



**Comisiynydd Heddlu a Throseddu  
Dyfed-Powys  
Police and Crime Commissioner**

# **Deep Dive Review**

***Is Dyfed-Powys Police effectively managing perpetrators of stalking and harassment?***

**July 2023**

This document is also available in Welsh.

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## Executive Summary

1. The policing of stalking and harassment is an area in which Dyfed-Powys Police has already taken steps towards improvement. Staff, officers and volunteers from the Force and Office of the Police and Crime Commissioner (OPCC) have completed several insightful pieces of work and scrutiny activities. As a result, the Force has already implemented initiatives to improve the policing response to stalking and harassment. Reports and their recommendations, as well as existing initiatives and projects have been fully considered by the OPCC as part of this review.
2. Several cases reviewed by the OPCC resulted in best practice being identified, specifically in relation to endorsements of case files by supervisors; the importance of stalking-related risk assessments; the meaning of the FOUR mnemonic<sup>1</sup>; steps taken to safeguard victims; and referrals to victim support services.
3. A number of different training inputs for officers and staff cover aspects of stalking and harassment, focusing on safeguarding the victim, investigating offences, and controlling offenders' behaviour. The OPCC are reassured that all frontline officers have a detailed understanding of this complex crime.
4. It is encouraging that a review of the Stalking Champions Initiative is underway to ensure there are sufficient numbers of Champions and that they receive continued development through a structured training programme.
5. Dyfed-Powys Police has made notable improvements in its efforts to effectively manage perpetrators of stalking and harassment over recent years. There are some examples of excellent practice, however this is not consistent across all cases.
6. There was limited evidence found on the crime records reviewed that preventative measures and interventions had been considered in every case of stalking and harassment. Dyfed-Powys Police does not have a collective understanding of the preventative and intervention methods utilised against repeat offenders.
7. Dyfed-Powys Police does not currently monitor perpetrators once they have completed the Reflecting on Relationships Programme to assess whether they go on to reoffend.

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<sup>1</sup> When considering the behaviour of a suspect and whether the behaviour is to be classed as stalking, officers ought to consider the FOUR mnemonic – are the behaviours Fixated, Obsessive, Unwanted, Repeated?  
<https://library.college.police.uk/docs/college-of-policing/Stalking-and-Harassment-2020.pdf>

8. The OPCC also identified some concerns in terms of the monitoring and breaches of civil orders. Also, further engagement with HM Courts and Tribunals Service (HMCTS) is vital in securing an effective response to breaches of civil orders.
9. Police contact with victims and the delivery of updates and key information is an important aspect of the Victims' Code of Practice. The OPCC found a potential discrepancy in how victims feel and what is noted in police records in relation to updates. Victim Contact Agreements are usually made shortly after the trauma is experienced by the victims. It is therefore likely that the victim's requirements will change over time as they recover, or indeed realise the impact the crime has had on them.
10. The emerging issues from the Victims Needs Assessment, highlighting similar issues to this review, were:
  - a. the ineffectiveness of the operation of civil orders;
  - b. inadequate enforcement of breaches of civil orders;
  - c. a lack of understanding of stalking and harassment, both as offences and the support available; and
  - d. a lack of understanding of Stalking Protection Orders (SPOs).
11. Victims and survivors who chose to engage with the OPCC on this topic asked:
  - a. for officers to keep victims informed as to steps taken in their management of the offenders;
  - b. that reports of stalking and harassment are taken seriously from the outset; and
  - c. that victims are provided with the relevant and important information about perpetrator restrictions, bail conditions, and civil orders.
12. The OPCC has been encouraged by Force leads' recognition of, and commitment to, addressing the aspects for improvement. This was evidenced by the activity around the Stalking Champions Initiative and the planned introduction of the Civil Orders Officer, developments which came to the OPCC's attention during the drafting of this report.
13. The OPCC therefore makes a series of recommendations, aimed at supporting Dyfed-Powys Police to ensure all perpetrators are robustly managed and victims are supported.

## Recommendations

### Resourcing

1. Longer-term sustainable funding should be identified by Dyfed-Powys Police for the Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator post.
2. Recruitment into the Civil Orders Officer role should be prioritised. One of the initial focuses of the role should be the development of a process to monitor offenders subject to all civil orders.
3. Officers should be encouraged to proactively seek specialist support and advice from Legal Services, Stalking Champions and the Offender Management Unit when dealing with stalking and harassment cases.

### Training

4. Dyfed-Powys Police should review the impact of the refreshed Stalking Champion training programme within 12 months of implementation. This review should include the consideration of victim feedback, outcomes and reoffending data.
5. HMCTS should consider independent training to improve judges' understanding and knowledge of the significance of breaches of civil orders.
6. In any future training-related surveys undertaken internally, Dyfed-Powys Police should look to seek specific feedback from officers on the inclusion of inputs from victims and survivors in training.
7. Dyfed-Powys Police should consider how learning from Operation Soteria Bluestone may be relevant and applicable to the policing of stalking and harassment.

### Data

8. If they are not already doing so, Dyfed-Powys Police should set out the preventative and intervention methods utilised against repeat offenders within their future crime profile reports.
9. Dyfed-Powys Police should expand its Performance Dashboards to enable closer scrutiny of the application and breaches of civil orders.
10. Dyfed-Powys Police should be assured that investigating officers can easily access a complete record of a perpetrator's breach history at the earliest possible stage of an investigation.

### Perpetrator Interventions

11. Work to embed the Perpetrator Prioritisation Tool within Niche should be prioritised in order to maintain focus on this vital project.
12. Dyfed-Powys Police should seek assurance that investigating officers are considering the use of a range of interventions, including civil orders, as part of

their perpetrator management strategies, and at the earliest possible stage of an investigation.

13. Dyfed-Powys Police should ensure all considerations of assessments (such as the Homicide Risk Escalation) and any interventions (such as civil orders and the Reflecting on Relationships Programme), whether progressed or not, are noted by officers within the Crime Management System. This should include when cases are discussed at Daily Management Meetings.

### **Perpetrator Monitoring**

14. Dyfed-Powys Police should consider the implementation of processes to manage civil orders as recommended by the Force's Violence Against Women and Girls (VAWG) Lead in the Domestic Abuse Review. This should include heightened follow-up and monitoring once interventions, such as the Reflecting on Relationships Programme are completed.
15. The new Civil Orders Officer should support reviews of civil orders. Such reviews should incorporate the views of the victim.

### **Victims**

16. Officers should be encouraged to revisit contact agreements with victims at various stages of the investigation.
17. Any future engagement with victims should consider whether victims were kept informed, in-line with the Victim Contact Agreement made with the investigating officer.
18. Further consideration should be given to the support available to victims of stalking in the upcoming retendering of Victim and Witness Services.

## Outcomes

This review contributes to all three of the Police and Crime Commissioner's priorities set out within his 2021-2025 Police and Crime Plan<sup>2</sup>. It sought to:

1. provide insights into the effectiveness of the offender management processes applied by Dyfed-Powys Police;
2. provide specific insights into the effectiveness of offender management processes in terms of their safeguarding of victims of stalking and harassment;
3. provide the public with assurance on Dyfed-Powys Police's approach to managing perpetrators of stalking and harassment and the safeguarding of victims; and
4. consider whether any improvements to stalking and harassment offender management processes could reduce the number of repeat offenders and prevent repeat victimisation.

## Objectives

The review assesses and determines:

1. the Force's current profile for stalking and harassment crimes;
2. whether different offender management processes are put in place for the different offences of stalking and harassment;
3. what offender management processes are applied and whether they are robust, effective, and consistent, for example, Stalking Protection Orders and the Stalking Perpetrator Programme;
4. if the offender management processes applied are reducing stalking and harassment behaviour;
5. if the offender management processes applied are effectively safeguarding victims of stalking and harassment;
6. whether stalking victims are made aware of the offender management process applied in their case, and whether they feel safer as a result of these processes; and
7. whether the stalking and harassment related training delivered to Dyfed-Powys Police officers and staff is sufficient and effective.

## Methodology

In order to meet the above outcomes and objectives, staff from the OPCC adopted a variety of research and review methodologies, including:

1. Desktop research on stalking and harassment and the national and local profiles of stalking and harassment offences.
2. A desktop review of existing Dyfed-Powys Police reports and recommendations linked to policing stalking and harassment offences.

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<sup>2</sup> <https://www.dyfedpowys-pcc.org.uk/media/11091/police-and-crime-plan-2021-2025.pdf>



3. Detailed scrutiny of Force stalking and harassment data, with assistance from Dyfed-Powys Police staff.
4. Interviews with key Dyfed-Powys Police officers and staff members.
5. Feedback from victims through the Commissioner's Victim Engagement Forum and the Mid and West Wales Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Partnership's Survivor Advisory Panel.
6. The scrutiny of victim satisfaction data.
7. Consideration of scrutiny exercises undertaken by the Quality Assurance Panel.
8. Dip sampling of stalking and harassment cases.
9. A review of active Stalking Protection Orders.
10. Engagement with specialists in the stalking and harassment arena.

## What is ‘Stalking and Harassment’?

The Home Office Counting Rules<sup>3</sup> lists five offences under the umbrella of stalking and harassment:

1. Harassment
2. Racially or religiously aggravated harassment
3. Stalking
4. Malicious communication
5. Controlling and coercive behaviour

It is recognised that the scope of these five offences is very wide and could range from repeated telephone calls from a cold-call company to high-risk stalking. Therefore, although this review covers all 5 offences at certain points, there is a specific focus on the separate offences of ‘stalking’ and ‘harassment’.

Indeed, the question to be answered through this review, is *“Is Dyfed-Powys Police effectively managing perpetrators of stalking and harassment?”*

The crimes of ‘Stalking and harassment’ are set out under the 1997 Protection from Harassment Act<sup>4</sup>.

Under section 1 ‘Prohibition of harassment’, it states that:

- (1) A person must not pursue a course of conduct—*
- (a) which amounts to harassment of another, and*
  - (b) which he knows or ought to know amounts to harassment of the other.*
- (1A) A person must not pursue a course of conduct —*
- (a) which involves harassment of two or more persons, and*
  - (b) which he knows or ought to know involves harassment of those persons, and*
  - (c) by which he intends to persuade any person (whether or not one of those mentioned above)—*
    - (i) not to do something that he is entitled or required to do, or*
    - (ii) to do something that he is not under any obligation to do.*
- (2) For the purposes of this section [...], the person whose course of conduct is in question ought to know that it amounts to or involves harassment of another if a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other.*

Under section 2A ‘Offence of stalking’, it states that:

- (1) A person is guilty of an offence if—*

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<sup>3</sup> <https://www.gov.uk/government/publications/counting-rules-for-recorded-crime>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1997/40/contents>

- (a) *the person pursues a course of conduct in breach of section 1(1), and*
  - (b) *the course of conduct amounts to stalking.*
- (2) *For the purposes of subsection (1)(b) (and section 4A(1)(a)) a person's course of conduct amounts to stalking of another person if—*
- (a) *it amounts to harassment of that person,*
  - (b) *the acts or omissions involved are ones associated with stalking, and*
  - (c) *the person whose course of conduct it is knows or ought to know that the course of conduct amounts to harassment of the other person.*
- (3) *The following are examples of acts or omissions which, in particular circumstances, are ones associated with stalking—*
- (a) *following a person,*
  - (b) *contacting, or attempting to contact, a person by any means,*
  - (c) *publishing any statement or other material—*
    - (i) *relating or purporting to relate to a person, or*
    - (ii) *purporting to originate from a person,*
  - (d) *monitoring the use by a person of the internet, email or any other form of electronic communication,*
  - (e) *loitering in any place (whether public or private),*
  - (f) *interfering with any property in the possession of a person,*
  - (g) *watching or spying on a person.*<sup>5</sup>

Information available on Dyfed-Powys Police's website<sup>6</sup>, clearly sets out for the public what is meant by stalking and harassment:

*“Stalking and harassment is when someone repeatedly behaves in a way that makes you feel scared, distressed or threatened. Someone you know could be harassing you, like a neighbour, or people from your local area or it could be a stranger.*

**Harassment** *may include bullying at school or in the workplace; cyber stalking (using the internet to harass someone); antisocial behaviour; sending abusive text messages; sending unwanted gifts; or unwanted phone calls, letters, emails or visits. It's harassment if the unwanted behaviour has happened more than once.*

*Stalking is like harassment, but it's more aggressive. The stalker will have an obsession with the person they're targeting. Someone you know could be stalking you; an ex partner or a person you were friends with, or it might be a stranger. If it's someone you know, or knew, it doesn't mean that it's your fault; it's still stalking and it's an offence.*

**Stalking** *may include regularly following someone; repeatedly going uninvited to their home; checking someone's internet use, email or other electronic communication;*

<sup>5</sup> <https://www.legislation.gov.uk/ukpga/1997/40/section/2A>

<sup>6</sup> <https://www.dyfed-powys.police.uk/advice/advice-and-information/sh/stalking-harassment/what-is-stalking-harassment/>

*hanging around somewhere they know the person often visits; interfering with their property; watching or spying on someone; or identity theft (signing-up to services, buying things in someone's name). It's stalking if the unwanted behaviour has happened more than once. The four warning signs of stalking are if the behaviour you're experiencing is:*

- *Fixated*
- *Obsessive*
- *Unwanted*
- *Repeated*”

## Stalking and Harassment Offences

### Volume

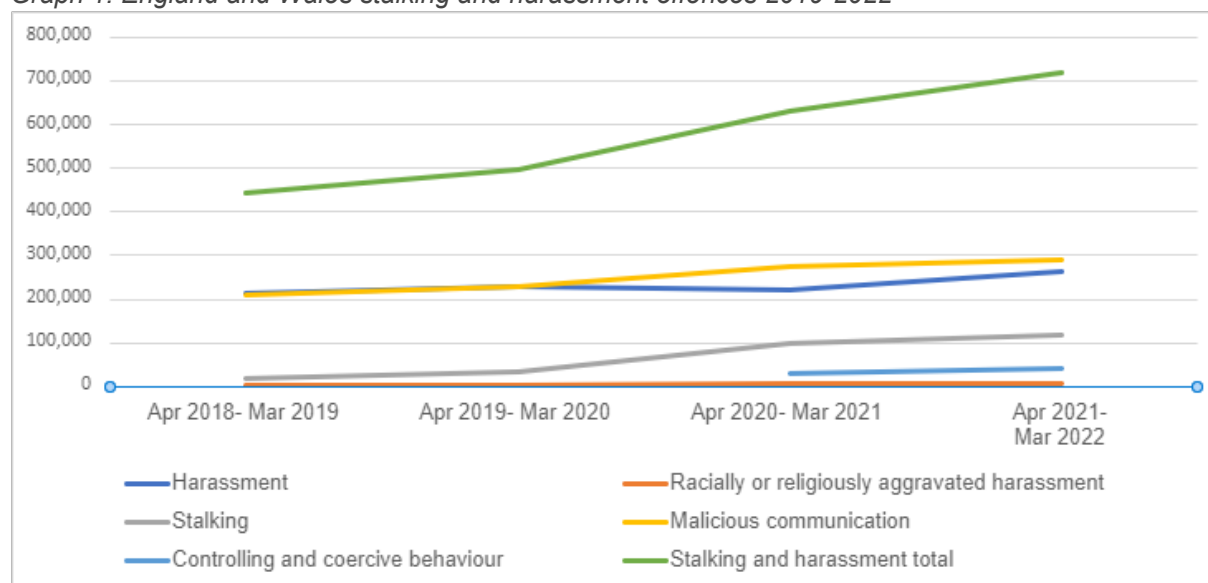
Data from the Office for National Statistics<sup>7</sup> published on 26 January 2023 shows that stalking and harassment crimes across England and Wales rose by 14.09% for the 12 months to March 2022, compared to the same period the previous year.

