



Strategic Policing and Crime Board

Date of meeting 22 March 2022

Police and Crime Plan Priority: West Midlands Police

Title: Preventing and Reducing Crime – Violence Against Women and Girls (VAWG)

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Purpose of paper

1. This paper provides an update to the Strategic Policing and Crime Board on the measures West Midlands Police (WMP) are taking to prevent and reduce crime with a particular focus on Violence, Abuse and Intimidation against Women and Girls (VAIWG).
2. The report provides an overview on VAIWG related activity since the launch of the WMP strategy in September 2021, with a particular focus on stalking, misogyny, the proportionate investigation policy pilot and police use of protective measures in cases involving VAIWG.

Background

3. Following the murder of Sarah Everard on 3rd March 2021, the significant issue of VAIWG and those who identify as being a woman or a girl, has been brought into sharp focus with a clear public expectation that the police can and must do better in this area. Whilst recognising that WMP have always taken VAIWG seriously, it must be at the forefront of plans and priorities for the Force that are outlined in the VAIWG strategy published in September 2021 which mirrors the direction of the National Police Chiefs' Council (NPCC) strategy. Whilst the police play a pivotal role in preventing harm and bringing offenders to justice, WMP recognises that working in partnership with stakeholders is crucial to tackling VAIWG. This is mainly due to the fact that many of the underlying causes are societal, and that prevention is more favourable than enforcement. The WMP strategy recognises that intersectional factors also impact on the experiences of women and girls and acknowledges that

women and girls that present as offenders may be victims or survivors of VAIWG crimes. Throughout our VAIWG approach we must listen and learn to the voice of women and girls and respond flexibly to ensure a trauma-informed approach.

Overview

4. The national definition of the term 'violence against women and girls' refers to acts of violence or abuse that we know disproportionately affect women and girls. Crimes and behaviour covered by this term include rape and serious sexual offences (RASSO), domestic abuse, stalking, 'honour'-based abuse (including female genital mutilation (FGM), forced marriage, and 'honour' killings), as well as many others, including offences committed online. This definition is currently under review and may incorporate child sexual abuse and exploitation in the future.
5. The WMP VAIWG strategy is set in the context of recommendations following a national Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) Inspection in September 2021 into forces' management of VAIWG offences. HMICFRS recognised that whilst improvements had been made over the last ten years, it recommended that all forces required a marked shift in prioritisation of VAIWG offences, a greater consistency in approach, and required overall higher standards when dealing with VAIWG.
6. Our ambition is centred on making the West Midlands a place where women and girls can live, work, study, socialise and travel safely and confidently, free of fear, violence and harassment. We understand the voice of women and girls (and of men and boys), and have a deep understanding of offender behaviour. This enables us to prevent harm, protect the vulnerable and effectively disrupt and pursue offenders which will be achieved by working with the public and our partners. Whilst the WMP strategy does not cover the entire landscape of offences affecting women and girls, it seeks to give priority to areas which have previously seen limited attention and require better coordination in order to drive activity and improvement.

Our approach to achieving this ambition is: -

- To ensure VAIWG is everyone's business
- Be perpetrator and prevention focused
- Make the best use of data to inform our understanding of the issues, shape our response and evaluate activities and progress
- Employ a precision policing approach where appropriate
- Be clear on tone and language, avoiding victim blaming and setting clear standards and expectations
- Ensure that we listen to the lived experiences of women and girls
- Involve men and boys in the solution

