may have established the risk.

Rape case resulting in outcome 15 – victim supports action but evidential difficulties

	Case 9
Days to apply outcome	>100 Due to lengthy investigation, mental health issues and multi-agency involvement.
Rationale / evidence for outcome (if difficulties)?	Yes
Victim contract created?	Yes
Victim updates in line with contract?	Yes
Support services offered?	Yes Multi-agency support provided.
BWV activated / CCTV considered for victimless prosecution?	N/A
Video recorded interview conducted with victim?	Unclear if interview at Sexual Assault Referral Centre was recorded.
Case regularly endorsed by supervisor?	Yes
Other comments	<ul style="list-style-type: none">• Sufficient rationale provided on why an outcome 15 was applied.• Members wished to note that great care and concern was shown to the victim by officers and time spent on the case was well justified.

Harassment cases resulting in outcome 15 – victim supports action but evidential difficulties

	Case 10	Case 11
Days to apply outcome	31-100	31-100 Delays due to availability of suspects and officers.
Rationale / evidence for outcome (if difficulties)?	Yes	Yes
Victim contract created?	No Declined by victim.	No
Victim updates in line with contract?	N/A Victim was updated.	N/A Victim was updated.
Support services offered?	Yes Signposted to DAO.	No Victim of Crime leaflet sent via email.
BWV activated / CCTV considered for victimless prosecution?	N/A	No / N/A
Video recorded interview conducted with victim?	No	No
Case regularly endorsed by supervisor?	Yes	Yes Had also sent a final update letter.
Other comments	<ul style="list-style-type: none"> • Initially the victim was not willing to support the investigation, however following advice from their Domestic Abuse Officer the victim changed their mind. • The Panel noted that the initial application of outcome 14 was incorrect due to the suspect being identified and felt that this should have 	<ul style="list-style-type: none"> • Sufficient rationale was provided that the evidential threshold was not met to result in the case being taken to court. • The members wished to note that although the evidence was found to be insufficient for the CPS, this was well explained to the victim.

been recorded as an outcome 16. The Panel felt that some further clarification was needed on the outcomes to ensure they are being appropriately applied.

- The members felt that the victim should have been informed earlier in the investigation that the assaults which occurred abroad could not be investigated by Dyfed-Powys Police, in order to manage the victim's expectations.
- The Panel did query as to how officers decide on what words are deemed as offensive.

Rape cases resulting in outcome 16 – victim does not (or has withdrawn) support

	Case 12	Case 13
Days to apply outcome	6-30	31-100 The victim was undecided on a number of occasions on whether to pursue the case.
Rationale / evidence for outcome (if difficulties)?	Did not wish to have any further contact with the police – wanted to continue relationship with abusive partner.	Yes Within statement from victim.
Victim contract created?	No Victim opted out of the Code.	Yes Victim chose to opt out of the Code.
Victim updates in line with contract?	N/A	N/A
Support services offered?	Yes Support from Social Services offered.	Yes Signposted New Pathways and Goleudy.
BWV activated / CCTV considered for victimless prosecution?	No	No
Video recorded interview conducted with victim?	No Victim did not want to provide.	No
Case regularly endorsed by supervisor?	Yes Excellent summary of conclusions recorded.	Yes Entries were detailed and informative.
Other comments	<ul style="list-style-type: none"> • Rationale for the outcome decision was recorded appropriately. • The members felt that the case had been reported and documented well with the officers showing appreciation of the victim's vulnerability. 	<ul style="list-style-type: none"> • Multiple offences linked to this single incident made it difficult to see the overall picture from the details provided. • Appeared to be confusion of names throughout the file, with the surname of the victim being mixed up with that of the suspect.

Common assault case resulting in outcome 16 - victim does not (or has withdrawn) support

Case 14	
Days to apply outcome	6-30
Rationale / evidence for outcome (if difficulties)?	Believed it to be an isolated incident and wanted to continue the relationship.
Victim contract created?	Yes Victim opted out of the Code.
Victim updates in line with contract?	N/A
Support services offered?	Yes
BWV activated / CCTV considered for victimless prosecution?	Yes
Video recorded interview conducted with victim?	No
Case regularly endorsed by supervisor?	Yes Once.

5.0 Actions

Number	Observation	Force's Response
1	Members considered that a question to prompt officers to explain why a victim withdrew would ensure a detailed and clear rationale is always provided and easily retrievable. This, combined with a structured method of capturing feedback from support services, could provide vital insights for the Force to understand if officers or other agencies could do more to secure victims' support throughout an investigation.	
2	Every effort should be made to secure a contact agreement with the victim to agree how and when they wish to be updated on the progress of the case. This should be coupled with the offer of referral to relevant support services in every case.	
3	Members recognised the conflict between the time spent recording information and investigating the crime, however urged that evidence of rationale for decisions be thoroughly documented, for example capturing a victim's wish to withdraw support within their statement as was done within case 13.	
4	BWV / CCTV / video interview footage should be considered to encourage victims' support.	

6.0 Review

It has been provisionally agreed with the Domestic Abuse leadership team within Dyfed-Powys Police that the Commissioner's Office repeat this exercise in six months' time to assess the ongoing impact of the Vulnerability Desk and the further proposed development of the Secondary Risk Assessment Unit.

Also, the Quality Assurance Panel Members have requested that they be given the opportunity to further review the use, storage and retrieval of BWV at their next meeting, due to their ongoing concern of the limited availability of footage.