Table 1: England and Wales stalking and harassment offences 2019 to 2022

Offence	Apr 2018 – Mar 2019	Apr 2019 – Mar 2020	Apr 2020 – Mar 2021	Apr 2021 – Mar 2022
Harassment	213,672	230,106	219,608	262,350
Racially or religiously aggravated harassment	3,078	3,520	5,409	7,464
Stalking	20,059	33,206	98,696	117,973
Malicious communication	208,002	228,118	275,257	289,971
Controlling and coercive behaviour	[x]	[x]	30,771	40,722
<b>Stalking and harassment total</b>	<b>444,811</b>	<b>494,950</b>	<b>629,741</b>	<b>718,480</b>

Source: Office for National Statistics 01/03/2023; [x] = indicates that data is not available

Graph 1: England and Wales stalking and harassment offences 2019-2022



Source: Office for National Statistics 01/03/2023

On 23 November 2022, the BBC published a news article entitled ‘Stalking: Victims say new ways needed to tackle crime’<sup>8</sup>, in which they reported: “Police data for Wales’ four forces shows reports of stalking has tripled over the past four years, with more than 6,000 stalking offences recorded in 2021-22.”

<sup>7</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingseptember2022>

<sup>8</sup> <https://www.bbc.co.uk/news/uk-wales-63716984>

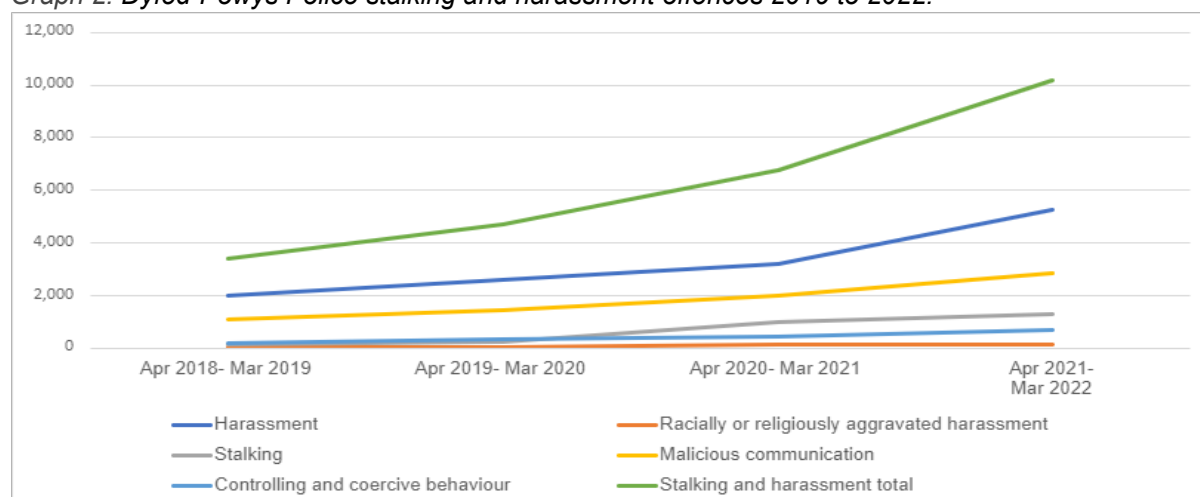
Data from Dyfed-Powys Police's in-house systems helps to set the local picture:

Table 2: Dyfed-Powys Police stalking and harassment offences 2019 to 2022

Offence	April 2018 - March 2019	April 2019- March 2020	April 2020- March 2021	April 2021- March 2022
Harassment	1,979	2,605	3,215	5,269
Racially or religiously aggravated harassment	54	53	128	124
Stalking	133	264	976	1,286
Malicious communication	1,077	1,460	2,005	2,830
Controlling or coercive behaviour	175	345	428	690
<b>Stalking and harassment total</b>	<b>3,418</b>	<b>4,727</b>	<b>6,752</b>	<b>10,199</b>

Source: QlikView 30/03/2023

Graph 2: Dyfed-Powys Police stalking and harassment offences 2019 to 2022.



Source: QlikView 30/03/2023

Between April 2021 and March 2022, 10,199 cases of stalking and harassment were recorded across the Dyfed-Powys area. As with the national position, harassment and malicious communication were the most recorded offences, albeit harassment was the most prevalent in the Dyfed-Powys area, whilst malicious communication was the most prevalent nationally.

The data shows that stalking and harassment crimes across the Dyfed-Powys area rose by 51.05% for the 12 months to March 2022 compared to the same period the previous year. This increase is considered to be both due to changes to Home Office recording practices, as well as the Chief Constable setting a priority to eliminate domestic abuse, stalking and harassment in April 2022, resulting in a targeted focus of these crimes.

The Force has acknowledged issues around the recording of stalking and harassment offences. Changes were made to the Home Office Counting Rules regarding the recording of stalking and harassment offences in April 2020, whereby a course of conduct reported between a victim and their former partner had to be recorded as stalking, unless the Force Crime and Incident Registrar was satisfied that the matter amounted, in law, to harassment only.

Training for officers resulted in an increase in recording, however there were concerns that this had led to over-recording. As a result, the Force’s Crime Management Unit reviewed all course of conduct offences recorded from January 2022, highlighting incidents which were deemed to have been over-recorded as crimes. 297 crimes were subsequently cancelled.

The OPCC is assured that training on recording practices around course of conduct offences, is now embedded into training inputs provided by the Crime Management Unit and Force Crime and Incident Registrar, to ensure correct and accurate recording practices.

*Graph 3: Dyfed-Powys Police Stalking and Harassment crime volumes per month, April 2021 to February 2023*



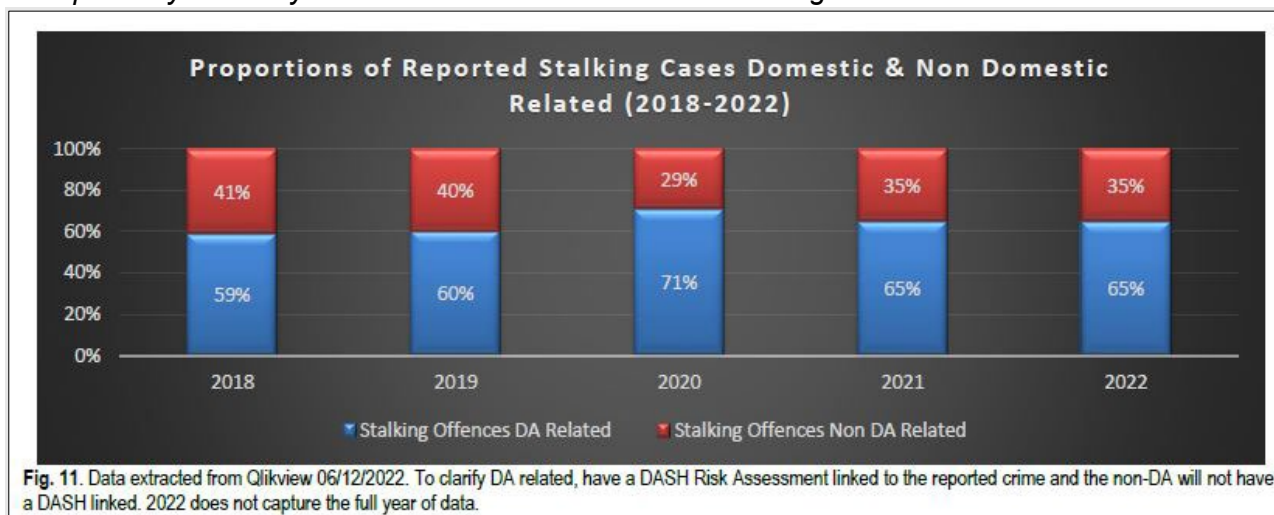
Source: QlikView 07/03/2023. (Please note that this data was sourced from the Force’s systems on 07/03/2023 hence the dramatic decrease in cases for March 2023.)

The monthly volume of stalking and harassment decreased from October to December 2022, and then increased again in January 2023.

### Domestic abuse related cases

Force data shows that a high number of stalking cases have a domestic abuse element, as demonstrated in the January 2023 report entitled ‘Domestic Abuse, Stalking & Harassment Performance’, which was developed for a Force Vulnerability Hub Portfolio meeting. The following graph has been taken directly from the above-named report.

Graph 4: Dyfed-Powys Police domestic abuse related stalking cases 2018-2022



Source: Dyfed-Powys Police 31/01/2023

Whilst the volume of stalking and harassment cases has increased each year, the proportion which are domestic abuse related has remained relatively consistent at an average of 64%. We must therefore be cognisant of this fact when reviewing data and the management of stalking perpetrators. The management of perpetrators with a domestic connection to the victim may need to be approached differently to non-domestic abuse related stalking cases. For example, there may be a more complex history for the police to consider when making decisions on how to safeguard the victim and prevent further offending.

### Investigation Outcomes

In April 2013 there was a national move from the use of police ‘*detections*’ to investigation ‘*outcomes*.’ With the publication of a new Outcomes Framework<sup>9</sup> came “*an emphasis on greater transparency on how all crimes recorded by the police are dealt with*”.

The OPCC is aware of work currently being conducted by the Force on investigation outcomes and victim withdrawal. In addition, in 2019, the OPCC identified an apparent rise of the utilisation of Outcomes 14<sup>10</sup> and 16<sup>11</sup> for domestic abuse and sexual crimes. This led to a deep dive scrutiny review into victim withdrawal in November 2019. A summary of the findings, as well as the complete report, is available on the OPCC website<sup>12</sup>.

<sup>9</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/560132/pprc-user-guide-oct16.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/560132/pprc-user-guide-oct16.pdf)

<sup>10</sup> Outcome 14: Evidential difficulties: suspect not identified; victim does not support further action: Evidential difficulties victim based – named suspect not identified. The crime is confirmed but the victim declines or is unable to support further police action to identify the offender.

<sup>11</sup> Outcome 16: Evidential difficulties: suspect identified; victim does not support further action: Evidential difficulties victim based – named suspect identified. The victim does not support (or has withdrawn support from) police action.

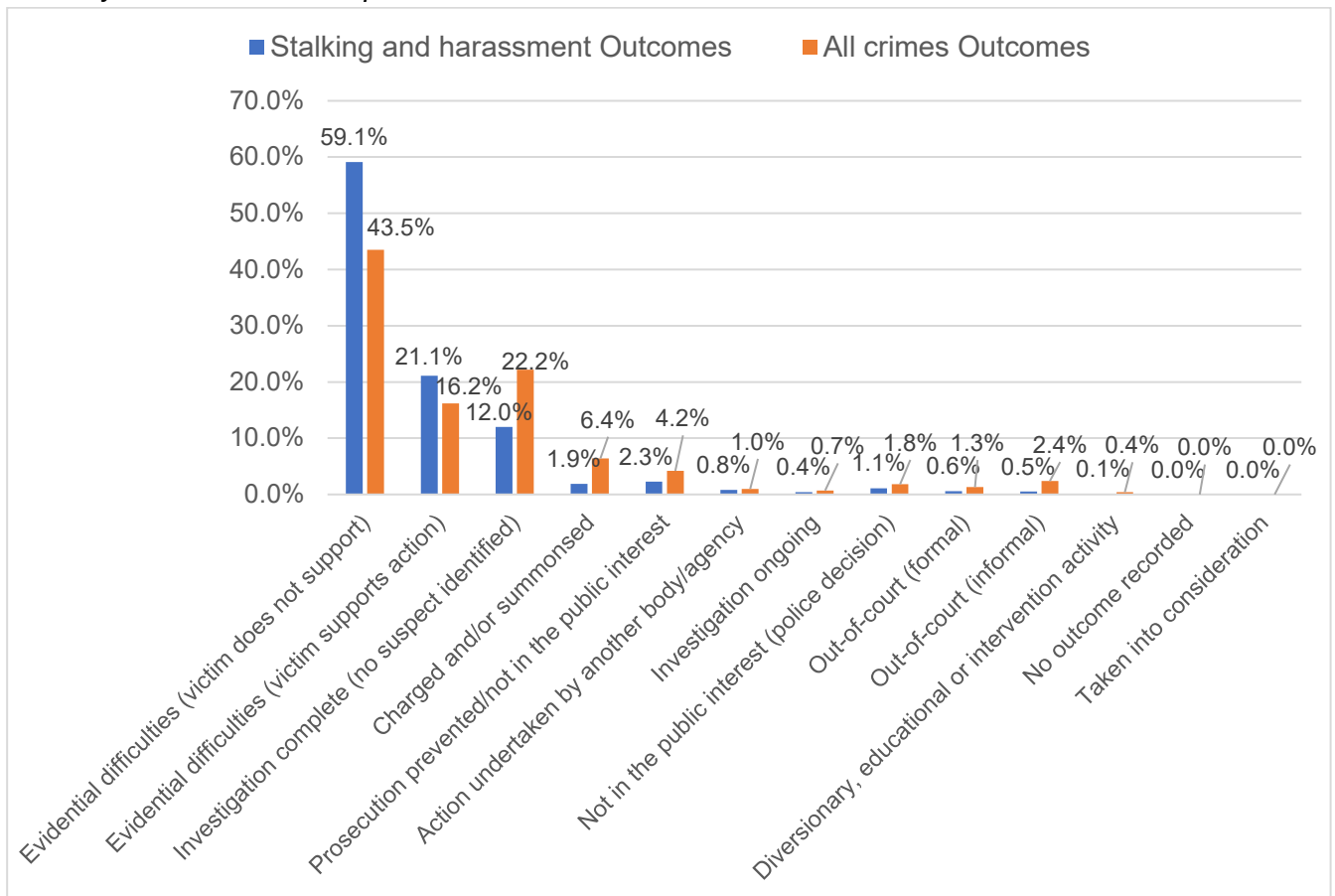
<sup>12</sup> <https://www.dyfedpowys-pcc.org.uk/en/accountability-and-transparency/scrutiny/deep-dive/victim-withdrawal-december-2019/>



More recently, in March 2023, the Quality Assurance Panel focused their scrutiny activity on Outcome 16. They reviewed 16 cases and observed that there was a good rationale noted for the recording of Outcome 16 in most of the cases. The full report is due to be published on the 'Quality Assurance Panel' page of the OPCC website<sup>13</sup>.

Dyfed-Powys Police's outcome data for 'stalking and harassment' cases between April 2021 and March 2022 is presented in the following graph, alongside outcomes for 'all crimes', grouped in-line with 'Crime Outcomes in England and Wales 2020 to 2021'<sup>14</sup>.

Graph 5: Outcomes<sup>15</sup> for 'all crimes' and 'stalking and harassment' crimes recorded by Dyfed-Powys Police between April 2021 and March 2022



Source: QlikView 17/07/2023

The graph shows that during the 2021/22 financial year, 59.1% of 'stalking and harassment' victims (6,024 victims) did not support further action, with Outcomes 14 or 16 applied to their cases. As this is 15.6% more than for 'all crime types' outcomes (43.5%, 18,510 victims), the question must be asked as to why a lesser proportion of victims of stalking and harassment support investigations. One of the emerging issues

<sup>13</sup> <https://www.dyfedpowys-pcc.org.uk/en/the-office/volunteer-schemes/quality-assurance-panel/>

<sup>14</sup> <https://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2020-to-2021/crime-outcomes-in-england-and-wales-2020-to-2021>

<sup>15</sup> The Outcomes grouped within each option across the bottom axis of the graph can be viewed within [Appendix A](#).

from the victims' and survivors' feedback provided later in this report is the need for officers to take reports of stalking and harassment seriously from the outset.

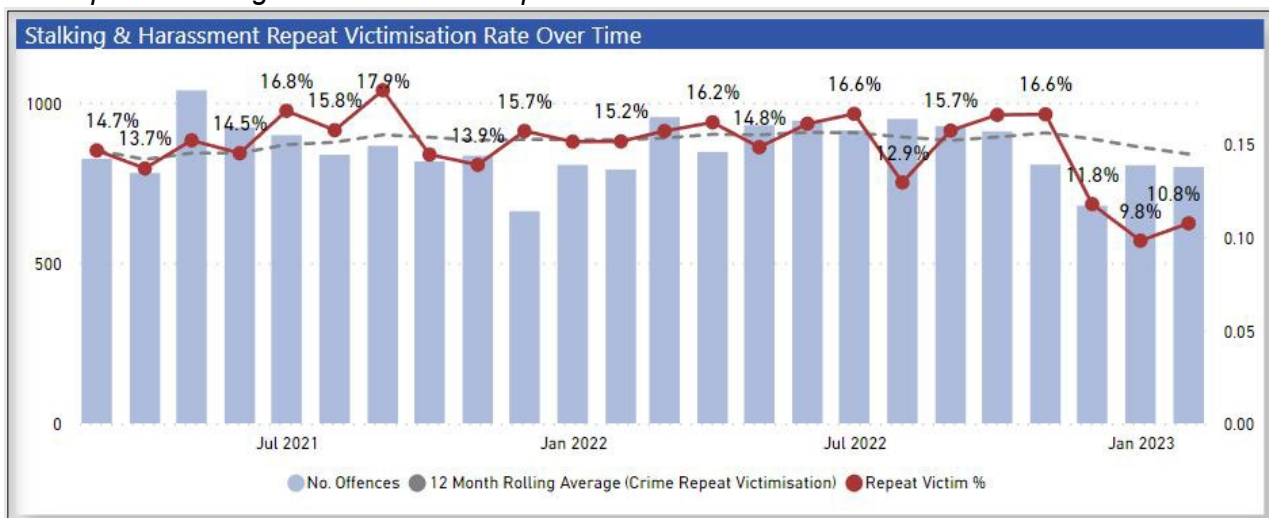
In comparison, across England and Wales during the year ending March 2022, 42.4% of victims of violence against the person offences (which includes stalking and harassment), did not support police action<sup>16</sup>.

