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DYFED-POWYS  
POLICE AND CRIME  
COMMISSIONER

## Police and Crime Commissioner for Dyfed-Powys

### Scrutiny Panel

### Dip Sampling Exercise

### Review of Adult and Youth Domestic Abuse Cases

(December 2018 – April 2019)

### Out of Court Disposals

### Panel Members' Findings & Feedback

April 2019



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## 1.0 Overview

At a meeting of the Dyfed-Powys Out of Court Disposal Scrutiny Panel held on 10<sup>th</sup> of April 2019, Members reviewed a selection of domestic abuse cases which had been dealt with by way of an Out of Court Disposal.

The Panel considered a total of 13 domestic abuse cases, one youth case and twelve adult cases.

## 2.0 Background, purpose and methodology

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

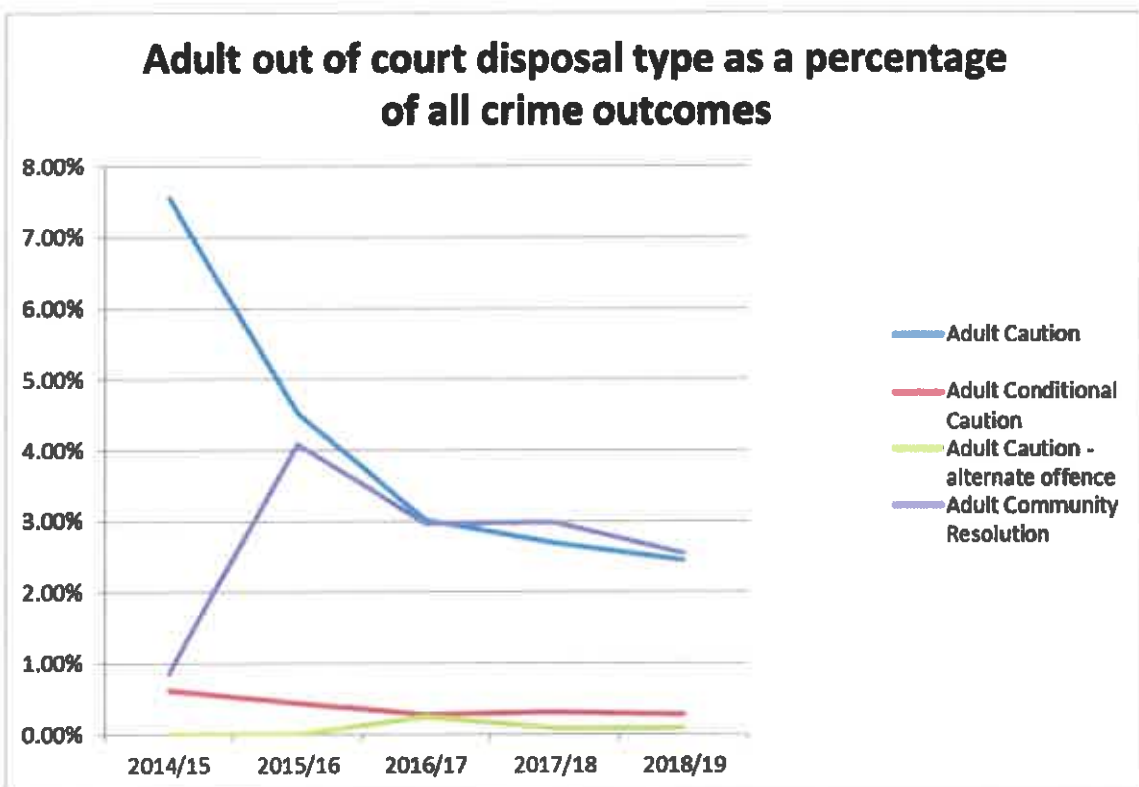
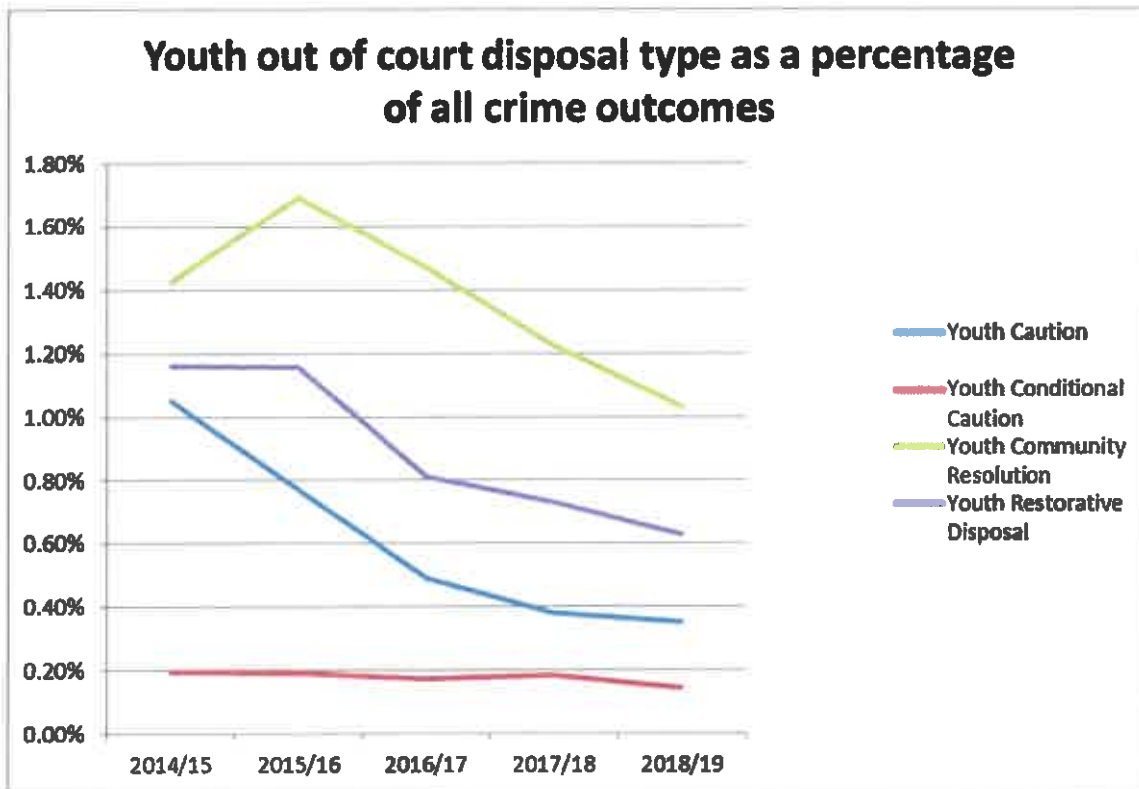
- The views and feedback from the victim and the offender;
- Compliance with force policy;
- Rationale for the decision and outcome;
- Potential community Impact;
- Circumstances and seriousness of the offence; and
- Potential alternative options that may have been available.

