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POLICE AND CRIME
COMMISSIONER

Police and Crime Commissioner for Dyfed-Powys

Scrutiny Panel

Dip Sampling Exercise

Review of burglary and theft cases

Panel Members' Findings & Feedback

October 2021

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1.0 Overview

On the 18th of October 2021 panel members attended the meeting of the Dyfed-Powys Out of Court Disposal. Members reviewed a selection of burglary and theft cases, which had been dealt with by way of an Out of Court Disposal. The Panel considered a total of 16 cases, 8 involving youth suspects and 8 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 DAVID 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 18th October 2021.

Signed:



Date:

31/1/22



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 completed since the last meeting:

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

5.0 Good practice

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

- The Panel noted that in youth case 6 of the officer leading on the case had given a gold standard service and had produced a detailed and informative write up within the records.

6.0 Areas for improvement

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

- Members felt that the suspect in case 4 should have been referred by Officers to YOT. This would have ensured that the suspect received necessary support and intervention.
- Members highlighted that case 13 had been issued two cautions in a row for a similar offence. This is against Policy and the case should have been escalated.

7.0 Consideration of Burglary and Theft cases – youth suspect

Eight Burglary and Theft youth cases were considered, the cases were dealt with via; Youth Caution and Youth Restorative Disposal.

Members' assessment	Number of cases
Appropriate	6
Appropriate with reservations	1
Inappropriate	1

Panel Members' observations are detailed below.

Case 1

The suspect in this case was given a Caution for taking items from a store without payment. Members found it difficult to fully understand the details of this case as the YOT paperwork was not provided due to the suspect living outside the Dyfed-Powys area. Members stated the suspect showed little remorse and was not willing to engage or participate in interventions. It was also noted that the suspect had a previous conviction of theft and had been given a previous caution. Members noted that a rationale for giving the individual two cautions may have been included by Gwynedd's Youth Offending Team, however, the Panel is unable to review this decision without the relevant paperwork. A second caution caused reservations due to the individual's history of offending.

Panel's Assessment: Appropriate use with reservations

Case 2

This incident was in relation to the suspect taking e-cigarettes from a shop without paying. Members highlighted that the suspect was of a very young age, had no previous convictions and was very apologetic and admitted to the offence. The suspect provided a letter of apology and has had no offences since, it was therefore felt that a Youth Restorative Disposal was appropriate.

Panel's Assessment: Appropriate

Case 3

Panel members were satisfied that this case had been carried out and dealt with appropriately by means of a Youth Restorative Disposal. The Suspect had provided an apology via a letter and had paid compensation for the items stolen from the store.

Panel's Assessment: Appropriate

Case 4

Members were unsatisfied with the actions of this case. The suspects were given a caution for concealing items on their person and then leaving the store without payment. Members felt that this case was inappropriately disposed due to the high value of items stolen and due to the pre-meditated nature of the crime. It appeared that the suspects had travelled to the area as a group with the intention of carrying out the crime. The suspects showed little remorse and members felt that this case should have been escalated and should have been referred to YOT for the individual's to receive intervention.

Panel's Assessment: Inappropriate

Case 5

Members were satisfied that the actions and outcome of this case were appropriate. The value in question to this case was very low and the goods were returned. Similarly to the above, this theft was a group activity using the same method of stealing items from the same shop. Members questioned whether this method of stealing items from this particular shop is being circulated amongst young people. The Panel felt that a Youth Restorative Disposal was appropriate.

Panel's Assessment: Appropriate

Case 6

Members felt that the officer in this case had delivered a gold standard service, it was noted that he had communicated clearly with the Police, the school and the victim and had logged detailed reports within the records. Members were satisfied that this case of theft from a shop had been dealt with appropriately via a Youth Restorative Disposal.

Panel's Assessment: Appropriate

Action 1:

For the positive feedback in relation to case 6 to be passed on to the Officer leading on the case.



Case 7

Members were satisfied that this theft case had been dealt with appropriately and that the outcome of a Youth Restorative Disposal was appropriate. The value of the Items stolen was low and the suspect had written a letter of apology. Members noticed that the method of theft used in cases 4 and 5 was again used in this case for the same shop.

Panel's Assessment: Appropriate

Case 8

Members felt that a Youth Restorative Disposal was appropriate for this case due to the value of the Items being low and the suspect writing a letter of apology. It was identified that there were two suspects involved in this case, but were dealt with separately. Members noted that there is an error on the Youth Restorative Disposal STORM details form, where the outcome is referred to an Adult Restorative Disposal.