For the same period, 17.1% of violence against the person offences in England and Wales were closed with Outcome 15, where the victim supports police action but there are evidential difficulties. In the Dyfed-Powys area, during 2021/22, 16.2% of 'all crime types' outcomes were finalised with Outcome 15, compared with 21.1% of 'stalking and harassment' crimes. This may have negative implications for the Force, as a victim of stalking and harassment whose case was finalised as Outcome 15 may not report further incidents to the Police. They may lose trust in the police investigation. This, in turn, may impact on victims' safety and escalation of offending could be missed.

### Repeat Victimization

Stalking and harassment victims may be subjected to repeated victimisation. Under the '[What is Stalking and Harassment?](#)' section of this report, it is noted that stalking and harassment may be recorded when unwanted behaviour happens more than once. Indeed, one of the FOUR warning signs of stalking is 'Repeated' behaviour.

Graph 6: Stalking and harassment repeat victimisation rate over time



Source: Power BI 08/03/2023

It is evident from the above graph that repeat victimisation for stalking and harassment has decreased over the last few months, albeit with a slight increase from January to February 2023. This could be viewed as positive: repeat victimisation rates may be falling due to successful investigations, interventions and perpetrator management. Alternatively, repeat victimisation rates could have decreased because repeat victims are not reporting repeat offences. This could be due to personal circumstances and

<sup>16</sup> <https://www.gov.uk/government/statistics/crime-outcomes-in-england-and-wales-2021-to-2022/crime-outcomes-in-england-and-wales-2021-to-2022#outcomes-assigned-to-offences-recorded-in-the-year-ending-31st-march-2022>

decisions, a lack of confidence in the Police, or an unsuccessful investigation/outcome for the first instance they reported. It is important that victims feel confident in reporting repeat behaviour and offences to the police.

## **Repeat Offending**

The following data has been taken directly from the 2022 Stalking and Harassment Profile, as unlike the repeat victim data, repeat offender data could not be found on the Force's performance systems. The report uses data from 1st May 2020 to 31st May 2022.

The Force's Performance Team had to complete a manual data cleanse of crime recording systems and noted that whilst every effort was made to match nominals by name to establish recurrence, variations and duplicates may still occur.

Their findings were that:

- 1,987 distinct suspects were recorded as being responsible for the 2,428 stalking crimes (there were 36 crimes where the suspect was recorded as being unknown).
- 9,258 distinct suspects were recorded for the 16,250 harassment crimes.
- 275 (13%) individuals were recorded as being suspects for more than one stalking crime. 5 suspects were recorded as being responsible for 28 of these crimes.
- 2,467 (27%) individuals were recorded as being suspects for more than one harassment crime. 18 suspects were recorded as being responsible for 10 or more, which amounted to 260 crimes.

The OPCC requested information from Dyfed-Powys Police on the preventative and intervention methods utilised to manage these repeat offenders. The OPCC was advised that as this information was not considered for the 2022 Stalking and Harassment Profile, it was unavailable to consider.

The OPCC believes that the consideration of offender management information, such as the preventative and intervention methods adopted, should be included in the profile of repeat offenders of stalking and harassment. Further work may therefore be needed to enable the Force to adequately assess the effectiveness of their management.

Having said this, reassuringly, the OPCC is aware that the Force's recently introduced Perpetrator Prioritisation Tool<sup>17</sup> allows high-risk and serial perpetrators to be identified and monitored and suitable interventions to be assessed. Once available across the Force area, this Tool will prove invaluable in monitoring and managing repeat offenders, and in turn safeguarding victims. **The OPCC recommends, if they are not already doing so, that the Force sets out the preventative and intervention methods utilised against repeat offenders within their future crime profile reports.**

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<sup>17</sup> The Perpetrator Prioritisation Tool provides Dyfed-Powys Police with a list of perpetrators who pose the greatest risk within local communities, across different offending types. Further detail is provided [later in this report](#).

## **Policing Stalking and Harassment - A Priority**

In recent years, there has been a considerable focus both nationally on the policing of stalking and harassment and the wider 'Violence Against Women and Girls' (VAWG) agenda. In-line with the national position, the policing of stalking and harassment is a priority for both the Chief Constable of Dyfed-Powys Police and the Police and Crime Commissioner.

In 2022, Chief Constable Doctor Richard Lewis set a priority for the Force to work towards: "*The elimination of domestic abuse, stalking and harassment.*" Commissioner Dafydd Llywelyn has identified stalking and harassment as an important area for scrutiny activity, contributing to the policing priorities set out within his Police and Crime Plan<sup>18</sup>.

Success under Priority one within the Plan, '*Victims are supported*', can be measured through the '*safeguarding of victims against harm and repeat victimisation*'<sup>19</sup>. Success under Priority number 3, '*Our justice system is more effective*,' can be evidenced by '*reduced reoffending through targeted interventions and preventative orders*'<sup>20</sup>.

It is therefore vital that the Commissioner undertakes scrutiny activity to review the Force's use of targeted interventions and preventative orders to safeguard victims and reduce reoffending.

It is recognised that the policing of stalking and harassment is an area in which Dyfed-Powys Police has already taken steps towards improvement. Similarly, work has been undertaken by the OPCC in this area.

### **Dyfed-Powys Police**

#### **Reflecting on Relationships Programme**

In 2020, Dyfed-Powys Police introduced a Stalking Perpetrator Intervention Pilot, following the delivery of training by Professor Jane Monckton-Smith<sup>21</sup> which focused on understanding and assessing the risk posed by stalking offenders.

The main aim of the pilot was the application of a two-pronged approach:

- 1) To raise awareness of the risks associated with stalking and of the tools which could be applied to better understand these, including the Homicide Risk Escalation (HRE) assessment and the Time Investment Grid; and
- 2) To develop a referral pathway to a Forensic Psychology UK intervention programme which would be offered to perpetrators to assist them in addressing their stalking behaviour.

To identify candidates for the intervention program, the Force adopted a process whereby a Screening Assessment for Stalking and Harassment (SASH) would be

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<sup>18</sup> <https://www.dyfedpowys-pcc.org.uk/media/11091/police-and-crime-plan-2021-2025.pdf>

<sup>19</sup> Page 6, <https://www.dyfedpowys-pcc.org.uk/media/11091/police-and-crime-plan-2021-2025.pdf>

<sup>20</sup> Page 11, <https://www.dyfedpowys-pcc.org.uk/media/11091/police-and-crime-plan-2021-2025.pdf>

<sup>21</sup> Professor Jane Monckton-Smith is a Professor of Public Protection at the University of Gloucestershire whose work focuses on the prevention of homicide, <https://www.glos.ac.uk/staff/profile/jane-monckton-smith/>

completed by a Domestic Abuse Officer (DAO) within the first few days after they received notification that a stalking crime had been recorded. Alongside the SASH, the HRE assessment would be undertaken to measure the risk the offender posed to both the victim and the public. If both of the above and specific perpetrator eligibility criteria were satisfied, the perpetrator would be approached to ascertain if they would be receptive to partaking in the programme. The offender was required to give consent to the process.

The Force's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator has advised the OPCC that the completion of a SASH is now well-embedded into Force practice, with Domestic Abuse Officers endorsing the Crime Management System with their consideration of the SASH outcome. OPCC staff reported evidence of these endorsements in their dip sampling activity ([detailed later in this report](#)).

However, the OPCC has also been advised that whilst the HRE toolkit is something officers keep in mind following training in this area, it is not as common to see this endorsed on the Crime Management System. In-line with this, OPCC staff noted no mention of the HRE toolkit in the records reviewed through dip sampling. **The OPCC recommends that the Force ensures all considerations of assessments such as HRE are noted by officers within the Crime Management System. This will ensure all officers involved in the investigation are aware of what has and has not been considered.**

It has been confirmed that the perpetrator intervention pilot programme is fully embedded into the Force's approach to policing stalking and harassment and known as the 'Reflecting on Relationships Programme.' It is delivered by Forensic Psychology UK (for high-risk cases and complex/live risks) and Threshold Domestic Abuse Service (DAS) (for medium to low-risk cases). The Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator utilises the approach adopted through the pilot, as well as close consideration of the details of each case, prior to a referral to the Reflecting on Relationships Programme.

### **Review of referral mechanisms into stalking perpetrator interventions**

In May 2022, Dyfed-Powys Police's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator independently carried out a review of referral mechanisms into stalking perpetrator interventions.

The Scheme Co-ordinator post was established in February 2022. The temporary funding for this post ended in March 2023. The OPCC is pleased to report that the Police and Crime Commissioner has provided funding for this post for the 2023/24 financial year. **The OPCC finds it essential that longer term sustainable funding is identified by the Force for the Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator post.**

The Scheme Co-ordinator's review looked at referral pathways into perpetrator intervention programmes, Stalking Protection Orders (SPOs), a multi-agency

approach to stalking intervention, and the role of Independent Stalking Advocacy Caseworkers.

All of the recommendations set out within the report were reviewed by the Force as to their feasibility for implementation. A number were adopted, or had been implemented prior to the report, including:

1. The development of a simple document detailing the criteria for referrals to the Reflecting on Relationships Programme, accessible to all on the Force's internal system. The Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator has also delivered inputs to teams across the Force area on the Programme and its referral process.
2. Domestic Abuse Officers acting as single points of contact (SPOCs) for stalking, having received enhanced training.
3. A robust programme of training on Stalking Protection Orders (SPOs) to raise awareness amongst officers, alongside the availability of a range of useful materials on the Force's internal system to assist officers in securing SPOs.

### **Stalking and Harassment Profile**

A profile of stalking and harassment for the Dyfed-Powys area was developed in July 2022. It provides an assessment of the nature and scale of these offences, along with focused analysis of victim and perpetrator profiles, geographical concentrations, identified trends, patterns and emerging issues.

Twenty recommendations were put forward within the profile; a number of which related to offender management, such as the implementation of a perpetrator tool and raising awareness of the role of the Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator.

The OPCC was assured that the recommendations were discussed at the Force's Performance Meeting, chaired by the Assistant Chief Constable, where it was agreed that the profile would be shared with the Strategic Vulnerability Group and incorporated into the wider vulnerability hub action plan.

A number of the recommendations were progressed, such as the development of a [Perpetrator Prioritisation Tool](#), and raising awareness of how the Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator may support officers.

### **Stalking Crime Reviews**

In October 2022, Dyfed-Powys Police reviewed a sample of 116 stalking crimes which had occurred between November 2020 and October 2022.

Of those reviewed, 82.8% (96 crimes) were reconsidered as they were incorrectly recorded as a stalking offence and ought to have been reclassified.

Following this discovery, the Force reviewed all 2022 stalking cases and concluded 900 crimes need to be reclassified.

## Stalking Champions Initiative

Dyfed-Powys Police has a Stalking Champions initiative, whereby officers with specialist knowledge provide peer support to officers investigating stalking crimes.

There are few Stalking Champions across the Force. The OPCC was provided with 6 names in comparison to over 40 Domestic Abuse Champions. The names of the Domestic Abuse Champions are available on the Force's Intranet, enabling officers who require specialist guidance on domestic abuse cases to easily find their details to seek support. The same information does not appear to be available for the Force's Stalking Champions.

In reviewing [stalking and harassment related training](#), the OPCC found no evidence of a specific structured programme for Stalking Champions. The OPCC has since been advised that a programme has recently been developed and is due to be rolled out in July 2023.

**The OPCC recommends that the Force reviews the impact of the refreshed Stalking Champion training programme within 12 months of implementation. This review should include the consideration of victim feedback, outcomes and reoffending data.**

## HMICFRS Recommendations and Areas for Improvement

Dyfed-Powys Police has been progressing stalking and harassment related recommendations and an area for improvement (AFI) set by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) is:

- 1) Within their '*Living in fear – the Police and CPS response to harassment and stalking - A joint inspection by HMIC and HMCPSP*' report of July 2017<sup>22</sup>, HMICFRS recommended that "*Chief Constables and CPS Area leads should monitor and ensure compliance with the stalking protocol*". The 'Joint Protocol on the Appropriate Handling of Stalking Offences' sets out the principles governing the investigation and prosecution of stalking or harassment offences<sup>23</sup>. Reassuringly, the OPCC has been advised that this recommendation has been signed-off as complete.
- 2) Following on from the above 2017 inspection, new national recommendations were set out within the April 2019 '*Stalking and harassment: An inspection of Sussex Police commissioned by the police and crime commissioner, and an update on national recommendations in HMICFRS's 2017 report*'<sup>24</sup>:
  - "*Within six months chief constables should ensure that forces record stalking or harassment crimes if appropriate when victims report breaches of orders.*
  - "*Within six months chief constables should ensure that officers are aware of the importance of treating breaches of orders, where appropriate, as part of a wider*

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<sup>22</sup> <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/living-in-fear-the-police-and-cps-response-to-harassment-and-stalking/>

<sup>23</sup> [https://www.cps.gov.uk/sites/default/files/documents/publications/Stalking-and-Harassment-Protocol-2018\\_1.docx](https://www.cps.gov.uk/sites/default/files/documents/publications/Stalking-and-Harassment-Protocol-2018_1.docx)

<sup>24</sup> <https://www.sussex-pcc.gov.uk/media/4087/stalking-and-harassment-inspection-sussex-police-april-2019.pdf>

*pattern of offending, and ensure that force policy and guidance helps officers to do this.”*

The OPCC has been advised that these recommendations remain open, with areas for improvement identified by the Force in January 2023:

- *“Further work required as recording of breaches of orders is still inconsistent.”*
- *“Further work required with Local Investigation Units to seek to target and improve in this area.”*

- 3) Within their Dyfed-Powys 2021/22 PEEL Inspection report<sup>25</sup>, HMICFRS highlighted an AFI: *“The Force needs to make sure it is carrying out effective and timely investigations into stalking and harassment crimes.”* The OPCC has been advised that this AFI has been signed-off internally as complete, but will be subject to scrutiny by HMICFRS during the 2023 HMICFRS PEEL Inspection.

### **Examining the Effectiveness of Psychological Interventions for Domestic Abuse Perpetrators: A Systematic Review**

In 2021, as part of a Masters in Clinical Psychology and Mental Health, a Domestic Abuse Officer based in Powys published their findings of a review of research into the effectiveness of psychological interventions for perpetrators of domestic abuse. The officer kindly agreed to discuss the project with OPCC staff.

The project focused on which psychological interventions worked in reducing domestic abuse behaviour and offending. It included a review of 26 studies of male domestic abuse perpetrators. The report found that several factors aided positive improvements in behaviour, but importantly, that individual perpetrators responded differently to different types of interventions. A personalised intervention package approach was therefore recommended. This is in-line with the approach adopted through the Force’s Reflecting on Relationships Programme, whereby perpetrators are assisted in addressing their individual stalking behaviour.

### **Office of the Police and Crime Commissioner**

The OPCC has also led the way in work linked to this area, specifically in relation to giving victims of stalking and harassment a voice; and allowing independent volunteers a role in the scrutiny of stalking and harassment investigations.

### **Victims’ Voice in Police Training**

Members of the Dyfed-Powys Victim Engagement Forum were interviewed about their experiences with Dyfed-Powys Police. They provided feedback on what did and did not go well, the advice they would give to officers dealing with cases like theirs and how their experience affected their future interactions with the Force. One of the Forum members interviewed was a victim of stalking, and another of domestic abuse and coercive and controlling behaviour.