- Understand that offending takes place online as well as in the real world

Delivering the WMP VAIWG Strategy

7. In order to deliver this ambition, WMP has developed seven priority strands with delivery plans and senior officer leads supporting each strand. The following paragraphs illustrate the work already completed by WMP in each priority area since the launch of the strategy and outline the further focus for the next twelve months.
8. **Safety in Public** – Key messages heard over the last twelve months tell us that i) many women and girls do not feel safe in public ii) girls do not feel safe in school or other educational establishments and iii) a majority of women and girls in the UK have experienced sexual harassment in public spaces. In response to this: -
 - Operation Shepherdess has been introduced which specifically targets predatory male behaviour with the intention of identifying and removing those who present a risk to women’s safety. The operation continues to run in Birmingham City Centre on weekend evenings as part of the Night Time Economy (NTE) response, and VAIWG remains a key theme of the briefing delivered to police and partners who support the NTE patrols.
 - WMP continue to work closely with the Birmingham University Students Guild and the security staff to develop a VAIWG plan to support the concerns of women, using their lived experience. Further funding is sought to expand safer walking routes between Birmingham City Centre and student accommodation areas to improve perceptions of safety by removing environmental hazards and improving lighting and CCTV.
 - A collaborative approach is being taken across policing departments and stakeholders via Operation Argon¹ and the Rape and Serious Sexual Offences (RASSO) tracking meeting. Intelligence and crime data are shared with partners to ensure targeted interventions take place using local authority licensing teams, designated premises supervisors and security staff in order to challenge poor behaviour.
 - The Streetsafe online reporting tool was re-launched in WMP on 25 January 2022. This allows members of the public to anonymously report locations when either environmental or behavioural factors affect perceptions of safety. To date there have been 544 reports into WMP, with 65% of reports being submitted by women. This data allows Neighbourhood Policing Units (NPU) to work in partnership with stakeholders to address community concerns.

¹ Operation Argon refers to the WMP response to spiking by needle, injection or via drink.

9. The focus for the next twelve months will involve: -

- Working with local authorities to embed VAIWG into violence strategies and explore the wider funding opportunities to further enhance public space safety.
- Further engaging with male students within education establishments to seek ways in which men can support women's safety and build respect.
- Continuing to work in partnership to improve safety around public transport hubs, routes and services.

10. **Criminal Justice** – Low prosecution rates and failures in the Criminal Justice System (CJS), impact upon the low confidence of victims to report crimes to the police. We have heard repeatedly that some women simply do not trust the CJS and we recognise that in order to improve victim confidence, increase reporting and achieve better outcomes, we must work with partners to enhance the entire process and bring perpetrators to justice. In response to this: -

- Trauma-informed training² has been delivered by the National Association for People Abuse in Childhood (NAPAC) to all RASSO investigators working within the Adult Complex teams in Public Protection Unit which has received positive feedback from all staff who enrolled. Barnados supported training is currently being rolled out across selected teams in the Force Criminal Investigation Department (FCID)
- Performance Plus - a fourteen-week intensive programme led by PricewaterhouseCooper (PwC) has recently been delivered across the Public Protection Unit (PPU) Complex Investigation Teams. The programme focused on Rape and Serious Sexual Offences, as well as improving outcomes in four strands - Wellbeing, Capability, Capacity and Victim Attrition. The aim of the programme was to provide officers with tools, structure and behavioural practices to collectively work through issues and connect more effectively through joined up teamwork. To embed a culture of high quality and consistency of specialist and response support via daily coaching and training to upskill an inexperienced workforce, as well as building capability and capacity in primary and secondary investigation through improved triage and active problem solving. The programme also promoted daily focus on feedback and recognition to improve wellbeing and aid continuous improvement. An independent dip sample has taken place by PwC and the Force Audit team which has looked at efficiency and effectiveness/timeliness of RASSO investigations. Positive feedback has been received and the findings are now being considered to inform next steps.

² 'Trauma-informed practice' is to raise awareness among all staff about the wide impact of trauma and to prevent the re-traumatisation of clients in service settings that are meant to support and assist healing.