Panel's Assessment: Appropriate

Action 2:

Chief Inspector to review the YRD form and to check whether the reference to an ARD is a typing error or an error on the form template.

8.0 Consideration Burglary and Theft cases – adult suspects

Panel Members reviewed eight adult Burglary and Theft cases had been dealt with by way of a Conditional Caution and Community Resolution.

Members' assessments were as follows:

Members' assessment	Number of cases
Appropriate	3
Appropriate use with reservations	2
Inappropriate	3

Panel Members' observations on each case are detailed below:

Case 9

The suspect in this case was given a Conditional Caution for stealing a quantity of prescribed medication from a premises. It was noted that this was a serious crime as it involved vulnerable people and the suspect was in a trusted position. It was however acknowledged that the suspect had mental health issues and should the matter have been escalated then they would not have been supported through the diversionary scheme. It was also highlighted that a MARF assessment was submitted, meaning that these concerns would be flagged on any future DBS checks. The panel came to an agreement through a majority vote that this case had been dealt with appropriately.

Panel's Assessment: Appropriate

Case 10

This suspect was given a Community Resolution for stealing an item of food from a shop. Members noted that the suspect was intoxicated and that the value of the item stolen was low. Due to the offence being low level this disposal was felt to be appropriate.

Panel's Assessment: Appropriate

Case 11

Members were unsatisfied with the outcome of this case. The individual was given a Community Resolution for driving off without paying for fuel. It was noted that although the offence was of relatively low value, the suspect showed no remorse and the offence seemed pre-meditated. The suspects had previous warnings and had used a set of false number plates. Members felt that this case should have been escalated and taken to Court.

Panel's Assessment: Inappropriate

Case 12

This case was in relation to a burglary of a shop and the theft of some tools. The suspect in this case was given a Community Resolution. It was felt that although the victim did not want to support the complaint, the suspect did have a previous conviction of theft and Members felt that the suspect would have benefited from being offered support and intervention.

Panel's Assessment: Appropriate use with reservations

Case 13

Members noted that this suspect had been given a Community Resolution for attempting to steal items from a shop. Members notes that the suspect had previously been given a Caution regarding a similar offence. Issuing a Community Resolution following a Caution was felt to be inappropriate. It was also highlighted that this was an intentional crime and the suspect has an obvious pattern of offending, giving a feeling that this crime should had been escalated.

Panel's Assessment: Inappropriate

Case 14

Panel members were unsatisfied by the actions and disposal of this case. The suspect was given a Community resolution for pretending to pay for items at a self-service checkout. It was noted that the suspect had stolen items in this way on numerous occasions. The Panel felt that the case was dealt with inappropriately as the suspect had agreed to a Community Resolution without an interview or legal representation with limited information and documentation being recorded. Members were also unsatisfied with the level of support offered to the suspect and believed that adult Social Services should have been contacted to check on the welfare of the individual, due to his age(72 years old) and financial circumstances.

Panel's Assessment: Inappropriate



Case 15

The suspect in this case was given a Community Resolution. Members felt that this was appropriate due to the low value of the Items and them being returned, the suspect had also written a letter of apology and had no previous convictions.

Panel's Assessment: Appropriate

Case 16

This case was in relation to the suspect concealing items from a store on his person and leaving without payment. The suspect was given a Community Resolution. Members were satisfied with the outcome of the offence, as they noted that the items were of low value and all items had been recovered. However, it was believed that further investigation into the suspect's actions should have been carried out due to the nature of the items that were stolen.

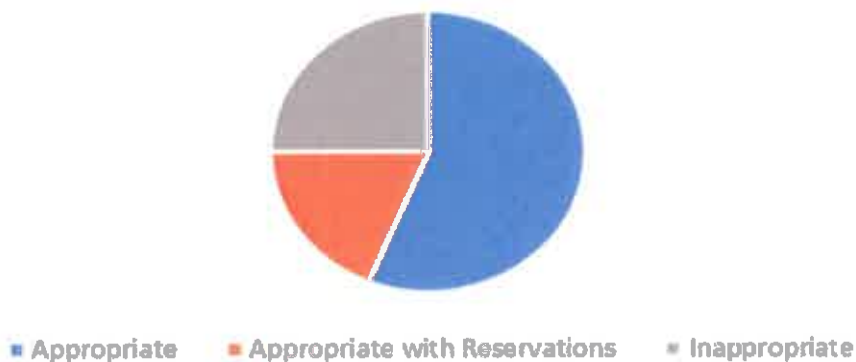
Panel's Assessment: Appropriate use with reservations

Action: Chief Inspector to update the inelegance log to ensure that that any further suspicious activity is flagged up in relation to this individual.

