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DYFED-POWYS  
POLICE AND CRIME  
COMMISSIONER

## Police and Crime Commissioner for Dyfed-Powys

### Scrutiny Panel

### Dip Sampling Exercise

## Review of knife crime and sexual offence Out of Court Disposals (September 2020 – April 2021)

### Panel Members' Findings & Feedback

July 2021



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## 1.0 Overview

At a meeting of the Dyfed-Powys Out of Court Disposal Scrutiny Panel held on the 26<sup>th</sup> July 2021, Members reviewed a selection of knife crime cases and sexual offence cases which had been dealt with by way of an Out of Court Disposal. The Panel considered a total of 14 cases, 5 involving youth suspects and 9 involving adults.

Due to the Covid-19 pandemic and Government guidelines in terms of social distancing this meeting was conducted virtually via Skype for Business.

## 2.0 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 which category the case falls, the Panel consider 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; and
- Potential alternative options that may have been available.

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

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

### 3.0 Approval by Panel Chair

I S. J. Pearce (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 26<sup>th</sup> July 2021.

Signed: S. J. Pearce Y.H. Sl.  
Date: 18-10-21.



#### **4.0 Actions taken following previous panel meeting**

As a result of the Out of Court Disposal Scrutiny Panel's work, the following action has been taken since the last meeting:

- An action was taken from the last meeting in relation to case number 15. The Panel noted the full rationale for the outcome of a Community Resolution was not documented. As such, the Chair requested that the case be reviewed and a fuller rationale be provided for the Panel to consider at the following meeting.

This case was reviewed within the meeting, where it was noted that the individual had no previous convictions, admitted to taking the items which were of low value, and the victim had been consulted and was happy for a Community Resolution to be administered. Taking the rationale that had been added into account, the Panel felt that this case had therefore been appropriately disposed.

#### **5.0 Good practice**

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

- The Panel noted that it was positive to hear of the support that the youth suspects were receiving from their Youth Offending Teams.

#### **6.0 Areas for improvement**

There were two particular areas for improvement identified as a result of the Panel's work this quarter:

- The Panel had reservations regarding three out of four of the youth knife crime cases due to the offences being planned and pre-meditated.
- The Panel deemed three of the adult offence cases were dealt with inappropriately. This was mainly due to the disposal going against Force policy. Cases 7, 12 and 14 should have received a Conditional Caution in line with Policy. It was agreed that a reminder would be given to officers in terms of the Policy for out of court disposals for knife crime and sexual offences.

## 7.0 Consideration of sexual offence case – youth suspect

One youth sexual offence case was considered, the case was dealt with via a Youth Caution.

Members' assessment	Number of cases
Appropriate	1

Panel Members' observations are detailed below.

### Case 1

The Panel felt that this case where the suspect had exposed themselves to the victim in a public place had been disposed of appropriately. This was due to the suspect's young age and the fact that they were engaging well with support from the Youth Offending Team.

**Panel's Assessment: Appropriate**

## 7.1 Consideration of knife crime cases – youth suspects

One of the cases had been dealt with by way of a Youth Caution, one via a Community Resolution and the other two via a Youth Conditional Caution.

The Members' assessments were as follows:

Members' assessment	Number of cases
Appropriate	1
Appropriate with reservations	3

Panel Members' observations on each case are detailed below:

### Case 2

The Panel had reservations with this case of an individual receiving a Youth Caution for an incident where the suspect had carried a knife into school in their school bag. The Panel felt that it was positive to know that this individual was

receiving support from the Youth Offending Team as they were very vulnerable with complex needs. The Panel had reservations due to the suspect having a previous knife crime conviction and the incident being pre-meditated.

**Panel's Assessment: Appropriate with reservations**

**Case 3**

This individual was given a Youth Conditional Caution for an incident where the suspect was found in possession of a large kitchen knife. The Panel had reservations over this disposal as the incident was premeditated and planned and the individual was refusing intervention and support.

**Panel's Assessment: Appropriate with reservations**

**Case 4**

This individual was given a Youth Conditional Caution for threatening to stab the victim whilst holding a knife. The Panel felt that this disposal was appropriate for the level of the crime. The individual was at risk of reoffending and it was positive to note the conditions of the Conditional Caution being for the individual to engage with support and intervention.