The interviews were brought together into one training video, which has been incorporated into Dyfed-Powys Police’s training package. The Force has also

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<sup>25</sup> <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/peel-assessment-2021-22-dyfed-powys.pdf>



confirmed that they will ensure the video is shared and utilised wider within the development of their training programmes.

The video helps to ensure that police officers and staff are provided with a real-life perspective of victims' views of the policing service.

### **Quality Assurance Panel**

During 2022, the Commissioner's Quality Assurance Panel reviewed cases of stalking and harassment on two occasions. They were asked to consider the timeliness of initial response and investigation; whether risk assessments were undertaken; if safeguarding plans were developed; whether civil orders were considered; and the level of supervision present within the cases.

The Quality Assurance Panel's reports, which include the Force's response to their findings, will be available on the OPCC website.<sup>26</sup>

Panel members' scrutiny work preceded that of this review, therefore they did not look in detail at the use of civil orders but were simply asked to note whether there was evidence within the Crime Management System of a civil order being considered. Panel members noted evidence of the use of civil orders in just one out of 24 cases reviewed.

It cannot be guaranteed that civil interventions would have been suitable for every case. However, **the OPCC recommends that the Force ensures all considerations of interventions such as civil orders are noted by officers within the Crime Management System, whether they are progressed at that point or not. This should include when cases are discussed at Daily Management Meetings.** This not only provides reassurance that officers are considering these important preventative options, but also provides the relevant information to all other officers involved in and/or reviewing the case.

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<sup>26</sup> <https://www.dyfedpowys-pcc.org.uk/en/the-office/volunteer-schemes/quality-assurance-panel/>

## Offender Management Processes

Set out below are numerous offender management options available to investigating officers.

### Offender Management Unit

Several areas of offender management are incorporated under the umbrella of Dyfed-Powys Police's Offender Management Unit: Integrated Offender Management (IOM), Management of Sexual or Violent Offenders (MOSOVO), Multi-Agency Public Protection Arrangements (MAPPA), Youth Offender Management, and Domestic Abuse Officers.

### Integrated Offender Management (IOM)

In July 2021, the Neighbourhood Crime Integrated Offender Management Strategy<sup>27</sup> was introduced across England and Wales. The new Strategy provides an evidence based integrated offender management approach to tackling crime and its causes, and each police force is able to tailor their approach to meet local needs.

The overall aim of Dyfed-Powys Police's IOM programme - a co-ordinated approach to the management of individuals, is to reduce reoffending, support rehabilitation and protect the public from harm. It aims to ensure that fewer offenders fall through the gaps of the criminal justice system and encourage rehabilitation. Criminogenic needs are addressed, and offenders managed through IOM are directed to services which will support desistance from further criminal activity.

IOM puts offenders at the centre of a multi-agency forum, involving Dyfed-Powys Police, His Majesty's Prison and Probation Service (HMPPS), and other partners. Offenders suitable for IOM are discussed at weekly meetings.

There are four local policing area IOM teams, who assess offenders under three distinct cohorts:

- IOM Fixed: This includes the management of acquisitive crime offenders, such as burglary, robbery and theft from the person.
- IOM Flex: Allows the management of high-risk offenders of non-acquisitive crimes.
- IOM Free: The management of offenders posing the highest risk of imminent harm to our communities, including stalking and domestic violence perpetrators.

When a stalking offender is identified as high-risk, through the completion of a SASH, this is brought to the attention of the IOM team who will lead on the management of the offender through the investigation. If an offender is subject to a Stalking Protection Order, they will be managed by IOM.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/942145/neighbourhood-crime-iom-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942145/neighbourhood-crime-iom-strategy.pdf)

IOM are also involved in other areas of offender management such as the use of electronic monitoring and the Offender Diversionary Scheme.

### **Management of Sexual or Violent Offenders (MOSOVO)**

The Force's MOSOVO officers are specifically trained in the response to, and management of sexual or violent offenders. Their main role is to ensure the robust management of registered sex offenders subject to Sexual Harm Prevention Orders. They also monitor and supervise offenders identified as Potentially Dangerous Persons, and those subject to Serious Crime Prevention Orders, Interim Sexual Risk Orders, and Stalking Protection Orders.

Stalking offenders will therefore be managed through MOSOVO if they have also committed sexual or violent offences.

### **Multi-Agency Public Protection Arrangements (MAPPA)**

The risks posed by sexual and violent offenders, and others who pose a serious risk to the public are assessed and managed through MAPPA<sup>28</sup>. It is a mechanism through which agencies discharge their statutory duties and protect the public in a co-ordinated manner.

Locally, Dyfed-Powys Police and HMPPS work together, along with other agencies, to protect the public through managing the risks posed by offenders living in the community.

Once offenders are identified, risk assessments are completed, Risk Management Plans are created for each offender, and resources are focused on the monitoring and supervision of these offenders.

Regular MAPPA meetings are held to discuss individual offenders, which includes the consideration of measures needed within the Risk Management Plan under the four pillars of supervision, monitoring and control, interventions and treatment and victim safety.

The Force's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator is invited to join meetings about stalking and domestic abuse perpetrators.

### **Domestic Abuse Officers**

Dyfed-Powys Police's Domestic Abuse Officers review all medium and high-risk domestic abuse incidents reported to the Force. When considering that last year, 65% of all stalking cases had a domestic abuse element, it is common practice for Domestic Abuse Officers to review stalking cases. Domestic Abuse Officers provide safeguarding advice for victims of stalking through the completion of risk assessments.

### **Secondary Risk Assessment Unit**

The Secondary Risk Assessment Unit sits within the Force's Vulnerability Hub, consisting of a team of officers who are specialised and experienced in identifying risk

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<sup>28</sup> <https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa-guidance>

in domestic abuse and stalking cases. The team's core function is to identify and review all domestic abuse cases which are high risk, repeat incidents and involve escalation. A detailed review of the circumstances of the case is undertaken, and a decision made on whether the case needs to be discussed at a multi-agency meeting. Actions are then allocated to reduce the risk posed by the perpetrator.

Stalking crimes which have a domestic abuse element are also reviewed in order to advise the investigating officer of potential referrals onto perpetrator programmes, where the outcome of the investigation is likely to be no further action.

### Civil Orders, Notices and Bail Conditions

Several different interventions, civil orders/notices and conditions can be applied in cases of stalking and harassment to assist in the management of offenders:

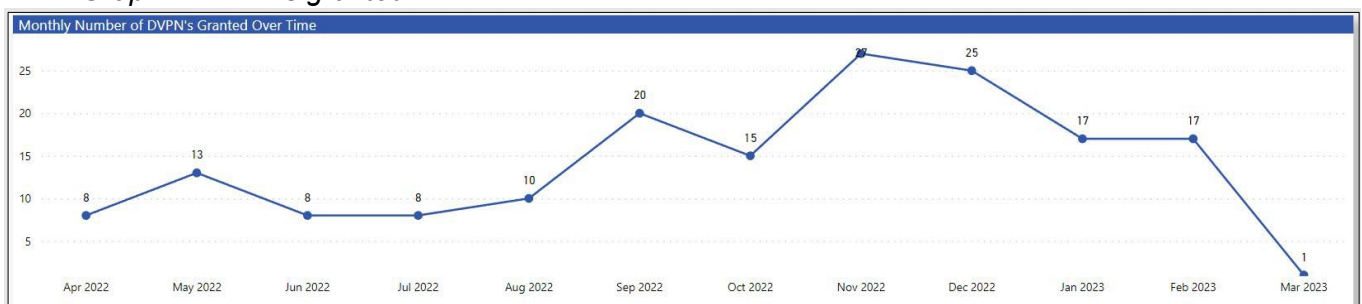
1. Domestic Violence Protection Notices (DVPN)
2. Domestic Violence Protection Orders (DVPO)
3. Non-Molestation Orders
4. Stalking Protection Orders
5. Restraining Orders
6. Bail conditions

The OPCC has been advised that the consideration of orders is now embedded into the Daily Management Meetings held by the Force as a first line of intervention. They are also considered at any secondary review of the case and any multi-agency meetings held.

### Domestic Violence Protection Notices (DVPNs)

*"A DVPN is an emergency non-molestation and eviction notice which can be issued by the police, when attending to a domestic abuse incident, to a perpetrator."*<sup>29</sup> Such a Notice provides a victim with immediate support. If a DVPN is issued, the police must put an application into the Magistrates' Court for a DVPO within 48 hours.

Graph 7: DVPNs granted



Source: Power BI 08/03/2023 (Please note that this data was extracted on 8 March 2023, hence the drastic decrease for March 2023)

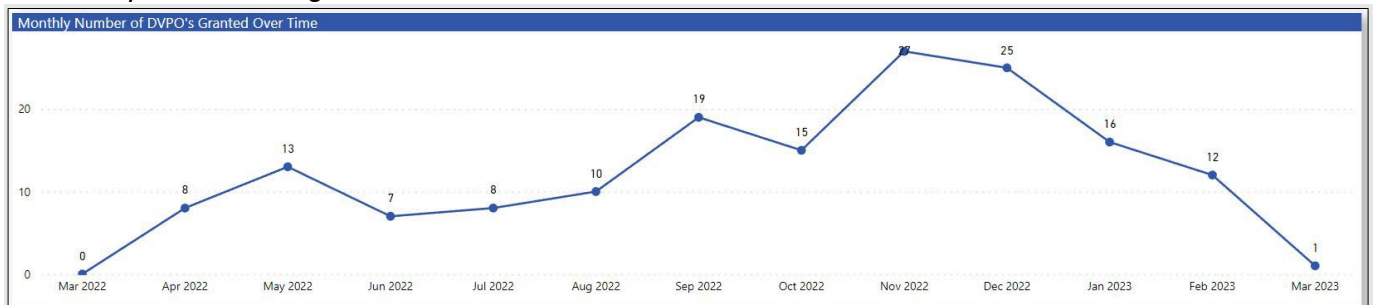
<sup>29</sup> <https://www.gov.uk/government/publications/domestic-violence-protection-orders/domestic-violence-protection-notices-dvpns-and-domestic-violence-protection-orders-dvpos-guidance-sections-24-33-crime-and-security-act-2010>

The Graph evidences a general increase in the use of DVPNs, albeit monthly figures dropped after December 2022. Please note that these figures relate to DVPNs applied for and granted only.

### Domestic Violence Protection Orders (DVPOs)

*“DVPOs are a civil order that fills a “gap” in providing protection to victims by enabling the police and magistrates’ courts to put in place protective measures in the immediate aftermath of a domestic violence incident where there is insufficient evidence to charge a perpetrator and provide protection to a victim via bail conditions.”<sup>30</sup>*

Graph 8: DVPOs granted over time



Source: Power BI 08/03/2023 (Please note that this data was extracted on 8 March 2023, hence the drastic decrease for March 2023.)

As with DVPNs, the above graph indicates a general increase in the use of DVPOs, up until December 2022. Please note that these figures relate to DVPOs applied for and granted only.

The data for DVPNs and DVPOs granted was readily available on the Force’s Performance Dashboard, Power BI. Unfortunately, similar data was not readily available for Non-Molestation Orders nor Restraining Orders. Data on Non-Molestation Orders is held by the Courts, whilst data on Restraining Orders was not available on the Force’s systems. However, data on Stalking Protection Orders was available through a direct request to the Force’s Legal Services department.

### The OPCC recommends that the Force expands its Performance Dashboards to enable closer scrutiny of the application and breaches of civil orders.

This will ensure closer monitoring of civil orders’ use and breaches and provide data to improve performance where required. The OPCC has been advised that the Force plans to establish a new post of Civil Orders Officer, which should assist with this.

### Non-Molestation Orders

A Non-Molestation Order “protects a named person from specific behaviour by an abuser, which can include prohibiting the abuser from using or threatening physical

<sup>30</sup> <https://www.gov.uk/government/publications/domestic-violence-protection-orders/domestic-violence-protection-notices-dvpns-and-domestic-violence-protection-orders-dvpos-guidance-sections-24-33-crime-and-security-act-2010>

*violence, intimidating, harassing or pestering, communicating with the named person, and instructing or encouraging others to do the above on their behalf.*<sup>31</sup>

### **Restraining Orders**

Restraining Orders can be applied in the event of a conviction or an acquittal. *“These orders are intended to be preventative and protective. The guiding principle is that there must be a need for the order to protect a person or persons. A restraining order is therefore preventative, not punitive.”*<sup>32</sup>

### **Stalking Protection Orders (SPOs)**

The Stalking Protection Act 2019, which came into force in January 2020 allows police forces to apply to Magistrates’ Courts for a civil Stalking Protection Order (SPO). Within an application, *“the police can request both prohibitions and/or requirements to protect the victim from the risk of stalking”*<sup>33</sup>.

*“The order can be made for a fixed period or until a further order is made. Where a fixed period is specified in the order, it must be for a period of at least two years. Different periods may be specified in relation to different prohibitions or requirements in the terms of the order, depending on the circumstances.”*<sup>34</sup>

Examples of prohibitions and preventative measures imposed on the perpetrator are to not enter certain locations, not to contact the victim by any means, and not to engage in surveillance of the victim. An SPO may also include positive requirements such as attending a perpetrator intervention programme or undergoing a mental health assessment.

SPOs *“enable early police intervention, pre-conviction, to address stalking behaviours before they escalate or become entrenched, by placing restrictions and/or positive requirements on perpetrators.”*

The phrases *“early police intervention”* and *“address stalking behaviours before they escalate”* are key. Professor Jane Monckton-Smith, in discussion with staff from the OPCC, emphasised the importance of considering SPOs as soon as a stalking case is identified by officers or the victims themselves. The Professor advised that all too often, discussions around SPOs take place too far down the line, *“when things get bad enough.”* SPOs are a tool for managing obsessive people and ought to routinely be considered at the earliest possible stage, not just in the most extreme cases.

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<sup>31</sup> <https://www.college.police.uk/guidance/violence-against-women-and-girls-toolkit/protective-measures-and-civil-orders>

<sup>32</sup> <https://www.cps.gov.uk/legal-guidance/restraining-orders>

<sup>33</sup> <https://www.cps.gov.uk/legal-guidance/stalking-protection-orders>

<sup>34</sup> <https://www.gov.uk/government/publications/management-information-stalking-protection-orders/review-of-stalking-protection-orders-accessible-version>

This guidance is in-line with Recommendation 3 set out by the Home Office, that SPOs are always considered in cases of stalking<sup>35</sup>. This was communicated to the Chief Constable by the Minister for Safeguarding in February 2023.

As with other civil orders, SPOs relating to a case with a domestic abuse element are considered at Daily Management Meetings as a first line of intervention. They are also considered during any secondary review of the case and multi-agency meetings held. This differs in cases which do not involve domestic abuse. Initially the officer investigating the case *should* consider an SPO, as should the Domestic Abuse Officer when completing the SASH. Finally, the Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator will review stalking cases, to assess whether any opportunities for an SPO have been missed.

The OPCC has been advised that the threshold for securing an SPO is very high. It is therefore imperative that officers consider all available civil orders to safeguard the victim and prevent reoffending.

**The OPCC recommends that Dyfed-Powys Police is assured that investigating officers are considering the use of a range of interventions, including civil orders, as part of their perpetrator management strategies and at the earliest possible stage of an investigation.**

On 26 January 2023, the Home Office published their latest data and findings on the use of SPOs across England and Wales between February and December 2021.<sup>36</sup> Overall, they found that the number of applications for SPOs had increased, but that there was a large disparity between forces. The Metropolitan Police and Sussex had made the most applications (106 and 36 respectively) for example, whilst 28 forces had put forward less than 5 applications each for an SPO.

Information provided from the Force Legal Services department showed that during 2021/22, four SPOs and one interim SPO were granted across the Dyfed-Powys area, whilst 5 applications were unsuccessful. During 2022/23, just 1 SPO was granted. 6 applications were unsuccessful.

The Legal Services department advised that applications were unsuccessful due to the criteria for an SPO not being met and files being closed when no further information nor instructions were received from the investigating officers.

At the time of writing this section of the report (March 2023), Dyfed-Powys Police had 7 active SPOs, 5 of which were put in place after December 2021, and would therefore not have been included in the Home Office data published in January 2023.