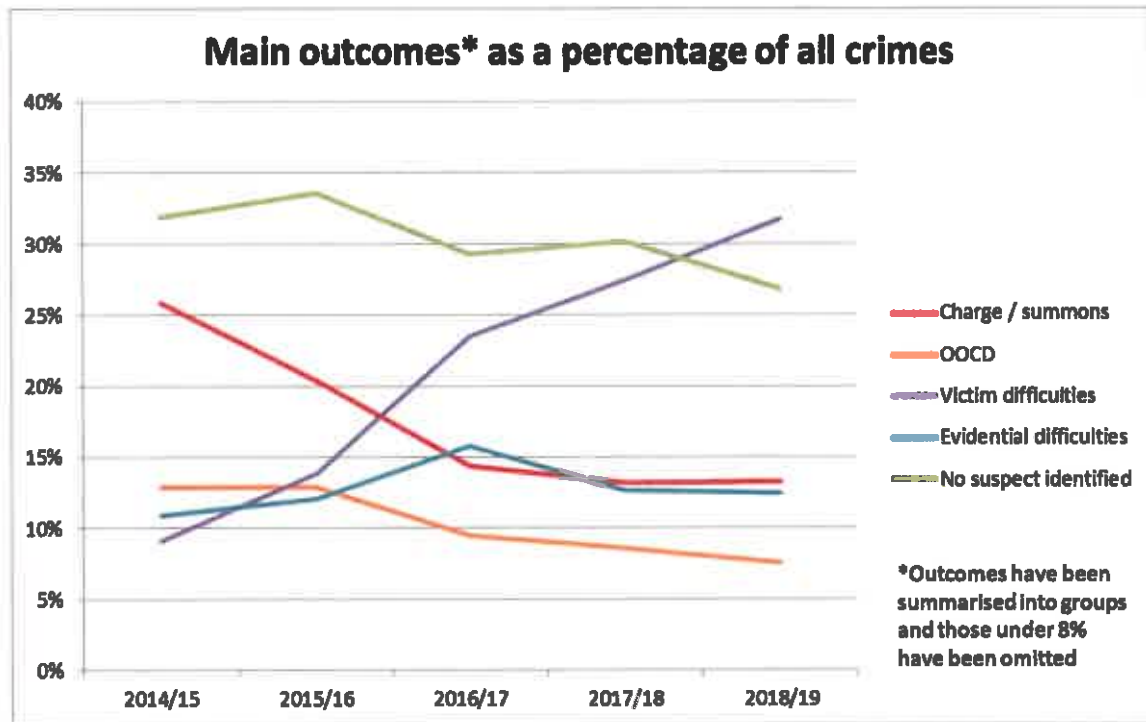
The Panel discuss each case and categorise them as one of the following:

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

## 2.1 Background data

The following graphs show the change of Dyfed-Powys Police's use of different out of court disposal types over time.





### 3.0 Approval by Panel Chair

I \_\_\_\_\_ (print name) can confirm that I have read the report, and that it fully represents the views expressed by the Panel during our dip sampling exercise dated 10<sup>th</sup> April 2019.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

#### 4.0 Actions taken following previous Panel meeting

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

- The relevant Youth Offending Team reviewed the third case from the previous meeting and supported the outcome of a Youth Restorative Disposal.

#### 5.0 Consideration of domestic case – youth suspect

The youth domestic abuse case had been dealt with by way of a Youth Caution. Members found this outcome to appropriate with reservations.

The Members’ assessment was as follows:

##### Case 1

Members felt that as the suspect was a regular cannabis user the individual would have benefited from receiving support from the Youth Offending Team (YOT) which could have been provided via a Youth Conditional Caution. Members felt that the individual was at risk of re-offending and would have benefited from engaging with the YOT.

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

#### 6.0 Consideration of Domestic Abuse Cases – adult suspects

Panel Members reviewed twelve adult cases where individuals were dealt with by way of an Out of Courts Disposal.

Members’ assessments were as follows:

<b>Members’ assessment</b>	<b>Number of cases</b>
Appropriate	6
Appropriate with reservations	2
Inappropriate	4

## 6.1 Observations

Panel Members' observations on each case are detailed below.

### Case 2

Panel Members felt that a more suitable outcome would have been a Conditional Caution. Although the incident was minor, Adult Community Resolutions are not able to be issued for domestic incidents.

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

### Case 3

Panel Members noted the same as case two, that an Adult Community Resolution should not be issued for a domestic incident.

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

### Case 4

Members felt that the outcome of an Adult Caution was appropriate for the incident; however, this incident should have been categorised as a theft case rather than a domestic incident as it involved the suspect taking a family member's car without consent. The case file also revealed that the suspect had been found to have committed driving offences, which would have likely been heard at court. Panel Members considered that it may have been appropriate to consider the offences together and requested sight of the outcome of the driving offences.

**Panel's Assessment: Appropriate**

#### **Action 1**

To review the outcomes of the driving offences within case 4 and consider whether they may have affected the outcome of the taking without consent offence.



### **Case 5**

The Panel expressed no concern regarding the outcome of this case. It was noted that the incident being reviewed was not a domestic crime, but was linked to a previous crime which was domestic related.

**Panel's Assessment: Appropriate**

### **Case 6**

Although the individual had no previous convictions, due to the seriousness of the offence the Members felt that an out of court disposal was inappropriate. The Group felt that due to the ongoing, and escalating, stalking and harassment that the individual should have been charged. Members did note however that a good level of service and support has been provided to the victim at the time of the incident.