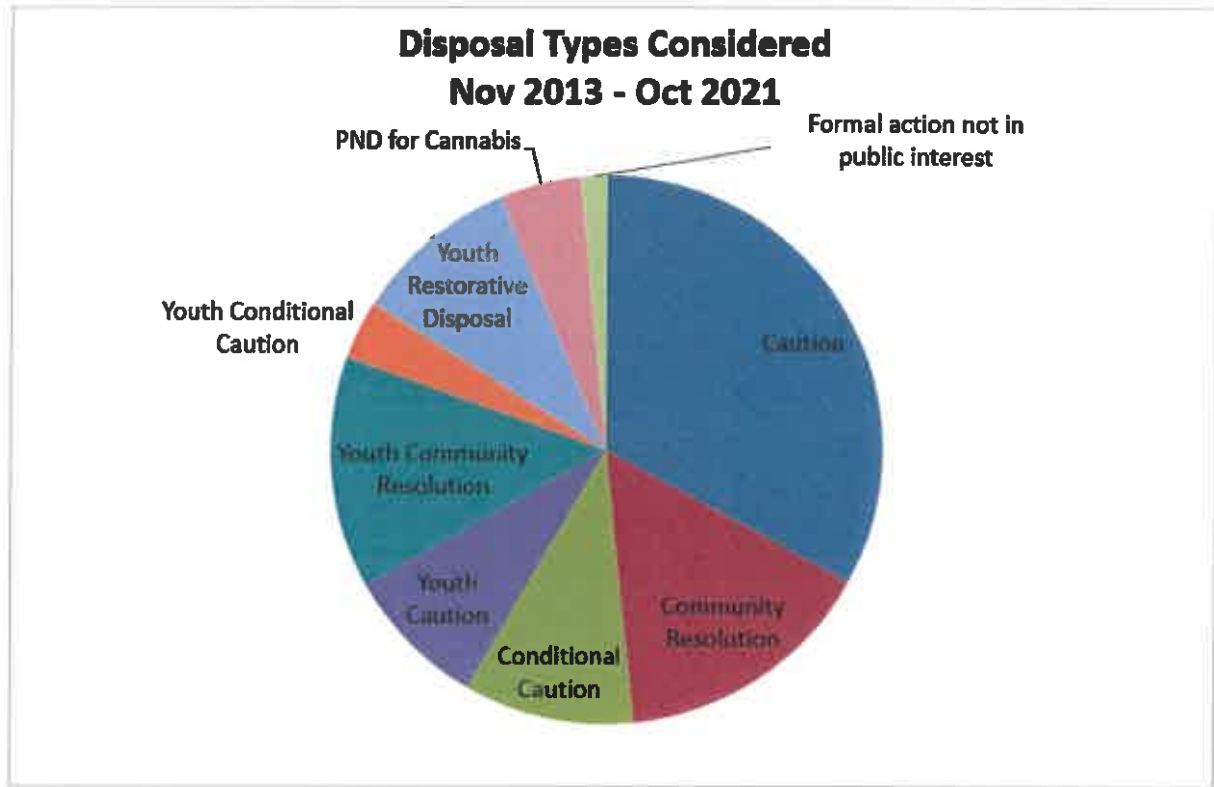
9.0 Panel's assessments to date

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

Panel's assessment of theft and burglary related offences between May - August 2021