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<sup>35</sup> <https://www.gov.uk/government/publications/management-information-stalking-protection-orders/review-of-stalking-protection-orders-accessible-version#recommendations>

<sup>36</sup> <https://www.gov.uk/government/publications/management-information-stalking-protection-orders/review-of-stalking-protection-orders-accessible-version>

Staff from the OPCC scrutinised the SPOs to assess the timeliness of the initial consideration of an SPO and its application, the term of the SPO, and whether the perpetrator linked to the SPO was effectively monitored.

### **Timeliness**

In terms of how soon into an investigation an SPO was initially considered, findings varied. Encouragingly, in a stalking case with a domestic abuse element where the offender had already breached a DVPO, the victim was contacted to discuss an SPO just two days after they contacted the police.

An SPO was considered after 10 days in one case, following a suggestion by the Offender Management Unit. In other cases, it took 20 days, one month and two months. The latter case, whilst taking longer to consider an SPO, is highlighted as best practice by the OPCC: The supervisor emphasised how an SPO could enforce conditions such as attending the Reflecting on Relationships Programme and engage mental health services alongside prohibitions.

In a further case, a Domestic Abuse Officer advised the investigating officer to consider an SPO 3 months after police contact. Other civil orders were considered first in a different case, with a Restraining Order being granted, thus delaying the application for an SPO.

The length of time between initial police contact and the granting of an SPO also varied across the cases considered. Five of the seven were granted within 4-6 months. In one of these cases, an interim SPO was granted 6 months after the victim contacted the police and a substantive SPO was put in place 3 months later. This case demonstrates best practice, as it is evident that steps were taken to prevent reoffending and protect the victim, despite a lack of support from the victim.

The remaining cases sit at different sides of the scale. In one case, the length of time between police contact and the SPO being granted was less than 4 weeks. In the other case police were contacted in March 2021 and an SPO was granted 17 months later. The victim did not wish to provide a statement nor progress to a court case but requested an SPO. There were evidential difficulties which hindered an evidence-led investigation. Both these factors impacted the SPO application.

### **Term of SPO**

Three of the SPOs considered were granted for a term of two years, whilst two were granted for a term of five years.

One SPO was put in place for ten years, whilst the final one was 'indefinite.'

It is evident that SPOs can be in place for quite some time and therefore important that the Force effectively monitors offenders subject to SPOs.



## Offender Monitoring

In order to get an idea of the value of these SPOs, how effectively they work, and how the offenders are managed, the OPCC accessed the Force's Primary Nominal Index (PNi) intelligence system. The system allows crimes committed in the Dyfed-Powys area to be reviewed against an offender's name, to see whether the offender has committed further offences linked to the same victim, or crimes similar in nature.

Three of the seven offenders subject to the SPOs considered had no further crimes against their names on PNi. One of these offenders does not reside in the Force area. Another remains in prison, having been arrested for breaching a DVPO.

For the remaining offenders, PNi indicates further stalking offences in three instances. Of these, two offenders had committed further stalking offences against the same victims. One of these offenders had breached a Non-Molestation Order and sent malicious communications to the victim. The outcomes of these were Outcome 16 (*Victim does not (or has withdrawn) support - named suspect*) and Outcome 21 (*Further investigation to support formal action not in the public interest - police decision*) respectively. It is evident that this perpetrator's stalking behaviour against the victim continued and that civil orders were not a deterrence. This perpetrator needed to be managed effectively by the Force to prevent further escalation of their behaviour.

One offender went on to stalk a different victim. The final offender subject to an SPO had committed various offences against different victims.

This raises the question as to whether SPOs are enough of a deterrent from reoffending, as well as the effectiveness of how perpetrators are monitored whilst subject to SPOs.

As previously mentioned, the OPCC is aware of the establishment of the new post of Civil Orders Officer. It is the hope that this will assist with the monitoring of offenders subject to civil orders. **The OPCC recommends that recruitment into the Civil Orders Officer role is prioritised. One of the initial focuses of the role should be the development of a process to monitor offenders subject to all civil orders.**

## Bail Conditions

When an offender is released from police custody awaiting a court hearing/trial (post-charge), or whilst the investigation continues (pre-charge), they may have to agree to bail conditions. These can include:

- living at a particular address;
- not contacting certain people;
- giving their passport to the police so they cannot leave the UK; and
- reporting to a police station at agreed times<sup>37</sup>.

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<sup>37</sup> <https://www.gov.uk/charged-crime/bail>

In some instances, to safeguard the victim and prevent reoffending, a civil order may be sought alongside bail conditions. This may be where a charging decision is unlikely to be met within custody time limits.

## Management of Civil Orders

The OPCC has been advised that the Force's VAWG lead completed a Domestic Abuse Review in February 2023 focusing on the investigation, safeguarding and management of offenders. The review included the management of civil orders and set out the current management process and options for future improvement.

The review emphasised that the management of civil orders is not streamlined nor consistent. Some civil orders, such as SPOs are managed within the Offender Management Unit, whilst others, such as DVPOs are managed at local policing area level. Once an order is applied, there is no central repository to monitor and manage the order subjects. Those falling outside of the Offender Management Unit's remit are dealt with by the investigating officers and Neighbourhood Policing Teams.

The review also refers to a predicted increase in offender management over the next five years with the focus on offenders of VAWG, rape and other serious sexual offences (RASSO), and domestic abuse. This is expected to result in additional work for the Offender Management Unit and those managing civil orders across the Force area.

The review proposed the development and implementation of a process which will ensure that civil orders are monitored to maximise the protection to the victim and local communities. A clear process is set out within the review, identifying the different stages and who ought to take ownership at each stage. Local intelligence forums will be utilised to identify a designated officer or department to oversee the management of the civil order, completing tasks such as:

- ascertaining if a perpetrator programme was completed;
- making periodic contact with the victim to ascertain if there have been any breaches of the civil order; and
- ensuring that any new relationships entered into by the offender are considered for any disclosures, such as Clare's Law<sup>38</sup>.

A process such as the above would be reassuring, as civil orders can sometimes last several years, and it is important that they are monitored for the entirety of their term. Indeed, one of the SPOs reviewed above has an *indefinite* term and requires close, ongoing monitoring.

This approach would also be in-line with section 34 of the new 2023 Strategic Policing Requirement (SPR), which states that police forces "*must maintain the capability to*

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<sup>38</sup> Clare's Law enables the police to disclose information to a victim or potential victim of domestic abuse about their partner's or ex-partner's previous abusive or violent offending - <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-violence-disclosure-scheme-factsheet>

respond to all VAWG criminal offences [...] and in the context of local priorities, officers and staff should be able to assess the extent to which they need to:

c. make use of the existing legislative framework, including considering the use of preventative civil orders (including interim orders), to protect victims and intervene early. This includes considering whether any of the following may be appropriate: protective orders such as sexual risk orders, sexual harm prevention orders, domestic violence protection notices, domestic violence protection orders, stalking protection orders, female genital mutilation protection orders, forced marriage protection orders, and whether and how the domestic violence disclosure scheme, also known as “Clare’s Law”, might be applied.”<sup>39</sup>

**The OPCC therefore recommends that the Force considers the implementation of the processes to manage civil orders, as recommended by the Force’s VAWG lead in the Domestic Abuse Review.**

### **Breaches of Bail Conditions, Civil Orders and Notices**

Section 34d of the SPR states that officers and staff must “investigate breaches of civil orders, making full use of the range of tools available, to manage risk and to minimise harm.”<sup>40</sup>

Breaches of bail conditions, civil orders and notices do occur within the Dyfed-Powys area, as portrayed in the graphs which follow. OPCC staff have also seen evidence of this through their dip sampling of stalking and harassment cases, highlighted later in this report.

To what extent breaches are addressed impacts how effectively perpetrators are managed, and in turn, how well victims are safeguarded.

HMICFRS identified this as an area of concern in their 2019 ‘*Stalking and harassment: An inspection of Sussex Police commissioned by the police and crime commissioner, and an update on national recommendations in HMICFRS’s 2017 report*’: “We are concerned that police forces are dealing with breaches of orders in isolation, and are not recognising or properly addressing the wider patterns of victimisation. As a result, forces might not be adequately assessing the risks to some victims, and might not be appropriately investigating and prosecuting cases.”<sup>41</sup>

Dyfed-Powys Police has acknowledged that this is an area in which further work is required.

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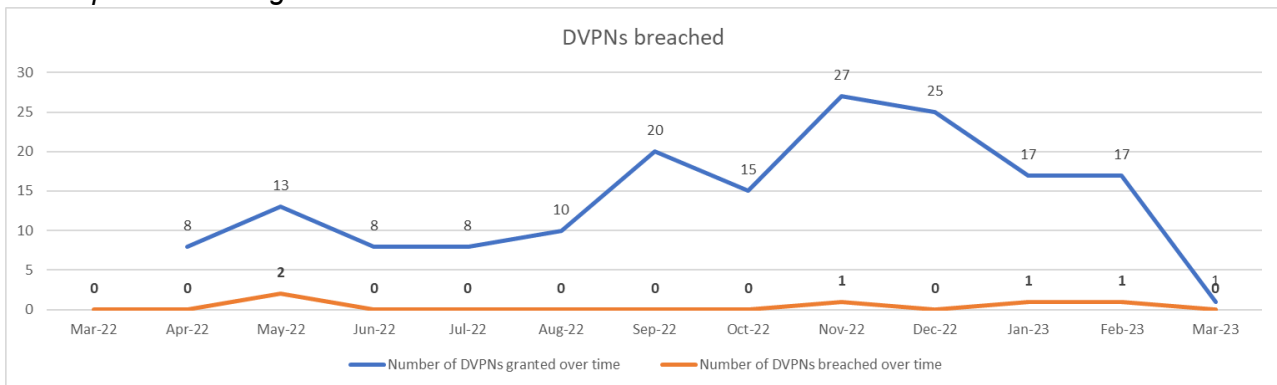
<sup>39</sup> Page 15 and 16 [20230223\\_Strategic\\_Policing\\_Requirement\\_V1.2\\_-\\_OS.pdf](#) (publishing.service.gov.uk)

<sup>40</sup> Page 16 [20230223\\_Strategic\\_Policing\\_Requirement\\_V1.2\\_-\\_OS.pdf](#) (publishing.service.gov.uk)

<sup>41</sup> Page 17 <https://www.sussex-pcc.gov.uk/media/4087/stalking-and-harassment-inspection-sussex-police-april-2019.pdf>

Where either a DVPN or DVPO is breached, the Police have a duty to remand the offender in custody and bring them before a Magistrates' Court.<sup>42</sup>

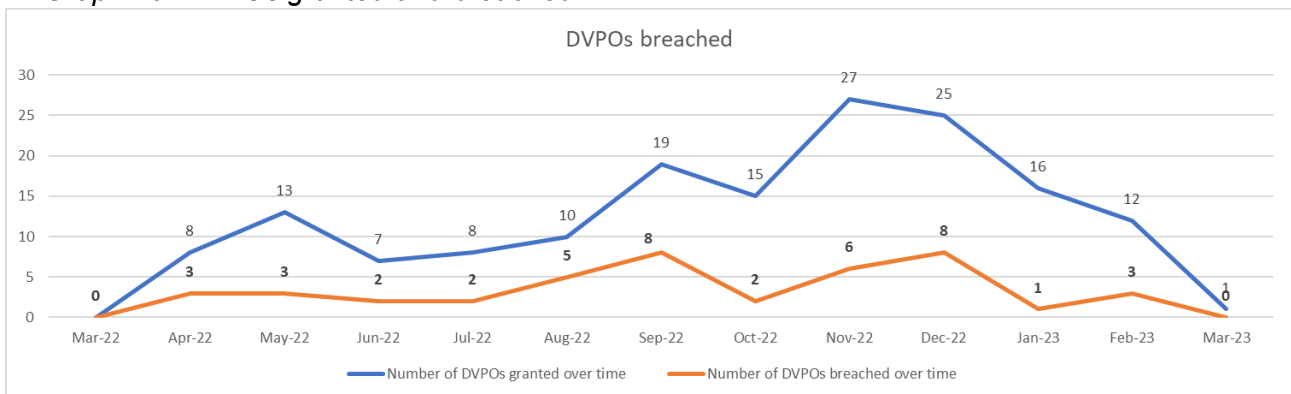
Graph 9: DVPNs granted and breached



Source: Power BI 08/03/2023

The number of DVPNs breached is quite low compared with the numbers issued. The highest number of breaches recorded in one month was 2 (May 2022).

Graph 10: DVPOs granted and breached



Source: Power BI 08/03/2023

A high number of orders were issued in November and December 2022, with 6 and 8 breaches recorded respectively.

As with the data for DVPNs and DVPOs granted, the data for DVPNs and DVPOs breached was readily available on the Force's Performance Dashboard, Power BI. Unfortunately, similar data was not readily available for breaches of Non-Molestation Orders, Restraining Orders nor Stalking Protection Orders.

Breaches of Non-Molestation Orders, Restraining Orders and Stalking Protection Orders are however also criminal offences and will therefore be recorded against offenders' details on police systems.

*"The police have a power of arrest where an officer has reasonable grounds for believing that conditions imposed on [...] bail have been breached."*<sup>43</sup> If it is a breach

<sup>42</sup> <https://www.gov.uk/government/publications/domestic-violence-protection-orders/domestic-violence-protection-notices-dvpns-and-domestic-violence-protection-orders-dvpos-guidance-sections-24-33-crime-and-security-act-2010#:~:text=4.10%20Breach%20of%20a%20DVPN,from%20the%20time%20of%20arrest.>

<sup>43</sup> <https://www.cps.gov.uk/legal-guidance/bail>

of bail pre-charge, officers can arrest the perpetrator and return them to custody, but at this stage, a crime has not been committed. A breach of pre-charge bail conditions is noted on the perpetrator's original custody record and would not appear on the Force's systems when searching a perpetrator's history.

Post-charge bail breaches amount to a criminal offence and will therefore be recorded against offenders' details on police systems.

The OPCC has been advised that data on all breaches of bail conditions is not readily available due to this difference in how pre- and post-charge breaches are dealt with. Officers must check a number of systems to identify breaches.

The difference in how breaches are recorded, and where the information is available, strengthens the OPCC's recommendation for the Force to consider how its Performance Dashboards can be developed to enable closer scrutiny of the application and breaches of civil orders such as these.

It is important that the wider picture is considered when looking at a perpetrator's offending history and patterns of behaviour, especially in their disregard for civil order or bail conditions.

The arrival of the Niche<sup>44</sup> record management system will improve the Force's ability to effectively consider the wider picture, but the Niche Offender Management Package has not yet been established for Dyfed-Powys Police. Currently, flags can be added to an offender's record to show they have breached a civil order.

This is an improvement, but it is important that the Force takes further steps to improve this matter whilst waiting for the implementation of the Niche Offender Management Package.

Early access to and consideration of such information would be beneficial to the investigating officer in assessing the risk the perpetrator poses and in considering the most effective offender management and victim safeguarding processes to adopt. If an investigating officer does not have access to the full wider pattern of behaviour, the interventions and victim safeguarding they instigate may not be as effective.

The importance of investigating and dealing with breaches of prevention measures, such as notices and orders, was also highlighted by Professor Jane Monckton-Smith in a discussion with OPCC staff.

### **Learning from Professor Jane Monckton-Smith**

The Professor emphasised that a breach which is not well dealt with will set the victim back in their recovery and encourage the suspect to continue with their criminal activity: *"A breach is a breach, and you have to act on it, or the obsessive person is going to keep acting in that way."*

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<sup>44</sup> <https://nicherms.com/region/uk/>

Considering the above, OPCC staff sought to find information on perpetrators' previous breaches of civil orders and bail conditions in the cases linked to the dip sampling exercise. It was identified that there is not one specific location on the Force's systems whereby this information can be easily found. The breaches resulting in a recordable criminal offence are recorded on the Police National Computer (PNC), and the information can be accessed on PNi.

However, any breach which does not amount to a recordable criminal offence, such as a breach of pre-charge bail, is not accessible on this system. Breaches which do not amount to a criminal offence are just as important to consider as breaches which do, when considering a perpetrator's past behaviour. As emphasised by Professor Jane Monckton-Smith, a breach is a breach.

**The OPCC recommends that Dyfed-Powys Police is assured that investigating officers can easily access a complete record of a perpetrator's breach history at the earliest possible stage of an investigation.**

This approach would also assist Dyfed-Powys Police in successfully taking breaches to court. An accessible complete record of all breaches would emphasise the importance of the court considering a current breach, in-line with previous instances.