**Panel's Assessment: Inappropriate**

### **Case 7**

The Panel concluded that this case had been inappropriately disposed. An Adult Conditional Caution was given which was not compliant with the policy for domestic cases. The Panel also noted that the individual had previous convictions and a history of criminal damage. Members felt that the outcome should have been escalated appropriately.

**Panel's Assessment: Inappropriate**

### **Case 8**

The Panel felt that the outcome of this case was appropriate and in accordance with the policy.

**Panel's Assessment: Appropriate**

### **Case 9**

The Panel felt that this case had been appropriately disposed. The incident was not of a serious nature and the victim did not wish to support the complaint.

**Panel's Assessment: Appropriate**

**Case 10**

The Members noted that although there was a good rationale noted in support of a Conditional Caution; issuing an Adult Conditional Caution for a domestic case is not in accordance with policy. Members felt that there was evidence of good advice having been given to the caller reporting the incident, which ensured he could keep both himself and his mother safe from harm.

**Panel's Assessment: Inappropriate**

**Case 11**

The Members came to the decision that this case had been inappropriately disposed. The individual had previous convictions and there was a 14 year old child present at the time of the incident. The Members felt that the case had not been appropriately escalated.

**Panel's Assessment: Inappropriate**

**Case 12**

It was felt that due to the individual having no previous convictions, the outcome of an Adult Caution was a suitable disposal.

**Panel's Assessment: Appropriate**

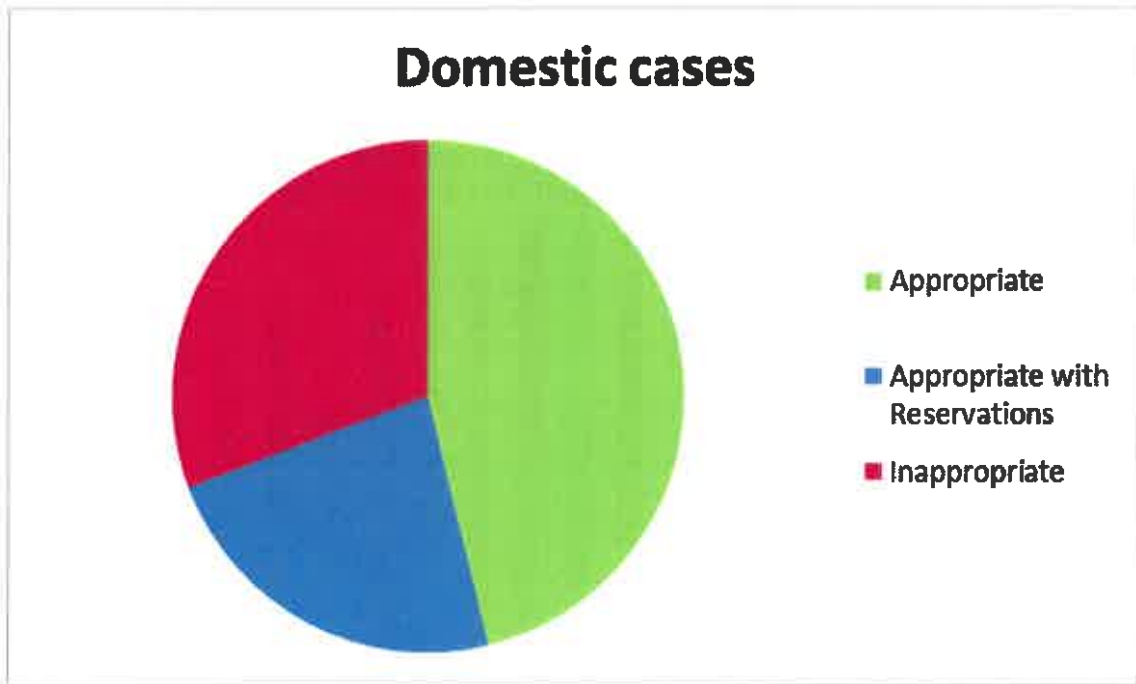
**Case 13**

Although Members felt that this case had been appropriately disposed, it was noted that due to the victim being a 14 year old boy the incident should not have been recorded as a domestic but as an assault.