**Panel's Assessment: Appropriate**

**Case 5**

The Panel had reservations with this case of an individual receiving a Youth Community Resolution for an incident where an individual was found in possession of a small kitchen knife on school premises. The Panel felt that this disposal was inconsistent with the other cases reviewed. The individual was vulnerable and the panel felt that support and intervention was needed to help this suspect with their concerning psychological thoughts.

**Panel's Assessment: Appropriate with reservations**



## 8.0 Consideration of knife crime cases – adult suspects

Panel Members reviewed six adult knife crime cases; five of the cases had been dealt with by way of a Conditional Caution and one by way of a Caution.

Members' assessments were as follows:

Members' assessment	Number of cases
Appropriate	2
Inappropriate	2
Appropriate with reservations	2

Panel Members' observations on each case are detailed below:

### Case 6

This case involved the suspect leaving their home under the influence of alcohol in possession of a knife. The Panel had reservations regarding the disposal of a Conditional Caution as the suspect had a previous conviction for an offensive weapon. Although this was over eight years ago, it was felt that support for the knife crime aspect was needed. Positively, the individual was receiving support from Kaleidoscope for their drinking as part of the conditions.

**Panel's Assessment: Appropriate with reservations**

### Case 7

This case involved the suspect being found with a large knife within their car. The Panel found this case to be inappropriately disposed due to the individual receiving a Caution. Force policy states that a Conditional Caution as a minimum should be issued to knife crimes.

**Panel's Assessment: Inappropriate**

#### Action 1:

**Learning to be shared with officers in relation to the Policy on issuing Cautions to knife crime offences.**

### **Case 8**

The offender in this case had been found in possession of a lock knife in their trouser pocket and was given a Conditional Caution. The Panel had reservations over this disposal as although some time ago, the suspect had previous convictions. The Panel felt that possibly this offence should have been charged due to multiple offences linking to the same incident including: damage to property, aggressive behaviour under the influence of alcohol, being in possession of a knife and appearing to be breaching Covid-19 travel restrictions.

**Panel's Assessment: Appropriate with reservations**

### **Case 9**

This suspect was found in possession of a lock knife in their vehicle door. The suspect was issued with a Conditional Caution and this was deemed to be appropriate to the level of the offence.

**Panel's Assessment: Appropriate**

### **Case 10**

This suspect was given a Conditional Caution for being found in possession of a bladed article. The Panel had no concerns in relation to this disposal as this was the suspect's first offence, was in line with policy and the individual was receiving support as part of the conditions.

**Panel's Assessment: Appropriate**

### **Case 11**

The suspect in this case was found in possession of a lock knife following a search after drink driving. The Panel felt that the disposal of a Conditional Caution was inappropriate due to the individual having several previous convictions. The Panel also queried the outcome of the drink drive offence and felt that both the knife crime and drink driving should have been dealt with together at court.

**Panel's Assessment: Inappropriate**

## **8.1 Consideration of sexual offence cases – adult suspects**

Panel Members reviewed three adult sexual offence cases; one of the cases had been dealt with by way of a Conditional Caution, one by way of a Caution and one by Community Resolution.

Members' assessments were as follows:

<b>Members' assessment</b>	<b>Number of cases</b>
Appropriate	1
Inappropriate	2

Panel Members' observations on each case are detailed below:

### **Case 12**

The offender in this case was in a relationship with a 14-year-old female and had given her a love bite to the neck. The Panel felt that this case had been inappropriately disposed via a Caution as policy states that Conditional Cautions are the minimum for sexual offences. The Panel felt that the disposal was also inappropriate due to the seriousness of the offence and that it included threats to kill. It was felt that the offender had a history of concerning behaviour and that conditional support would have been beneficial.

**Panel's Assessment: Inappropriate**

### **Case 13**

This case was in relation to the suspect putting his hand up the victim's skirt whilst drinking at a pub. The Panel felt that a Conditional Caution was appropriate. The suspect had written a letter of apology and the disposal was in line with policy.