Professor Jane Monckton-Smith advised that the way in which the His Majesty's Courts and Tribunals Service (HMCTS) views breaches may also have an impact on how the police can respond to them. The Professor was concerned that instead of considering why the breach is important, i.e., that it evidences obsessive behaviour, Courts focus solely on the nature of the individual breach.

Dyfed-Powys Police has also highlighted this concern in their discussions with the OPCC. The Force was concerned about how rigidly HMCTS apply their guiding principles in-line with the nature of the breach. As a result of this concern, the Force, together with the Regional Advisor for the Mid and West Wales Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASV) Partnership and the Police and Crime Commissioner's Director of Commissioning and Partnerships, approached HMCTS to offer and encourage awareness training on the matter. Unfortunately, this suggestion was met with resistance, with HMCTS highlighting the importance of maintaining judicial independence as well as impartiality in any training provided.

**The OPCC recommends that HMCTS considers independent training to improve judges' understanding and knowledge of the significance of breaches of civil orders.**

This action ought to be taken forward in collaboration with the VAWDASV Partnership, commissioned services, victims, and survivors. This would ensure the impact of the courts' decision making on victims is fully understood.

## Reflecting on Relationships Programme

In the '[Policing Stalking and Harassment - A Priority](#)' section of this report, detail was provided on the above programme, onto which perpetrators of stalking and harassment can be referred.

The Force's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator advised the OPCC that they have overseen twenty referrals onto the Scheme, with four referrals being made so far in 2023. Two further referrals were being secured at the time of writing<sup>45</sup>.

Seven perpetrators had completed the Programme at the time of writing, with a number continuing to engage. Three perpetrators withdrew from the Programme, and one referral was on hold pending a criminal trial.

Engagement with the Programme can now be set as compulsory, through conditions within an SPO. Four perpetrators have engaged with the Programme as a direct result of an SPO condition.

Dyfed-Powys Police does not currently monitor perpetrators once they have completed the Programme to assess whether they go on to reoffend.

**The OPCC recommends that consideration is given to heightened follow-up and monitoring once interventions, such as the Reflecting on Relationships Programme, are completed.**

This is in-line with the recommendation put forward in the VAWG Force Lead's Domestic Abuse Review referred to earlier in this section.

## Perpetrator Prioritisation Tool

The Force's Perpetrator Prioritisation Tool provides Dyfed-Powys Police with a list of perpetrators who pose the greatest risk within local communities, across different offending types. It allows high-risk and serial perpetrators to be identified and monitored, with suitable interventions assessed. Stalking perpetrators feature on the Prioritisation list.

The Perpetrator Prioritisation Tool utilises the Cambridge Crime Harm Index<sup>46</sup> to score and assess the seriousness of crime harm to victims. The Crime Harm Index measures how harmful different crimes are in proportion to others, adding a larger weight to more harmful crimes. *"Practically, adoption of a harm index can allow targeting of the highest-harm places, the most harmful offenders, the most harmed victims, and can assist in identifying victim-offenders."*

Whilst Dyfed-Powys Police have adopted the Harm Index in the development of this in-house Tool, they have been able to edit certain criteria to account for local priorities

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<sup>45</sup> 23/03/2023

<sup>46</sup> <https://www.crim.cam.ac.uk/research/thecambridgecrimeharmindex>

and issues. For example, the scoring criteria for stalking has been edited to ensure high-risk stalking perpetrators appear higher up the prioritisation list.

The Perpetrator Prioritisation Tool is currently available to officers in Pembrokeshire on a trial basis. It will shortly be made available across the Force area. However, with the arrival of Niche, work will need to be undertaken to ensure the Perpetrator Prioritisation Tool's compatibility with the new system.

**The OPCC recommends that work to embed the Perpetrator Prioritisation Tool within Niche should be prioritised by the Force, in order to maintain focus on this vital project.**

### **Psychologist Stalking Clinics**

In 2022, the Force introduced Stalking Clinics where a psychologist meets with the Force's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator, the Detective Inspector from the Public Protection Hub and Domestic Abuse Officers to discuss specific cases. Three clinics have taken place since its introduction, with eight perpetrators reviewed.



## Stalking and Harassment Training

Investigating stalking and harassment cases and effectively managing the perpetrators involved requires an in-depth knowledge and understanding of these offences, perpetrator psychology and perpetrator management methods.

Section 34 of the 2023 Strategic Policing Requirement states: *“Forces should maintain the capability to respond to all VAWG criminal offences including by having appropriately trained officers and staff.”*<sup>47</sup>

To independently assess how well-equipped Dyfed-Powys Police officers are in investigating stalking and harassment cases and managing stalking and harassment perpetrators, Dyfed-Powys Police’s Learning and Development Team were asked to provide details on all stalking and harassment-related training delivered to officers and staff.

### Policing Education Qualifications Framework (PEQF)

Students on the Policing Education Qualifications Framework (PEQF) with Dyfed-Powys Police receive inputs on:

- the Stalking Protection Act 2019, the offences of stalking and harassment and their potential overlaps, as part of their learning on legislation and guidance associated with ‘public protection’ policing;
- potential forms of abuse/harm, including digital-related abuse, as part of their learning on the breadth of abuse incidents;
- advice to prevent victimisation, as part of their understanding of the impact abuse can have on a victim;
- identification of the risk of stalking and harassment, as part of their learning about acting as a first responder to an unrelated incident;
- *“Good practice in responding to and investigating cases of stalking or harassment,”* as part of their learning on taking appropriate initial actions when responding to a public protection incident. The OPCC queried what ‘good practice’ looked like in this teaching, and further detail of the content was provided:
  - Two weeks is allocated in the PEQF timetable to cover all aspects of ‘Vulnerability,’ which included stalking and harassment, domestic abuse and controlling and coercive behaviour.
  - Students are provided with the key definitions and legislation.
  - Explanations are provided as to what tools officers should consider for controlling offenders’ behaviour after convictions, by means of Orders and Notices.
  - A short documentary is viewed on Alice Ruggles’ case<sup>48</sup>, and students are asked to discuss what their thoughts and responses ought to be at that stage of victim reporting.

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<sup>47</sup> Page 15: [20230223 Strategic Policing Requirement V1.2 - OS.pdf \(publishing.service.gov.uk\)](#)

<sup>48</sup> Alice Ruggles was murdered in 2016, aged just 24, by an ex-boyfriend following a relentless campaign of stalking. <https://alicerugglestrust.org/>

- This is further embedded in the ‘Golden Hour’ lesson in terms of investigative mindset and how vital it is to avoid loss of evidence and opportunities.
- Students look at the various different types of stalkers, alongside consideration of the College of Policing Stalking or harassment guidance<sup>49</sup>. They consider how they should respond to ensure an effective response to reports of stalking or harassment, what information is needed for the risk assessment and any digital safety advice victims ought to be provided with.
- Students consider what officers’ actions should be at a scene, as well as evidence gathering when dealing with such offences of fixated, obsessive, unwanted and repeated behaviour.
- All student officers are provided with additional learning material, such as the mnemonic ‘FOUR’, Paladin<sup>50</sup> and other external support details, along with safeguarding leaflets and an example of a comprehensive safeguarding plan.
- The purpose of protection orders – DVPNs and SPOs, as part of their understanding and application of the law, policy and guidance in the treatment of victims and witnesses. The OPCC queried what information student officers receive on these, i.e., whether they are advised on when they first ought to consider applying for such orders. Further detail was provided:
  - An effective means of managing a suspect using prohibitions and as well as imposing positive requirements.
  - The purpose and who should receive an SPO.
  - How to obtain an SPO and how long they last.
  - How they know an SPO exists.
  - What to do if an SPO is breached.
  - Students also receive an input from Legal Services covering civil orders, including Stalking Protection Orders.

## **Force Intranet Resources**

Training resources for officers and staff are accessible on the Force’s intranet page:

- Domestic Abuse Guidance for Frontline Colleagues – A video highlighting the response officers need to provide to victims of Domestic Abuse, Stalking and Harassment using the acronym ‘SERVICE’: From the initial investigation right through to victim aftercare.
- Stalking & Harassment Programme:
  - National Crime Recording Standard – Course of conduct
  - National Stalking Awareness Week 2022 Victim’s message to DPP – the victim of stalking addressing officers in this video is a member of the Dyfed-Powys Victim Engagement Forum
  - Stalking Protection Orders Podcast
  - Stalking: Presentation by Professor Clive Ruggles (Alice Ruggles’ father)

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<sup>49</sup> [Stalking or harassment: Advice for police responders, contact management call takers and stalkign screening questions \(college.police.uk\)](#)

<sup>50</sup> [Paladin – National Stalking Advocacy Service \(paladinservice.co.uk\)](#)

## **PIP 2 Investigators Course**

All Detectives attending the PIP 2 Investigators Course<sup>51</sup> receive an input on stalking and harassment, which includes the necessity to consider early investigative advice in such investigations, as well as the Joint National Police Chief's Council (NPCC) and Crown Prosecution Service (CPS) Evidence Gathering Checklist.

## **Stalking and the Homicide Risk Escalation (HRE) Assessment**

In 2022, Professor Jane Monckton-Smith from Gloucestershire University delivered training inputs on stalking and the homicide timeline to Domestic Abuse Officers, Local Investigation Unit officers, and approximately 150 frontline officers, at Dyfed-Powys Police. The focus of the training uses new ways of measuring risk, looking at how obsessed the perpetrators are and the time they invest daily in their stalking campaign. 183 officers attended these inputs overall. As part of the Mid and West Wales VAWDASV Partnership, Dyfed-Powys Police officers and partners have been able to attend additional online stalking awareness training delivered by Professor Monckton-Smith. In a [BBC News article](#), a Dyfed-Powys Police Detective Chief Inspector stated that the training “*had resulted in an increase in the number of stalking offences and stalking protection orders issued*”, as well as informing a perpetrator intervention pilot.

## **Force Divisional Training**

The Force's Learning and Development team regularly provides divisional training for officers up to and including the rank of Inspector on topics identified by chief officers.

In 2018, chief officers instructed that the divisional training ought to focus on ‘Vulnerability,’ including stalking and harassment. Officers were shown videos of inputs from subject matter experts and took part in a Q&A session.

In 2022, training included a wider input on domestic abuse and stalking, with a focus on the two areas of older persons and cyber stalking. An input on the Domestic Abuse Act was also delivered.

## **Screening Assessment for Stalking and Harassment (SASH) Training**

In 2020 and 2022, Domestic Abuse Officers and officers from the Secondary Risk Assessment Unit (SRAU) attended training on SASH. The OPCC has been advised that a third session will take place in 2023.

## **Domestic Abuse Matters**

This training helps officers spot the early signs of domestic abuse and understand the tactics used by perpetrators. It is designed for first responders to domestic abuse, which includes frontline police officers, Police Community Support Officers, front-desk staff at police stations, Domestic Abuse Officers, and call handlers at the Force's call centre.

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<sup>51</sup> “*The PIP 2 Investigator utilises a range of appropriate investigative approaches to gather material, placing the victim at the centre of all actions and decisions, to safely and effectively investigate serious and complex crimes with a view to achieving an appropriate outcome for that investigation.*”  
<https://profdev.college.police.uk/professional-profile/investigator-pip2/>

The OPCC has been advised that stalking and harassment is embedded throughout this training.

First Responder training was last delivered in Force in July 2019. 530 officers are currently trained. Those who attended were given the option to receive additional training to become a 'DA Matters Champion'. This training was last delivered in Force in September 2019. There are currently 38 Domestic Abuse (DA) Matters Champions in Force.

The OPCC has been advised that DA Matters training is included in the 2023/24 training plan for the Force and will be co-delivered with Independent Domestic Violence Advisors (IDVAs).

### **College of Policing Training Resources**

All operational staff are directed by the Force to additional required learning on the College of Policing's website: 'Stalking or Harassment', providing information on legislation, how to identify and recognise stalking or harassment, the impact it has on victims, the first investigative steps, and what to do once stalking or harassment is identified.

### **Stalking Champions**

The OPCC has discovered that Stalking Champions do not complete a formal training programme specifically for their role.

A variety of training opportunities are utilised to ensure they have received the latest information and enhanced expert advice around domestic abuse and stalking. These included training with Professor Jayne Monckton-Smith, DA Matters training and inputs on the new Domestic Abuse Act. They also attend 'Lunch and Learn' sessions and ad-hoc local and national training opportunities.

The OPCC has been reassured that, whilst through training all frontline officers have a detailed understanding of this complex crime, Stalking Champions receive more regular refresher training and inputs to assist them in their role. A programme for Stalking Champions has also recently been developed, as detailed earlier in this report.

### **Force Training Consultation**

In May/June 2022, frontline officers were asked to complete a survey to help the Force understand the training needs to improve officers' initial identification and response to domestic abuse, stalking and harassment.

The OPCC has been advised of the following findings:

- Generally, respondents felt they had adequate training to respond to domestic abuse, stalking and harassment. However, it was suggested that new policies and legislation changes in this area were not sufficiently explained nor cascaded to frontline officers.
- Respondents felt the training consisted of online modules.

- It was suggested that training ought to incorporate victims' views and experiences. This survey was completed prior to the development of the Victim Engagement Forum Victims' Voice video, as detailed in the '[Policing Stalking and Harassment: A Priority](#)' section of this report. The video is now embedded in Force training and features domestic abuse and stalking victims, which should assist in bringing this element of the victims' voice to training. The OPCC plans to further develop this concept and involve more victims and survivors in police training. Similarly, the survey was completed prior to the Force's Domestic Abuse Conference held in November 2022 and numerous 'Lunch and Learn' sessions hosted by the Force and Mid and West Wales VAWDASV Partnership. Attendees heard directly from survivors of stalking, domestic abuse and coercive and controlling behaviour. **In any future training-related surveys undertaken internally, Dyfed-Powys Police should look to seek specific feedback from officers on the inclusion of inputs from victims and survivors in training.**
- Within their responses, many officers referred to confusion around the changes to recording practices for stalking and harassment. This reinforces the Force's recent decision to revise the Stalking Champion Initiative.

The OPCC has found that several different training inputs received by Dyfed-Powys Police officers and staff cover aspects of policing stalking and harassment, with an important focus on safeguarding the victim. Investigation skills and controlling offenders' behaviour are topics which are also covered, looking at the tools available to them and the purpose of civil protection orders for the latter. It is important that these messages continue to be delivered throughout the variety of training mechanisms, to ensure the broadest reach.

## Learning from Operation Soteria Bluestone

Launched in 2021, Operation Soteria Bluestone is striving to transform the policing response to rape and other sexual offences (RASSO). The first phase of the project saw 'pathfinder' police forces form part of academic-led deep dive activities, looking at how those forces policed RASSO.

Dyfed-Powys Police is one of 14 'expansion' forces involved in the second phase of this Operation. Towards the end of 2022, the Force completed a self-assessment as to how they police RASSO.

In November, the Force received a two-day visit from the Op Soteria Bluestone Central team, with numerous Dyfed-Powys Police staff and officers, as well as partners, taking part in important open and honest discussions. The Commissioner attended the debrief session, where an overview of the findings was presented by the Op Soteria team. A report was delivered to Dyfed-Powys Police in January 2023, which was shared with the OPCC.

Having reviewed the feedback and recommendations within, the OPCC reflected whether some of the learning could be applied to the policing of stalking and harassment, specifically in relation to offender management and listening to victims.

**The OPCC recommends that the Force considers how learning from the Operation Soteria Bluestone report may be relevant and applicable to the policing of stalking and harassment.**

## Stalking and Harassment Dip Sampling Activity

### Cases Considered

Twenty-nine cases classed as 'stalking and harassment' under Home Office Counting Rules were scrutinised as part of a dip sampling exercise undertaken by staff from the OPCC. These included cases of stalking, controlling and coercive behaviour, harassment, malicious communication and racially or religiously aggravated harassment.

In their review of cases, OPCC staff focused on offender management, and whether the management processes adopted ensured the safeguarding of the victims.

The cases considered were recorded by Dyfed-Powys Police between August and December 2022, with the majority of cases recorded in the final quarter of 2022 (Oct-Dec).

The majority of cases considered were stalking cases, to allow greater scrutiny of offender management in these cases. As a comparator, smaller numbers of other 'stalking and harassment' cases were also considered.