- As part of the RASSO review, clear guidelines have been developed for Forensic Investigation Resource Submissions Team (FIRST) Managers and Crime Scene Coordinators (CSCs) when working with Investigation Teams to ensure that all forensic opportunities are considered for post-scene examination. All Digital Forensic submissions are also now subject of a THRIVE assessment³ and assigned based on classification - standard, priority or urgent.
- The Rape Scrutiny Panel⁴ has been reinvigorated and will be held quarterly. The Terms of Reference have been refreshed and agreed by CPS and WMP and will involve scrutiny of police and CPS 'No Further Action' (NFA) decisions. Cases will be nominated by the Independent Sexual Violence Advisor (ISVA) network, police and CPS.
- A RASSO standards training packages continue to be delivered force-wide across Force Response, Force Contact and Investigation and are available electronically via the RASSO Portal and will shortly be available on mobility devices.
- The Victim Voice Forum⁵ has been established specifically for RASSO offences. The first meeting was held in February 2022 which was positive and involved good attendance from all invited partners. All stakeholders have agreed to meet quarterly.
- The FCID Stalking and Harassment Improvement Plan has been refreshed and re-launched. This focuses on upskilling staff around the use of Stalking Prevention Orders and risk management in order to improve outcomes for victims. SMS Victim Satisfaction Surveys have also been launched in FCID in order to better understand compliance with Victims Code to shape improvement and enhance trust and confidence - particularly around VAIWG offences.

11. The focus for the next twelve months will involve: -

- Supporting the launch of Operation Soteria⁶, which will commence in March. The focus includes enhanced offender management, driving improved use of civil orders and proactive activity around repeat offenders.

³ THRIVE provides a framework to support decision making and assesses the Threat, Harm, Risk, Investigation, Vulnerability and Engagement of a situation to ascertain the correct response required.

⁴ The Rape Scrutiny Panel was introduced to reflect the ongoing commitment to ensuring the best possible response is provided to victims of rape. It comprises of partners with knowledge, experience and the understanding of rape and serious sexual offences.

⁵ The Victim Voice Forum is a platform aimed at strengthening relationships between victims' services and WMP, as well as driving continuous improvement in services for victims of Rape and Serious Sexual Offences by promoting constructive challenge and reflective practice.

⁶ Operation Soteria is an element of the Government's response to the Rape Review and is centred on transforming the way that rape investigations are handled, with a focus on the suspect as opposed to the victim, which should reduce victim attrition, reduce the likelihood of reoffending and make investigations more thorough and effective.

- Continuing to work with NPUs via tasking meetings in order to improve our understanding of non-domestic abuse RASSO offending to enhance intervention and prevention which will be monitored via the RASSO Board
- Reviewing the suspect management policy to look for improvements when dealing with VAIWG perpetrators in order to improve use of civil orders, victim satisfaction and Criminal Justice outcomes, as well as reducing reoffending.
- Rolling out the new equipment in Spring 2022 through joint work with Forensics, IT and D and Fleet Services in order to provide a mobile digital forensic capability for scenes and victims. This will aim to reduce the need to remove devices, such as mobile phones from vulnerable people; in particular victims.
- The launch of the Biometric Working Group in March 2022. This will ensure compliance with the Biometrics Commissioner's recommendations. This board will also assist in ensuring compliance with the Honour Based Abuse and Vulnerable Persons Biometric Database review, currently being undertaken by PPU.

12. **Offender and Suspect Management** – Considerable attention needs to be given towards those that perpetrate VAIWG. They are solely responsible for the harm they cause. Managing offenders to protect victims and prevent further harm and holding offenders to account for their actions is an essential part of the WMP VAIWG Strategy. In response to this: -

- An increased focus has been given to high harm perpetrators in order to provide enhanced management of those most at risk of offending against women and girls.
- Introduction of a new flexible cohort into Integrated Offender Management (IOM) structures which presents an opportunity for lower risk offender management including domestic abuse perpetrators, in order to address local priorities.
- IOM training in relation to suspect management is now being delivered to the Detective Academy with an aspiration to then deliver to NPUs. The training is currently being evaluated by Birmingham University.

13. The focus for the next twelve months will involve: -

- Developing an improved risk assessment tool which assists in predicting future risk, particularly violence, to protect victims from further harm. This will be piloted in the coming months.
- Continuing to work with the oPCC in order to introduce programmes focusing in reducing reoffending in domestic abuse.
- Scoping the use of the 'Potential Dangerous Person' process for perpetrators sitting outside Multi-Agency Public Protection Arrangements (MAPPA) and Multi-Agency Risk Assessment Conferences (MARAC) criteria.

- Increasing the use and management of Serious Risk Orders and Serious Harm Prevention Orders.