**Panel's Assessment: Appropriate**

### **Case 14**

The suspect in this case had approached the 15-year-old victim several times to ask for sex despite the victim's refusal and telling the offender her age. The Panel felt that a Community Resolution for this offence was not appropriate. This disposal was against policy and should have been escalated due to the seriousness of the offence. This suspect had previous convictions and alcohol misuse concerns. The Panel felt that this individual should have been charged.

**Panel's Assessment: Inappropriate**

## 9.0 Panel's assessments to date

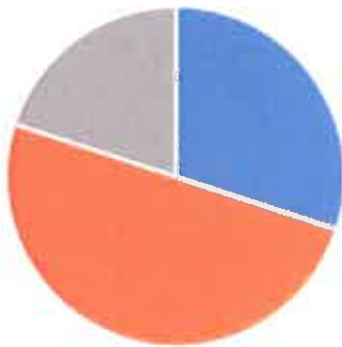
The charts below demonstrate the Panel's assessment of the cases considered at the most recent meeting.

Panel's assessment of sexual offence related crimes between Sept - Nov 2020



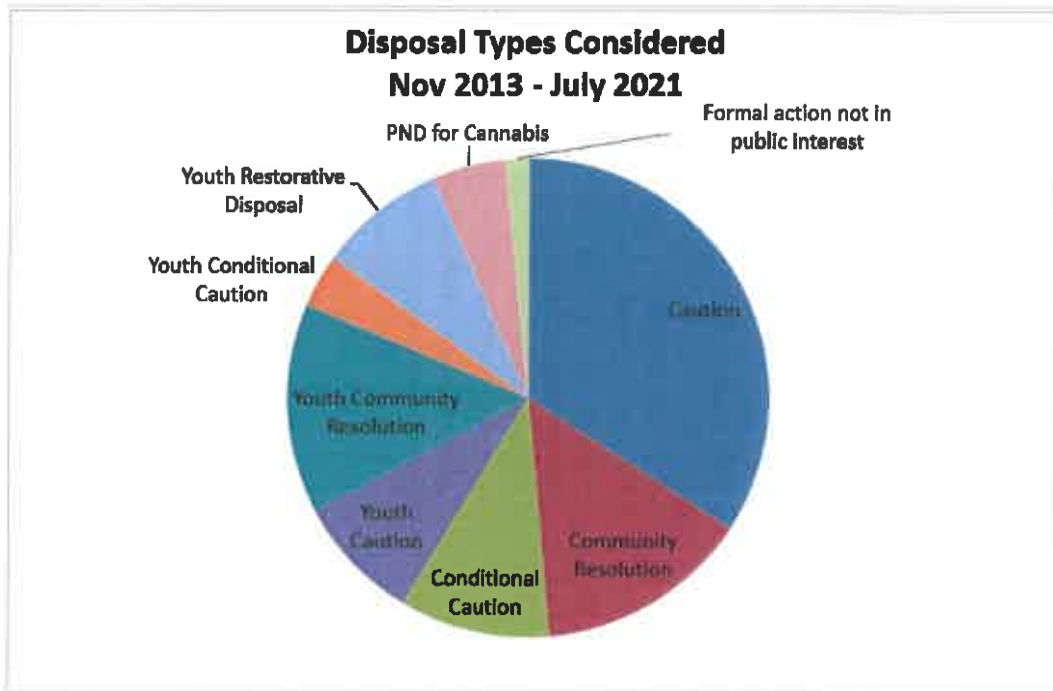
■ Appropriate ■ Inappropriate

Panel's assessment of knife crime related offences between Aug 2020 - Mar 2021



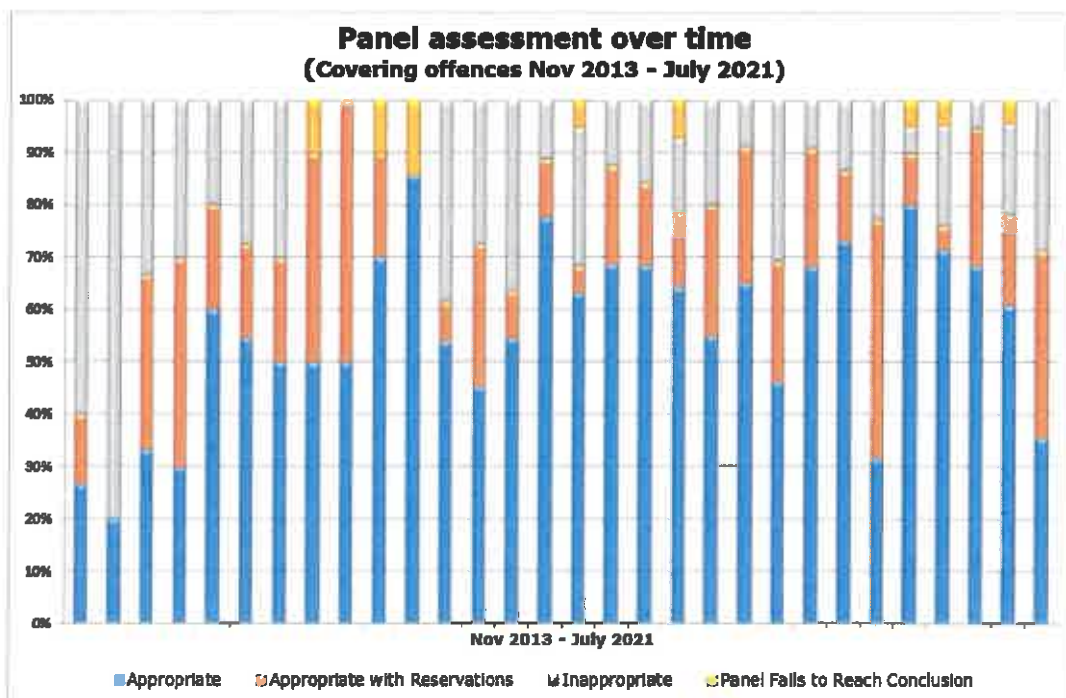
■ Appropriate ■ Appropriate with Reservations ■ Inappropriate