When reviewing each case, OPCC staff were asked to consider:

- what offender management processes were put in place;
- whether the victim was made aware of these processes and if they were safeguarded as a result;
- in cases where civil orders, notices or bail conditions had been applied, whether the perpetrator breached the conditions and if so, how this was managed;
- whether the investigating officer sought advice and support from specialists within the Force, such as Legal Services (for civil orders) or Stalking Champions; and
- whether they had identified any good practice in the case.

### Dip Sampling Findings

#### Offender management processes

Through consideration of the cases, the OPCC saw limited reference to the Reflecting on Relationships Programme.

Positively, in two cases, a note was added requesting that the investigating officer contact the Force's Domestic Abuse and Stalking Perpetrator Schemes Co-ordinator should the outcome be 'no further action'. This was to ensure that the perpetrator's suitability for the Reflecting on Relationships programme was considered.

This of course does not mean that a referral onto the Programme was not considered in any of the other cases, but the OPCC could not be assured that this did happen.

Therefore, in-line with the recommendation to ensure all considerations of civil orders are noted on the Crime Management System, **the OPCC also recommends that the Force ensures all considerations of interventions such as the Reflecting on**

**Relationships Programme are recorded.** This not only provides reassurance that officers are considering this important option, but also provides the relevant information to all other officers involved and/or reviewing the case.

A lack of reference to the consideration of SPOs was also noted. If an officer had considered applying for an SPO, this was not routinely recorded on the crime log. Again, the OPCC advises this would be best practice.

OPCC staff identified regular and consistent use of Op Manatee where stalking offences were linked to domestic abuse. Op Manatee is Dyfed-Powys Police's approach to progressing arrest enquiries for outstanding suspects of domestic abuse offences. If a domestic abuse suspect is not located within 24 hours, they are placed on the Op Manatee list. Arrest enquiries for outstanding offenders are tasked at the commencement of each shift. Op Manatee logs are checked and tested by Inspectors and medium and high-risk suspects are raised at Daily Management Meetings.

In a case of racially or religiously aggravated harassment, the issuing of an Adult Caution was authorised by the Inspector following detailed consideration of the case, with a condition applied for the individual not to contact the victim. The Inspector noted, *"I am satisfied that the issuing of an Adult Caution is proportionate and legitimate in the circumstances. The issuing of an Adult Caution is intended for the offender to change their behaviour and prevent any further offending."* Force databases reveal that the Adult Caution was administered in November 2022, and that two further harassment/harassment-related public-order offences were recorded against the perpetrator in December 2022. It would therefore appear as though the Adult Caution did not prove to be an effective deterrence to this perpetrator's offending.

One stalking case highlighted a potential issue with the length of a civil order and how the offender would be monitored throughout. The suspect was arrested for the breach of an order, but the victim advised that they had not wanted the order to last that long. The victim had invited the suspect to a family meal, for which the individual was arrested. This brings into question whether civil orders are reviewed after a certain period to ascertain whether they should still be in place. **The OPCC recommends that the Force gives consideration to the ongoing monitoring and review of civil orders. Such reviews should incorporate the views of the victim.**

Several matters were raised by OPCC staff in their consideration of a different stalking case:

- Whilst the Police were undertaking enquiries for the stalking crime, the perpetrator was arrested for a public order offence linked to the same victim. Bail conditions were applied, which included not to contact the victim, directly nor indirectly, and not to approach the victim's property. These bail conditions were breached.
- Even though this crime was being investigated as a stalking offence on the system, a Detective Sergeant reviewing the case disagreed and noted on the crime log that it was not stalking. It appears as though the category of crime was not amended, and the perpetrator was charged with stalking, along with two other offences.



Contradictory notes and actions do not assist in an efficient and effective investigation.

- The supervisor who reviewed the case after the initial report queried whether a Restraining Order was required. A month after the initial report, an application was submitted to Legal Services. However, it is not known from the case files whether the Order was granted.
- There was no reference to the Reflecting on Relationships Programme despite the stalking behaviour, nor was there evidence that an SPO was considered.
- It is worth noting that there are no further crime records on the Force's system following the charges placed upon the offender.

In another case, the offender was arrested less than 24 hours after the report was received. Allegations included malicious communication, stalking, threats to cause damage and threats to kill. An application for a DVPN was drafted *“to ensure that in the unlikely scenario that a charge is not secured, safeguarding will remain in place for the victim and young family”*. The OPCC highlights this as good practice in offender management and victim safeguarding.

### **Victim safeguarding through offender management**

Several cases referred to bail conditions and OPCC staff identified a consistent approach to victims being advised of the restrictions placed on offenders.

Similarly, there was evidence of victims being advised of breaches of the conditions.

### **Breaches of civil orders, notices, and bail conditions**

Concerns were raised by OPCC staff following the review of a stalking case where the crime log noted, *“[...] this is the first breach and as such, there is no course of conduct yet”*. In the crime log just 5 days later, the investigating officer updates that they will be interviewing the offender *“for the string of breaches that have occurred”*. This is concerning and highlights the importance of recognising the seriousness of a breach, even if it is *“the first breach.”* As explained previously, Professor Jane Monckton-Smith advises that breaches are the most rigid indicator that there is an escalation happening. Additionally, it is clear from the records that this may have been the first time the victim reported the behaviour, but not the first instance they had experienced such behaviour from the perpetrator. Officers must be mindful that victims of stalking can often endure several instances of offending behaviour before contacting the police: the National Stalking Helpline found that 77% of stalking victims experience over 100 incidents before contacting the police<sup>52</sup>.

In another stalking case, a Superintendent requested that the investigating officer expedite efforts to arrest *“given suspect's apparent disregard for the non-molestation order which is in place coupled with the concerns of the victim and wider safeguarding considerations”*. Despite this request, the offender was not arrested until 4 days later. The delay between the Superintendent's request and arrest is concerning given the

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<sup>52</sup> 'Police, Crime, Sentencing and Courts Bill: Written evidence submitted by Suzy Lamplugh Trust'  
<https://bills.parliament.uk/publications/41827/documents/377>

gravitas placed on this arrest by the Superintendent. Other matters raised by OPCC staff, both positive and negative, in their review of this case included:

- There is evidence on the crime log that the offender had breached a Restraining Order whilst in a previous relationship. It is reassuring that officers considered and recorded previous breaches of civil orders, but the offender's disregard for adhering to civil orders makes the delay in the arrest more concerning, as it demonstrates a pattern of behaviour by the offender.

Good practice was identified in a further case of stalking where the breach of a Restraining Order was investigated promptly, despite the victim having moved to another force area.

### **Specialist advice**

It is acknowledged that online resources and policies are available to officers, however there was little evidence of investigating officers seeking support from Stalking Champions.

There was no mention of seeking advice from Legal Services in terms of civil orders in any case reviewed. Legal Services are responsible for civil order applications, therefore, at any point in the investigation, the officer could seek advice as to the suitability of the application of a civil order as well as the process to follow.

Advice from specialists and supervisors was instead bestowed on the investigating officers within the crime log, for example by colleagues from the Offender Management Unit. This is positive but should not be relied upon. **The OPCC recommends that officers proactively seek specialist support and advice from Legal Services, Stalking Champions and the Offender Management Unit when dealing with stalking and harassment cases.**

### **Other good practice identified**

In one stalking case, OPCC staff found evidence that the stalking report had been taken very seriously despite the victim not wishing to pursue the matter. A Sergeant and Inspector reviewed and endorsed the case, identifying further avenues of investigation. The crime was also reviewed as part of a piece of work undertaken by Dyfed-Powys Police in January 2023, relating to crimes finalised with Outcome 16 - *Victim does not (or has withdrawn) support*. The Inspector undertaking this review noted that a police-led prosecution was sought as *"all reasonable lines of enquiry have been undertaken including identifying any potential witnesses and CCTV opportunities."*

In a further case of stalking, where the victim refused to make a statement, OPCC staff identified numerous areas of good practice:

- After refusing to make a statement, the victim was advised that the Police had a duty of care and may still take formal action against the suspect.
- A Screening Assessment for Stalking and Harassment (SASH) was completed by a Domestic Abuse Officer.

- The victim was referred to Independent Domestic Violence Advisory (IDVA) services and provided with details for support services.
- There was a definitive focus on safeguarding the victim in this case, with the development of a very detailed safety plan.
- Following a decision of 'no further action', officers reviewed available safeguarding options. This led to the consideration of a DVPN. This was not processed based on the merits of this specific case, including a 'standard' risk assessment, "*the lack of any serious escalation or control recorded or alleged, the lack of fear evident, and lack of any real evidence of an offence.*" The officer noted that for these reasons, a DVPO application was unlikely to be successful and therefore a DVPN was not appropriate. Such recording of considerations and decisions is in-line with the OPCC's recommendation that the Force ensures all considerations of interventions and civil orders are noted by officers within the crime log.
- There was evidence of good supervision, with endorsements on the crime log by a number of Sergeants and an Inspector.

Good practice was also identified in a case of malicious communication involving secondary school pupils. A restorative practice session was held between the two individuals involved, with their Head of Year present. Both parties agreed they would not make any further contact with each other, resulting in an Outcome 22 case – *Diversionary, educational or intervention activity*.

In the previously mentioned case of racially or religiously aggravated harassment where the outcome was an Adult Caution, it was reassuring to see that the victim had been updated that a caution had been authorised and feedback sought as to whether the victim was satisfied with this action. The victim confirmed they were satisfied with this approach.

Of the stalking cases considered, OPCC staff identified good practice in four cases whereby officers included detail of the meaning of a SASH within the crime log.

- In one log, a Detective Constable – who identified themselves as being a "*SASH qualified Domestic Abuse Officer*", set out "*What is a SASH?*" and went a step further by detailing the specific concerns highlighted as a result of the completion of the SASH.
- In another case, an officer detailed both the meaning of a SASH and the FOUR elements of stalking. The thought process as to why the case was not deemed to be stalking was set out thoroughly on the log for all to see.

Good practice was identified in cases where supervisors endorsing crime logs requested information and further actions to be taken, for example the completion of a SASH.

OPCC staff identified a consistent use of multi-agency referral forms to ensure victim safeguarding. There was also evidence of a consistent and reassuring approach to the provision of safeguarding advice to victims.

DASH (domestic abuse risk assessment) forms were consistently completed where the case had a domestic abuse link.

In two of the three cases of racially or religiously aggravated cases considered, Hate Crime Support Officers (HCSOs) were deployed to engage with the victims, one within 24 hours and another within 72 hours. In the third case, the investigating officer contacted the HCSO but the victim did not require such support.

OPCC staff reported consistent reference to the provision of information on support services such as Goleudy Victim and Witness Service<sup>53</sup> and Independent Domestic Violence Advisors (IDVAs), as well as the Victim Information Pack<sup>54</sup>. Both the Dyfed-Powys Victim Engagement Forum<sup>55</sup> and Quality Assurance Panel were involved in the review and refresh of this important document in 2020/21. A working group was established to develop a new version of the pack. Victims of stalking and controlling and coercive behaviour worked alongside Dyfed-Powys Police officers, Goleudy staff and members of the Quality Assurance Panel to ensure the pack included all relevant information in an accessible format.

### **Other findings of note**

Victim contact is an important aspect of the Victims' Code of Practice and features in the above-mentioned Victim Information Pack. On page two, there is a box to be completed between the investigation officer and the victim: *'Our Agreement with You.'* This agreement:

- allows the officer to note their name, collar number and contact details;
- provides the victim with their crime reference number;
- allows the victim to identify their preferred method of contact; and
- allows the victim to decide how often the officer contacts them with an update: *Once every 7, 14 or 21 days, or 'when there is a significant development in the case i.e., when someone is arrested, interviewed under caution, bailed, charged, or no further action taken.'*

In their dip sampling activity, OPCC staff noted that of the 29 cases reviewed, Victim Contact Agreements had been set out in 16. For the remaining 13, the Crime Management System noted: *'There are no victim contact agreements saved for this crime.'*

OPCC staff did however report that where a Victim Contact Agreement was recorded, contact with the victims appeared to be in-line with the agreement. Whilst it is acknowledged that this is a small sample, it must be noted that this finding does not appear to be in-line with the findings of the [victim and survivor engagement](#) undertaken

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<sup>53</sup> Goleudy offers personalised, emotional and practical support to help victims, families and witnesses survive crime and make them stronger. <http://www.goleudyvictimandwitnessservice.org.uk/en/>

<sup>54</sup> The Victim Information Pack is given to all individuals who contact Dyfed-Powys Police as a victim of crime. It explains what the police and other agencies will do for victims, and what measures are available to aid recovery from their experience.

<sup>55</sup> The Victim Engagement Forum, co-ordinated by the OPCC, invites individuals who have been affected by crime or anti-social behaviour to volunteer their feedback on victim services.

as part of this review. The majority of survey respondents registered dissatisfaction with updates received. It must also be noted here that the OPCC was unable to check whether the victims and survivors who responded to the survey had formed a Victim Contact Agreement with their investigating officer.

## Victims' Voice

Alongside all other considerations, it was important to the OPCC that the voice of victims, in terms of perpetrator management, also be represented within this review.

The OPCC therefore retrieved Crime Victim Satisfaction Survey figures, along with Victim Engagement Forum / Mid and West Wales VAWDASV Partnership's Survivor Advisory Panel members' views, and the results of a recent Victims' Needs Assessment undertaken for the Police and Crime Commissioner.

### Crime Victim Satisfaction Surveys

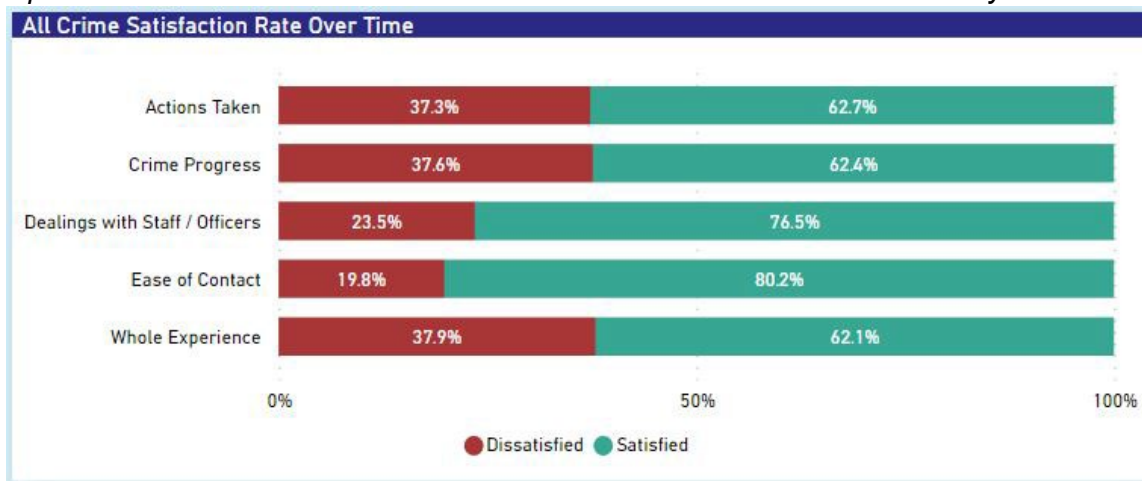
Between 10 February 2021 and 5 March 2023, 19,237 Crime Victim Satisfaction Surveys were sent to victims of all offences across the Force area. 7,609 (39.6%) of these recipients were victims of stalking and/or harassment.

984 surveys were returned in total for all offences, with 418 of these from victims of stalking and harassment.

The OPCC has been advised that 5.5% of stalking and harassment victims that had been sent the survey responded, in comparison to 5.1% for all offences. It is reassuring that stalking and harassment victims are willing to share their feedback with the Force.