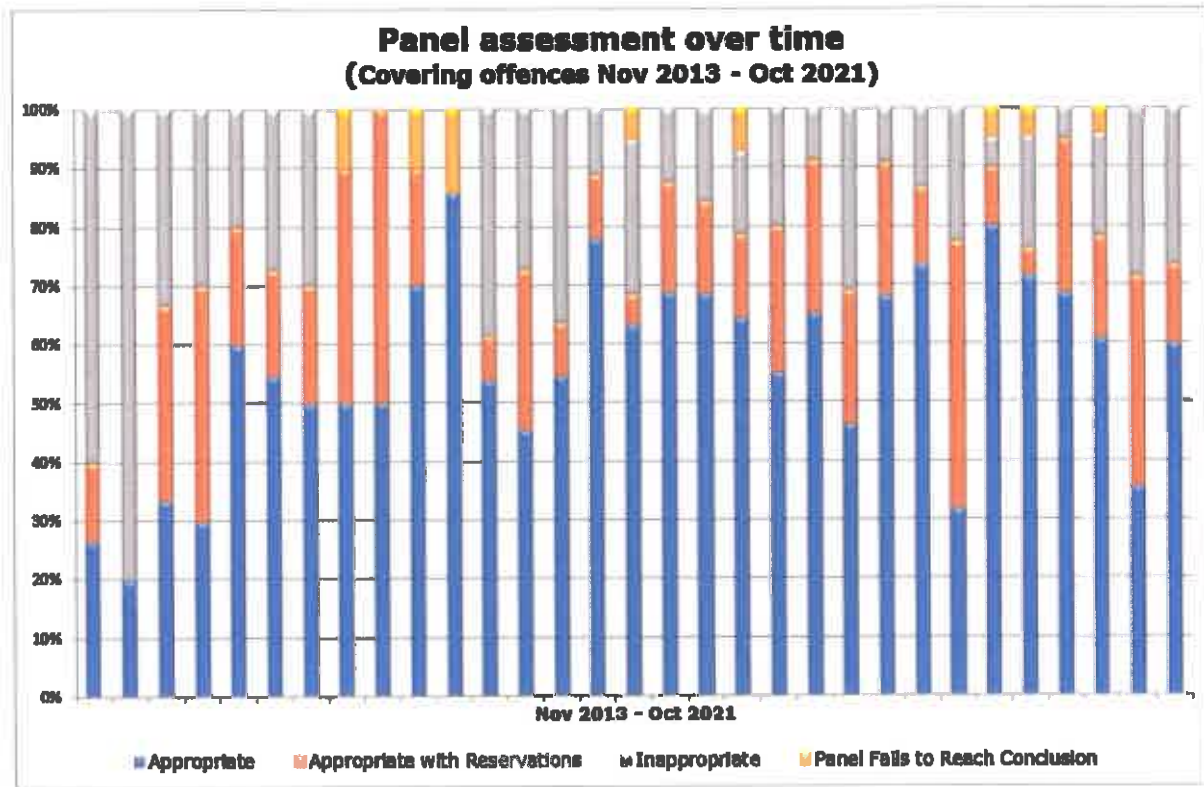


Since November 2013 the Panel has considered a range of disposals, as displayed in the graph below.