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

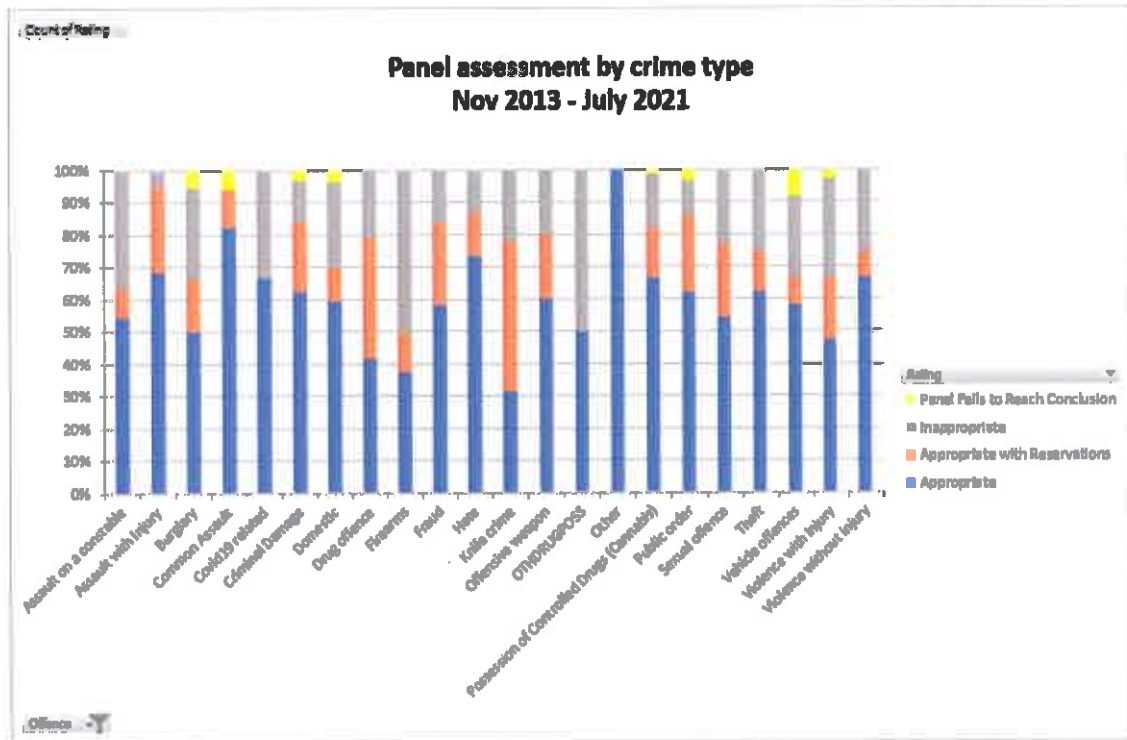


Of the 445 cases examined between April 2013 and July 2021, 58% were assessed as appropriate, 20% as inappropriate, 20% as appropriate with reservations and the panel failed to reach a conclusion in 2% of cases.

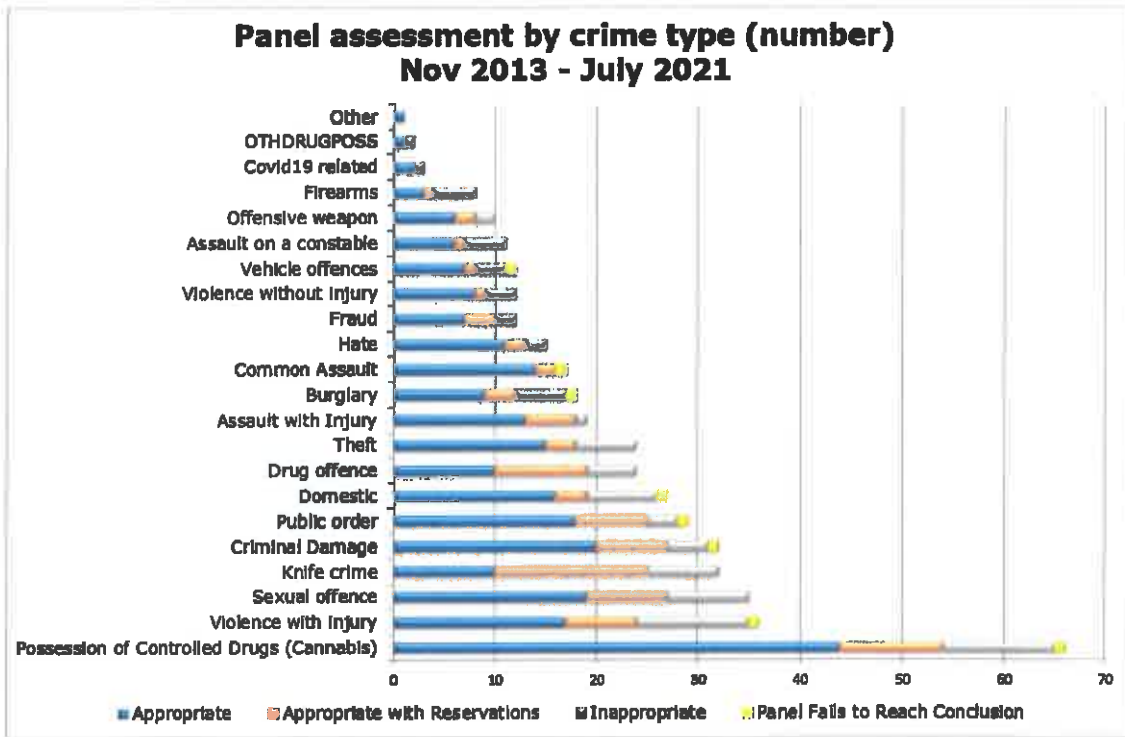
The change in conclusions reached over time can be seen in the graph below.



The graph below shows the breakdown by crime type as a percentage of cases considered between November 2013 and July 2021.



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 July 2021.



### 10.0 Future Panel focus

Following a discussion, the Panel wished to burglary and theft cases at the next meeting on the 18<sup>th</sup> October 2021.