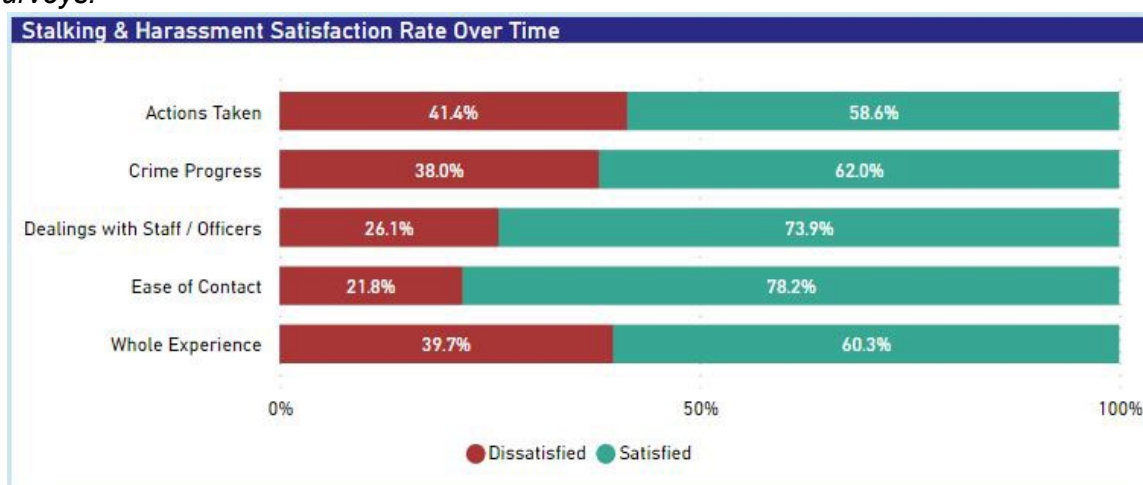
These survey responses provide the Force with important information on victims' satisfaction, including their initial contact with the police, action taken by the police, updates provided by the police and how the victims felt they were treated. The following graphs illustrate satisfaction levels of victims of all crimes and victims of stalking and harassment offences specifically.

Graph 11: Satisfaction rate for all crimes from Crime Victim Satisfaction Surveys.



Source: Power BI 06/03/2023

Graph 12: Satisfaction rate for stalking and harassment crimes from Crime Victim Satisfaction Surveys.



Source: Power BI 06/03/2023

The headings within the above graphs relate to the five key questions mandated for inclusion within the survey by the Home Office:

1. *Are you satisfied or dissatisfied with the actions taken by the police?*
2. *Were you satisfied or dissatisfied with how well you were kept informed of progress?*
3. *Are you satisfied or dissatisfied with the way you were treated by police who dealt with your investigation?*
4. *Are you satisfied or dissatisfied with how easy it was to initially contact Dyfed-Powys Police on this occasion?*
5. *Taking the whole experience into account, how satisfied or dissatisfied are you with the overall service provided by the police in this case?*

As this review focuses on how effectively perpetrators are managed, questions one and two only will be considered further.

Question one relates to the initial police response, whether the officers in the case understood the situation the victim was in, whether they took the matter seriously and if they explained what actions they had taken or would be taking. 41.4% of stalking and harassment victims were dissatisfied with the actions taken by the police. This is a higher number than dissatisfied victims for all crimes (37.3%), which is concerning.

Question two relates to updates received once the investigation was in progress, which, relevant for this review, would include updates on arrests, police bail and bail requirements, as well as the final result of the investigation. 38% of stalking and harassment victims were dissatisfied with the investigation updates received, which is in-line with dissatisfaction levels for victims of all crimes (37.6%). However, this does not correlate with the dip sampling finding where contact with the victim was completed as set out in the Victim Contact Agreements, where present.

## Victim and Survivor Engagement

The OPCC consulted its Victim Engagement Forum to find out how members who had been affected by stalking and harassment offences felt the offender was managed by Dyfed-Powys Police. Respondents were also asked whether they felt safer because of any interventions put in place.

The OPCC also sought feedback from the Mid and West Wales VAWDASV Partnership's Survivor Advisory Panel.

The following questions were put to both Forum and Panel members who had reported a stalking and harassment offence(s) to Dyfed-Powys Police:

1. *Were you kept informed by Dyfed-Powys Police, for example, if the offender was arrested and whether they had been released on bail?*
2. *Were you kept informed about what steps the Police were taking to manage the offender, for example any bail conditions applied, any Notices or Orders put in place, such as Stalking Protection Orders, Domestic Violence Protection Notices, or Restraining Orders?*
3. *Did the steps taken by the Police, in their management of the offender, make you feel safer?*
4. *Could the Force have done anything differently in the way they managed the offender in order to make you feel safer?*

13 individuals who had been affected by stalking and harassment and had reported it to Dyfed-Powys Police responded to the survey.

Survey respondents were firstly asked to note which stalking and harassment crimes they had been a victim of. They were able to select more than one offence.

*Table 4: Number of victims of stalking and harassment offences*

<b>Offence</b>	<b>Number of victims</b>
Stalking	7
Harassment	11
Malicious communication	8
Racially or religiously aggravated harassment	1
Controlling or coercive behaviour	10

*Source: Survey Monkey*

It is clear from the above table that individuals will often be a victim of more than one type of stalking and harassment offence. It appears, given the nature of these offences, they are likely to go hand in hand and cannot therefore be dealt with in isolation. They ought to be linked on the police systems and considered together in the management of the perpetrator.

***Were you kept informed by Dyfed-Powys Police, for example, if the offender was arrested and whether they had been released on bail?***

Three felt they had been kept informed, ten felt they had not.



Of those who felt they had been kept informed, one provided positive feedback whilst two emphasised areas for improvement:

- *“Dyfed-Powys Police have communicated and visited me at my home innumerable times as part of the ongoing 14-month problem.”*
- *“I would have been safer if DPP had advised me PRIOR TO release on bail, so that I could have ensured my safety. Often, I was not told till many hours, sometimes days, afterwards.”*
- *“It took almost 2 months to meet someone to talk about the issues I was struggling with.”*

Those who had not been kept informed spoke of not being taken seriously, delays in a response, investigation delays, and not being provided with the relevant information.

There appears to be a potential discrepancy in how victims feel and what is noted in police records in relation to updates. It is recognised that both the victim feedback and dip sampling may not represent the situation in all cases. The findings, do however, raise the question whether the expectations of the police and victims may vary in terms of what is meant by ‘contact’ and ‘being kept informed.’

The Victim Contact Agreement is made shortly after the trauma is experienced by the victims. It would therefore be understandable for the victim’s needs to change throughout the investigation. For example, in a lengthy investigation where the victim has selected to only hear from the officer *‘when there is a significant development in the case’* may result in a long delay between contact. The victim may however need to be contacted and receive reassurance that things are progressing, or to be provided with an explanation as to why things may not be progressing. This may make them feel safer. Establishing more regular contact would also provide victims with additional opportunities to report any further incidents or concerns. The Police and Crime Commissioner sets out within Police and Crime Plan the success measure of *“innovation to increase reporting opportunities for victims.”* Encouraging more frequent contact with victims, with their consent, may go some way to achieve this. Additional contact could support officers to build a stronger picture of a perpetrator’s pattern of behaviour, which may provide additional evidence for successful civil orders or prosecution.

**The OPCC recommends that the Force is assured that officers are revisiting contact agreements with victims at various stages of the investigation.**

As survey responses were anonymous, the OPCC was unable to confirm whether officers had adhered to their contact agreements with the victim. **It is therefore recommended that any future engagement with victims considers whether victims were kept informed in-line with the Victim Contact Agreement made with their investigating officer.**

***Were you kept informed about what steps the Police were taking to manage the offender, for example any bail conditions applied, any Notices or Orders put in place?***

Four felt they had been kept informed of offender management processes, nine felt they had not.

Of those who felt they *had* been kept informed, one added a comment in relation to harassment not being recorded as harassment, whilst the second noted they were updated once a further crime took place, and the third respondent praised Pembroke Dock Neighbourhood Policing Team – *“how they deal with the problem and how they communicate.”*

Those who had *not* been kept informed again spoke of not being taken seriously, and a lack of investigation into the crimes they had reported. One spoke of *“trying in vain to get in touch with the investigating officer to find out whether bail conditions had been dropped,”* with no response, and another noted that they *“had some information from the police after the first few times but no feedback about what if anything they were doing about it,”* adding that the police were *“not proactive until incidents became more serious.”*

Concerns were also raised around communication about SPOs and the police perpetrator programme: *“I wasn’t informed exactly what I could have and choose to be in my Stalking Protection Order. When gaining the SPO I wasn’t informed of any of the rules and didn’t hear from the investigating officer ever again. I felt abandoned. I had to find out my SPO details from the media. I also had to contact the police to find out when and if he would be on a perpetrator programme as per the Order, but then have not been informed had he attended, had he completed it and any reassurance. It feels like you fight to get an SPO then never hear anything again.”* As highlighted through the dip sampling findings, this example brings into question how civil orders are monitored once in place and strengthens the OPCC’s previous recommendation for the Force to give consideration to the ongoing monitoring and review of civil orders.

As with the previous question, the OPCC queries whether there could be a discrepancy between the officer and victim’s understanding and expectation of the contact and updates required.

***Did the steps taken by the Police, in their management of the offender, make you feel safer?***

One respondent felt safer and twelve did not. The individual who felt safer noted that the Police arrived *“very promptly”* following a report that the perpetrator was at the victim’s home with a weapon.

Of those who did *not* feel safer, seven provided further information:

- Two reported that the offences were ongoing due to no steps being taken by the Police, and a third feared further harassment.

- *“I have felt more at risk due to the lack of action taken by Police despite them having the information of his behaviours at their disposal.”*
- *“I have never felt safe. I’ve felt totally abandoned.”*
- *“The offender’s rights appeared more important than mine, as if the police were frightened of being ‘hailed over the coals’ by offender’s (legal) representative. Where is the duty of care to the victim, the victim being foremost and priority in the case?”*
- *“It’s frustrating that the focus is on what I need to do and not about his antagonistic, manipulative, abusive behaviour.”*

**Could the Force have done anything differently in the way they managed the offender in order to make you feel safer?**

Just one respondent was happy that the way the offender was managed made them feel safe. Twelve respondents felt that the Force could have done something differently to improve their feelings of safety, such as taking the complaint seriously, providing better support and controlling the perpetrators’ behaviour through restrictions: *“Enforce the law and make sure that their behaviour was controlled. Futile efforts from an uninterested police force.”*

Other responses included:

- *“PRIOR TO any search of offender’s premises etc., enquiries to be made of victim’s knowledge of the same; to include unregistered firearms, use of drugs, alcohol etc. The offender may have access to many premises, about which the only one to be honest in this respect will be the victim. So why not make this routine procedure? Please ensure that EVERYWHERE is searched!!!!”*
- *“I have felt his rights mattered more than mine. I was sent on a perpetrator programme and basically counselled not to be a stalker. Goleudy have no understanding of stalking and I had to end contact. Paladin ended my contract due to funding and I had no support. The offenders’ programme supported him throughout. I was accused of stalking the stalker because I had to gather evidence. I am traumatised entirely by the whole experience.”*

The second quote refers to a lack of understanding of stalking by Goleudy, which is a service funded by the Commissioner. **The OPCC recommends further consideration be given to the support available to victims of stalking in the upcoming retendering of Victim and Witness Services.**

It must be acknowledged that the views of those who chose to engage with the OPCC on this topic may not represent the views of all victims. Respondents to the survey relate to individual personal experiences and may not be representative of all victims. However, the emerging asks from the victims’ and survivors’ feedback were:

1. for officers to keep victims informed as to steps taken in their management of the offenders;
2. that reports of stalking and harassment are taken seriously from the outset; and

3. that victims are provided with the relevant and important information about perpetrator restrictions, bail conditions and civil orders.

This reinforces the need for officers to revisit contact agreements regularly in an effort to maintain contact with victims of stalking and harassment.

### **Victims' Needs Assessment**

The Police and Crime Commissioner has a duty to undertake a Victims' Needs Assessment every four years to understand local victims' needs and service provision requirement. The assessment informs local commissioning of victims' services.

The report detailing the Needs Assessment findings was shared with the Police and Crime Commissioner at the end of April 2023. It has been reviewed to assess whether any of the findings relate to perpetrator management. The following pertinent points were identified:

- The issue raised most frequently in direct engagement with victims / survivors was the ineffectiveness of the operation of civil orders such as Non-Molestation Orders, Restraining Orders and Stalking Protection Orders. One victim stated: *"I don't see the point, in my experience, of restraining orders."*
- Victim / survivors described experiencing multiple breaches to civil orders with no adequate enforcement response, leaving them feeling unprotected. This was echoed within discussions with professional stakeholders, who noted this as a common issue through which specialist providers then had to direct resources towards advocacy activities to chase enforcement activity.
- Specific issues were raised in relation to online and digital breaches, with victims / survivors explaining that this type of contact did not seem to be fully understood within law enforcement and criminal justice. This resulted in responses which were perceived to be minimising the threat and seriousness of the incidents.
- Victims / survivors emphasised that Stalking Protection Orders were comparatively new tools and felt there was a lack of understanding as to how to apply for them initially. This issue was also raised in respect of the apparent lack of understanding of stalking and harassment, both as offences and the support available.

The above findings highlight similar issues to the body of the review in terms of the importance of dealing with breaches effectively, both in terms of the police and courts' response.

## Conclusion

This review set out to determine:

*“Is Dyfed-Powys Police effectively managing perpetrators of stalking and harassment?”*

The OPCC found that in a number of cases, yes, but it was not a consistent picture.

In relation to the Commissioner’s Police and Crime Plan, the review sought to understand:

### **1. Whether victims are being supported**

From the engagement conducted, it appears victims are not feeling supported, but dip sampling suggests victims are being safeguarded.

### **2. Whether future offending is being prevented**

More needs to be done to consistently and robustly deter all perpetrators of stalking and harassment.

### **3. Whether our criminal justice system is being used effectively**

In part – there are examples of increasing consideration and use of civil orders and prosecutions, however there is evidence of a disconnect between the victim, police and courts’ understanding of the response to breaches and repeat offending.

The review found evidence of a variety of management processes being put in place for stalking and harassment offenders. This is encouraging, as it is evident that this cannot be a one-size-fits-all approach to alter a perpetrator’s behaviour.

There are also examples of good practice where offender management processes are being applied robustly. The OPCC was however, unable to make an overarching judgment on whether interventions are effective on the whole, due to limitations in available data. Dip-sampling identified examples of interventions in a number of the cases reviewed. However, this was not consistent, and it was unclear whether any interventions had been considered in some cases. Interventions must be considered early in an investigation, to provide the best opportunity of preventing further escalation.

The examples of offender management processes being applied appear to safeguard and protect victims of stalking and harassment. However, these must be clearly communicated to victims to ensure they feel the direct benefit.

Dyfed-Powys Police has clearly invested significant time and resources into embedding awareness of stalking and harassment through many training opportunities for frontline personnel. It is encouraging to find that the Force is refreshing the Stalking Champions provision to ensure this training is implemented.

This, and the introduction of a Civil Orders Officer, should ensure a more consistent response to perpetrators of stalking and harassment.

The OPCC has been encouraged by the Force Leads' recognition of and commitment to addressing the aspects for improvement. This was evidenced by the activity around the Stalking Champions Initiative and the planned introduction of the Civil Orders Officer, developments which came to the OPCC's attention during the drafting of this report.

The OPCC respectfully requests that the Force considers the recommendations set out at the start of this report within their improvement plans, in order to further strengthen this area of policing for the benefit of communities within the Dyfed-Powys Police area.

## Review

The Police and Crime Commissioner will present the Chief Constable with the findings of this deep dive review at a meeting of the Policing Board<sup>56</sup>. The Chief Constable will then be asked to formally respond to each of the recommendations. The Commissioner will review the Chief Constable's response prior to publicising the findings of the review on the OPCC website.

An update from the Chief Constable on progress made against the accepted recommendations will be requested by the Commissioner 6 months after receipt of the Chief Constable's response.

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<sup>56</sup> <https://www.dyfedpowys-pcc.org.uk/en/accountability-and-transparency/policing-board/>

## Appendix A

Graph 5 Axis options	Outcomes grouped
Charged and/or summonsed	Outcome 1
Taken into consideration	Outcome 4
Out-of-court (formal)	Outcomes 2, 3, 6
Out-of-court (informal)	Outcomes 7, 8
Prosecution prevented/not in the public interest	Outcomes 5, 9, 10, 11, 12, 13, 17
Evidential difficulties (victim supports action)	Outcome 15
Evidential difficulties (victim does not support)	Outcomes 14, 16
Investigation complete (no suspect identified)	Outcome 18
Action undertaken by another body/agency	Outcome 20
Not in the public interest (police decision)	Outcome 21
Diversionary, educational or intervention activity	Outcome 22
Investigation ongoing	Investigation ongoing
No outcome recorded	No outcome recorded