14. **Recording of Crimes and Incidents** – In 2020 the Law Commission made proposals to reform hate crime laws. The commission proposed that sex and gender be added to the list of protected characteristics for the purpose of hate crime and that there was a parity in how each was treated. The final recommendation in relation to this proposal was unexpected and did not support a gender based hate crime. It now sits with Government to consider action. Aside of this decision and the broader Law Commission Review, it is vital that WMP have good data and are able to access and exploit it to enable us to understand the problem.

15. In light of the recent Law Commission recommending that misogyny would not be included within the hate crime classification, all forces now await further guidance on the next steps in relation to recording of misogynistic incidents.

16. Although there is currently no national requirement for forces to record gender motivated offending, twelve forces across England and Wales have developed local processes to enable these types of offences to be recorded. The College of Policing has agreed to undertake a stocktake of these approaches to identify any learning and enable a common understanding of the current picture. Where the forces have assessed impact locally this will be reported, but it would not be possible to assess the relative impact of the approaches. The stocktake will draw on written force policies and processes and discussions with relevant force leads. The final product will be a report setting out the current picture across the twelve forces. WMP continue to progress background preparations in order to establish a position where misogyny can be recorded in required.

17. **Our Behaviours** – The public expect the highest standards of behaviour from the police service. How police officers and police staff behave as individuals and collectively, impacts on the trust and confidence of communities - particularly with VAIWG. WMP acknowledge this and are taking steps to ensure greater internal accountability and legitimacy. In response to this: -

- Regular engagement with staff has commenced through mixed media platforms including TeamTalk, and an impactful blog from the Chief Constable in relation to discipline findings affecting trust and confidence, to reinforce expected standards of behaviour. Some of these communications include the National Abuse of

Power for Sexual Purpose messaging, the internal 'Upstander not Bystander'⁷ campaign and 'Dilemma of the Month'⁸ which are focused on sexual harassment.

- WMP achieved the White Ribbon⁹ accreditation in November 2021 which aims to improve organisational culture, safety and morale as well as making a difference within the community to end violence against women.
- External engagement with stakeholders to enhance awareness of 'Abusing Position for Sexual Purpose' and reinforce pathways to report concerns in order to increase trust and confidence in communities.

18. The focus for the next twelve months will involve: -

- Finalising the communications and engagement plans for the next twelve months to maintain momentum in order to embed cultural change around behaviours.
- Delivering sexual harassment training to all staff utilising a tiered approach depending on role.
- Developing and embedding a WMP 'Abusing Position for Sexual Purpose' delivery plan.
- Working closely with the WMP Deputy Chief Constable, Vanessa Jardine who is developing a plan to address concerns about police behaviours following the publication of the 'Operation Hotton'¹⁰ report.

19. **Be Intelligence and Data Informed** – Being data driven and informed by intelligence is vital for us to understand and respond to the challenges and issues effectively. It allows us to be more precise in identifying and defining our actions and solutions and ensures that we evaluate and continuously learn and improve. In response to this: -

- Support has been provided to Operation Argon and a problem profile linked to NTE and 'spiking' has been completed and is due to be published imminently.
- Outstanding offenders' dashboards have been launched and improvements have been made to the 'tagging' of offences in order to provide better analysis based on risk.

20. The focus for the next twelve months will involve: -

⁷ The 'Upstander not Bystander' campaign is an outdoor and social media led campaign that is ran with messaging aimed to encourage men to be upstanders and not bystanders for women's safety.

⁸ 'Dilemma of the Month' is a campaign aimed at raising awareness around personal actions and spotting the signs that a colleague may be abusing their position. The campaign is based on a range of real scenarios dealt with by professional standards.

⁹ White Ribbon UK is the leading charity engaging with men and boys to end violence against women.