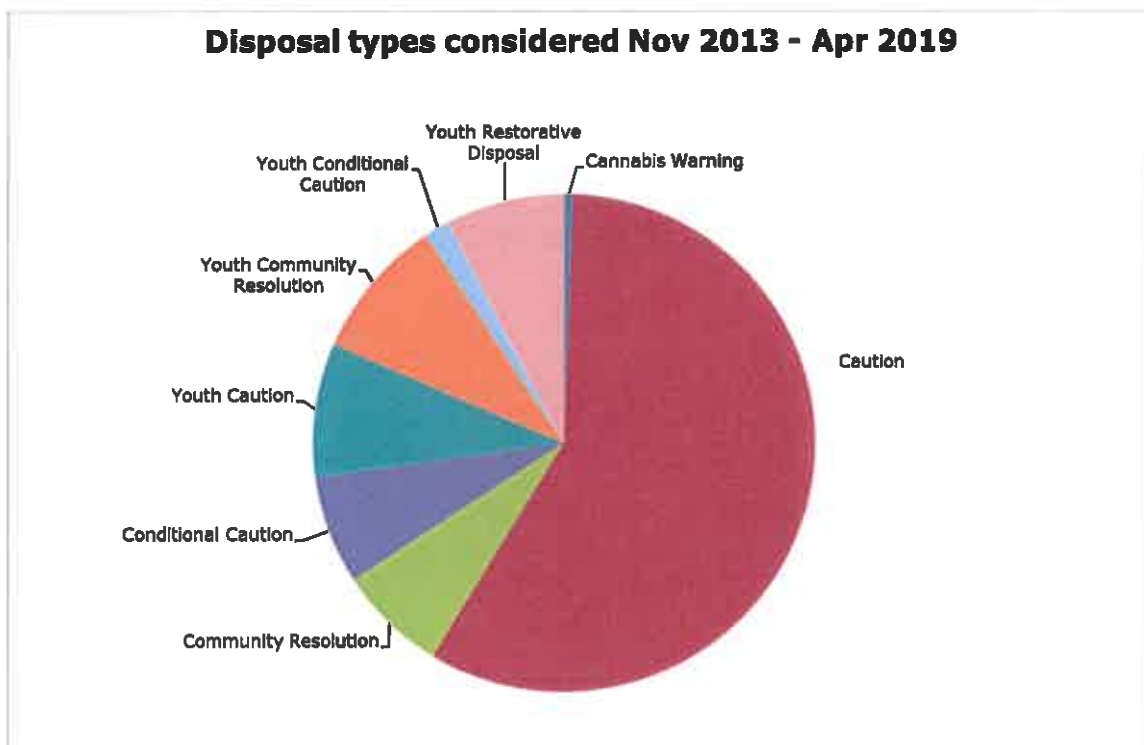
**Panel's Assessment: Appropriate**

### 7.0 Panel's assessments to date

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

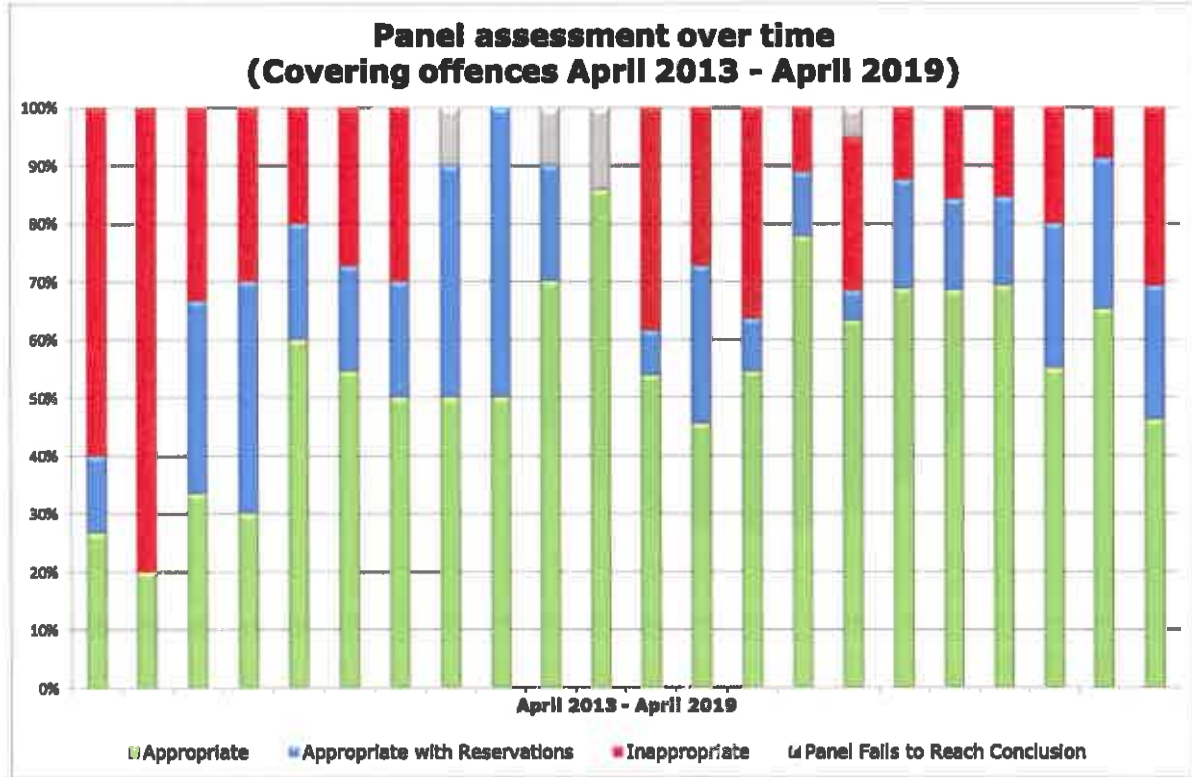


Since April 2013 the Panel has considered a range of disposals, as displayed in the graph below.