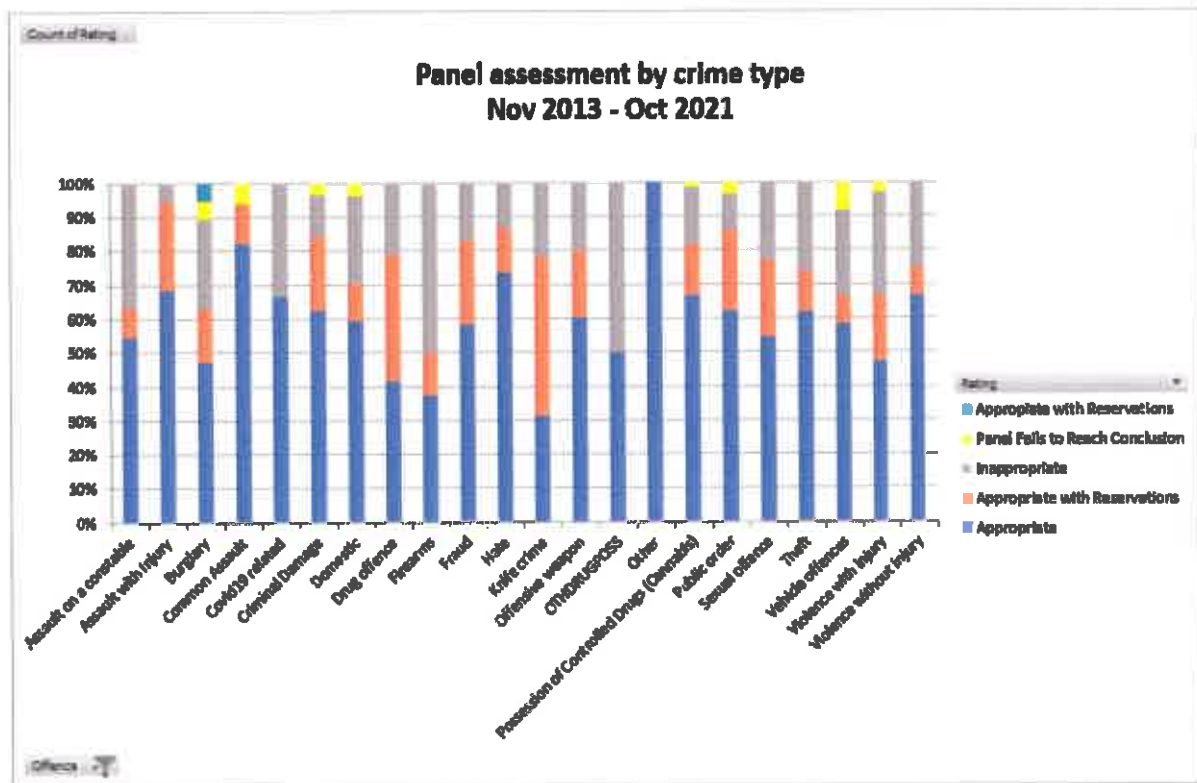


Of the 460 cases examined between April 2013 and October 2021, 57% were assessed as appropriate, 21% as inappropriate, 20% as appropriate with reservations and the panel failed to reach a conclusion in 2% of cases.

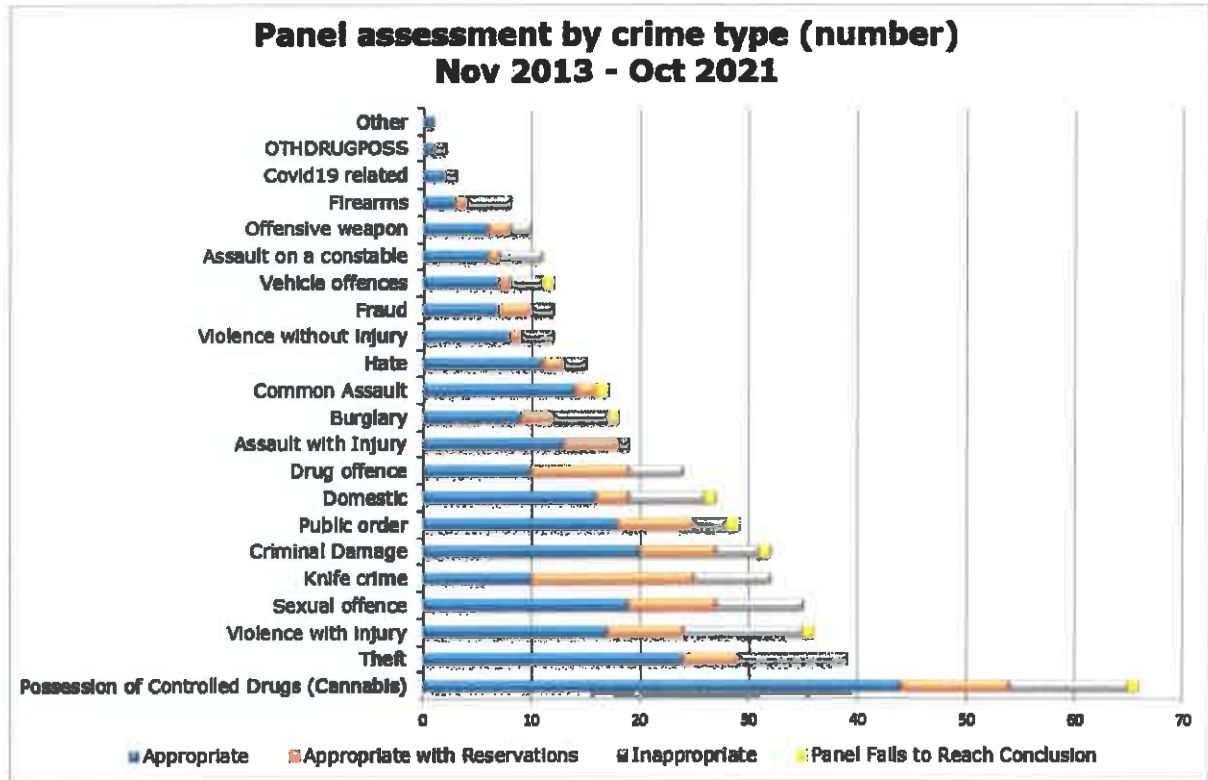
The change in conclusions reached over time can be seen in the graph below:



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



10.0 Future Panel focus

Following a discussion, the Panel wished to review a mix of Hate Crime offences and Assaults against Emergency Service Workers at the next meeting on the 31st of January 2022