¹⁰ Operation Hotton was a series of nine linked independent investigations concerning serving police officers from the Metropolitan Police Service, (MPS). Most officers held the rank of police constable and were predominantly based at Charing Cross Police Station. The report highlighted multiple concerning behavioural themes about the attitudes and behaviour of police officers that ran through the investigations, as well as several structural issues relating to working practices that helped enable the troubling behaviour to go unchecked:

- Agreeing performance metrics by liaising with the VAIWG priority area owners in order to support and track performance. This will align with national expectation.
- Establishing what insights, linked to VAIWG, are to be prioritised and commission these into the Data Analytics Lab. This will include Stalking and Harassment.
- Identifying suitable academic institutions to commission evaluations of intervention.
- Completing a VAIWG problem profile in line with national terms of reference published recently and due to be completed by September 2022.

21. Engagement, Insight and Communications – How we engage and communicate is important in setting the tone and making it clear that VAIWG is abhorrent and will not be tolerated. It is vital that we are clear that women and girls are never to blame for the behaviours of others and that, listening to, understanding and responding to the lived experiences of women and girls much be an enduring part of our work. In response to this: -

- A joint ‘Upstanders not Bystanders’ campaign with the oPCC commenced in November 2021 and ran until January 2022. The main focus included the impact of ‘street’ harassment and promoting men to challenge poor behaviour in other men.
- A young men’s focus group has taken place at Dudley College which was used to consult the ‘Upstanders not Bystanders’ campaign. The feedback will be used to shape the subsequent campaign which will be launched in Spring 2022 and aligns to our commitment to be informed by the lived experiences of the public.
- A communications campaign has also been delivered to support the launch of Police UK’s StreetSafe website. The information is now used by Force Intelligence and NPUs to drive activity in identified locations to improve trust and confidence.

22. The focus for the next twelve months will involve: -

- The launch of the ‘Have a Word’ Campaign which will utilise the feedback from the recent young men’s focus group. The second phase of the ‘Upstanders not Bystander’ campaign will be launched in conjunction with the oPCC. This campaign builds on existing messages and will encourage men to ‘have a word’ when they see or hear inappropriate comments or behaviour towards women.
- Supporting the oPCC to launch the #HerGameToo campaign by signposting women who feel intimidated at football matches to places they can get help and support, including use of safe spaces and assistance from knowledgeable volunteers and staff who can address reported concerns.

- Launching of a new digital product which will provide students with advice around VAIWG issues and will include topics such as drink spiking and coercive control.
- Delivering a Child Sexual Exploitation (CSE) prevention campaign in March and October 2022 working in partnership with the Lucy Faithful Foundation launch, which is aimed at targeting perpetrators.
- Continuing to work with the oPCC and partners to undertake public surveys to ensure delivery is informed by public feedback.

National VAWG Strategy and Framework for Delivery

23. The WMP seven priority areas align with the three pillars presented within the NPCC VAWG Strategy and Framework for Delivery which was launched in December 2021. The NPCC VAWG Strategy and Framework is being led by Deputy Chief Constable (DCC) Maggie Blythe who has been appointed to coordinate the National Policing response to VAWG. Each national pillar contains recommendations which has helped to form the WMP strategy.

The three pillars and recommendations are: -

➤ **Building Trust and Confidence**

- Respond unequivocally to allegations of police-perpetrated abuse, learning from mistakes and best practice.
- Challenge and address sexism and misogyny within policing.
- Involve VAIWG organisations, including charities supporting Black and minoritised women and girls, as well as individual women and girls with lived experience.
- Collect consistent local and national information on the availability of specialist VAIWG investigators to build the right capability and capacity.

➤ **Relentless Perpetrator Pursuit**

- Relentlessly pursue and actively manage and target the most dangerous and prolific perpetrators.
- Better use of police powers to protect women and girls, and to manage and disrupt perpetrators.
- Adopt a trauma-aware approach at all levels, to better support victims through the criminal justice process, and focus on evidence-led prosecutions where appropriate.
- Enhanced supervision of VAIWG investigations.

➤ **Safer Spaces**

- Immediate and unequivocal prioritisation of VAIWG.
- Focus prevention work on the most dangerous online, private and public spaces.