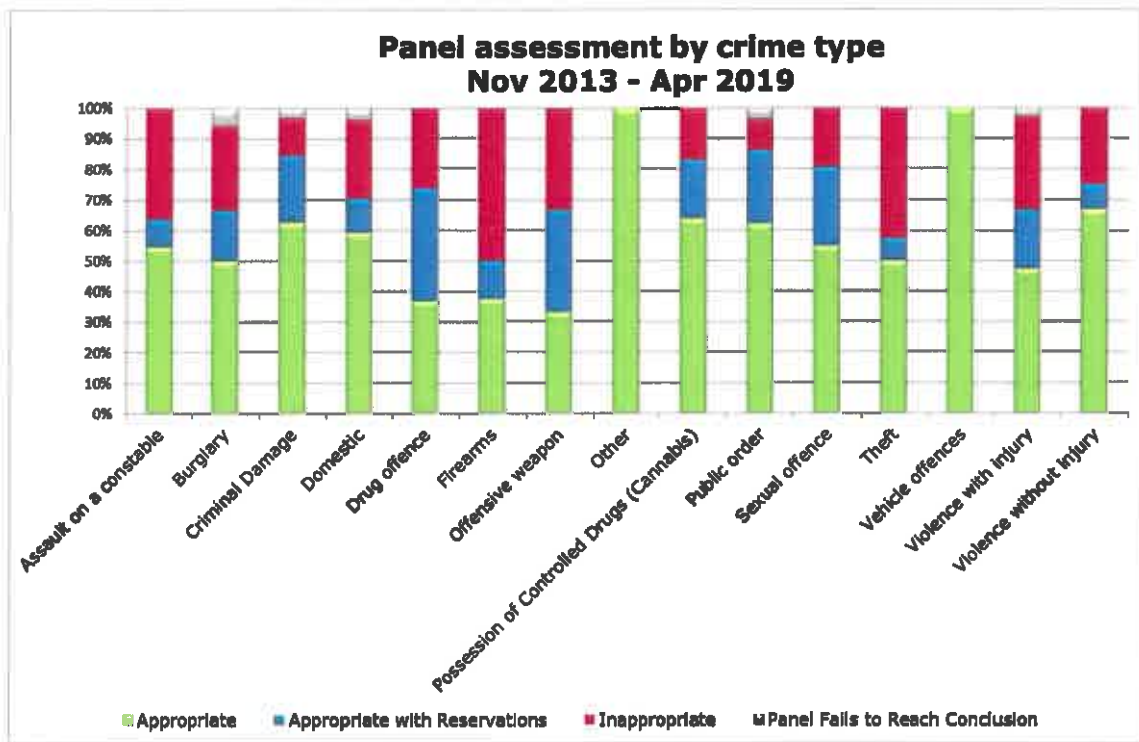


Of the 289 cases examined between April 2013 and April 2019, 56% were assessed as appropriate, 23% as inappropriate, 19% as appropriate with reservations and the panel failed to reach a conclusion in 2% of cases.

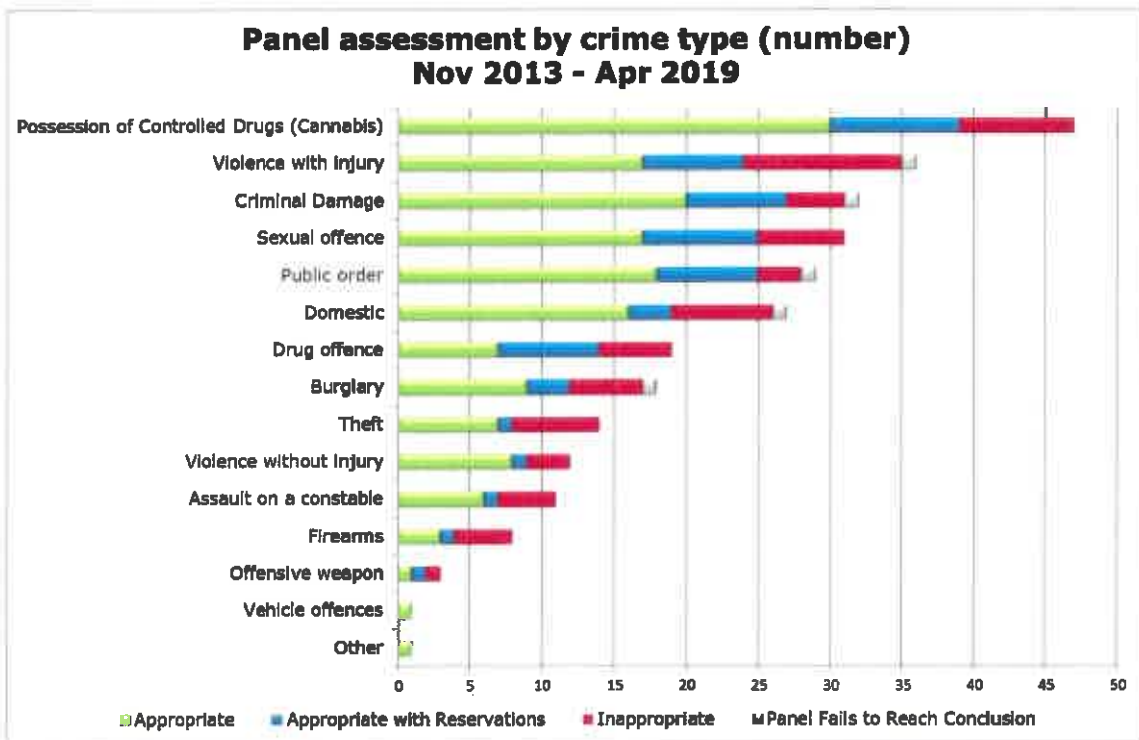
Overall there has been an increase in the number of cases the Panel have deemed as having appropriate disposals. This change over time can be seen in the graph below.



The graph below shows the breakdown by crime type as a percentage of cases considered between November 2013 and April 2019.



The following graph displays the actual number of cases assessed within each crime type and the resulting Panel opinions at their meetings between November 2013 and April 2019.



### 7.1 Good practice

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

- The panel noted within two of the cases that the victims were provided with very good support and guidance during/ after the incident to help keep both themselves and others safe from harm.

### 7.2 Areas for improvement

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

- It was noted that four of the adult cases had been given either a Conditional Caution or an Community Resolution, this goes against policy for Domestic Abuse cases.
- The Members felt that three of the cases had been incorrectly recorded as a Domestic Abuse case.

### 8.0 Future Panel focus

A discussion took place as to what the panel could consider next. It was decided that the Panel would like to consider Theft cases with a focus in particular on Fraud incidents.

Alicante J.P.  
18-7-19.