24. In order to meet the standards set by the national strategy, WMP will continue to monitor progress through the seven priority area action plans which will document activity against this framework. WMP await further information on the performance measures linked to the national strategy but it is anticipated that returns are likely to be required in relation to:

- Police conduct and complaints data
- Crime and incident data for domestic abuse, rape and serious sexual offences
- Use of pre-charge bail for VAIWG offences
- Files submitted to the Crown Prosecution Service (CPS) for the charging of VAIWG offences
- New file quality data for police forces from 20 December 2021 which will be used as an indicator of investigation standards
- Data on the formal outcomes for VAIWG offences

25. WMP continue to work collaboratively with West Midlands Police and Crime Commissioner (PCC) to deliver improvements around VAIWG, and welcome the inclusion of VAIWG as a priority within the PCC's Police and Crime Plan 2021-2025. The PCC's commitment includes the development of the 'Ending Male Violence Against Women and Girls Alliance' which will coordinate a whole system approach to tackling the broader spectrum of causal factors with partners. The PCC has also committed to continue funding the Safer Streets Project¹¹ which aims to promote safety and safeguard women and girls through a range of bespoke commissioned services.

26. The West Midlands Violence Reduction Unit (VRU) is a Home Office funded partnership organisation which aims to reduce violence across the West Midlands region through a collaborative problem-solving approach. The VRU assist in coordination of resources and look to fill gaps in provision for mutual benefit. VAIWG continues to be a strategic priority for the VRU and is an overarching theme across numerous workstreams. Commissioned services are in place which recognise the need to work with partners and young people to drive a cultural shift in behaviours towards women and girls. Safer Streets funding has supported this work, including preventative programmes in educational settings, delivered through Education

¹¹ Safer Streets is a project developed by the OPCC and funded by Home Office to reduce the impact of theft and burglary on vulnerable communities. Police forces and local authorities across England and Wales, are to receive a share of £23.5 million to make public spaces safer for all through projects to help women and girls feel safer on our streets as part of the government's Safer Streets Fund.

Intervention Advisors to explore harmful sexual behaviours, gender stereotyping, consent, relationships and coercive control. These programmes look at early intervention with young children and can be adapted for wider delivery by school staff.

27. The Serious Violence Prevent Duty¹² implemented by the current Police, Crime and Sentencing and Courts Bill 2021, will require public bodies to work together to prevent and tackle serious violence with Local Authorities and Community Safety Partnerships. Domestic abuse and sexual offences will be included within this duty. Partners across the West Midlands region are awaiting further direction in order to understand the implication and requirements in relation to the duty, but welcome the inclusion of VAIWG offences.
28. The Commonwealth Games 2022 provides an opportunity to showcase a coordinated partnership approach to protecting women and girls during this period including visitors and athletes. VAIWG remains at the forefront of planning and engagement strategies for the Commonwealth Games Team with regular engagement between partners and planners to look for opportunities to improve perceptions of safety and reduce offending. Work is ongoing to include VAIWG in CWG engagement strategies, looking at safe routes and to ensure volunteers and staff are mindful of VAIWG as part of and training and subsequent briefings. Corporate Communications will work with British Transport Police (BTP) to maximise opportunities to encourage reporting of VAIWG concerns and will utilise the 'Have a Word' and 'Upstander not Bystander' campaigns around this time.

Stalking and Harassment

29. Stalking and harassment covers a broad spectrum of behaviours that initiate a varied response from WMP due to the differing levels of severity. Harassment is the term used to cover the 'causing alarm and distress' offences and includes repeated attempts to impose unwanted communications and contact upon a victim in a manner that could be expected to cause distress or fear in any reasonable person. Stalking, however, refers to the act or crime of wilfully and repeatedly following or harassing another person in circumstances that would cause a reasonable person to fear injury or death especially because of express or implied threats. In order to understand the breath of the stalking and harassment behaviours, the terms can be differentiated and further categorised into domestic abuse and non-domestic abuse settings. Thus, meaning there are four identified groups which assist with ensuring the correct response is provided: -
- Harassment non-domestic abuse related
 - Harassment domestic abuse related

¹² The Serious Violence Duty will require local authorities, the police, fire and rescue authorities, specified criminal justice agencies and health authorities to work together to formulate an evidence-based analysis of the problems associated with serious violence in a local area and implement a strategy detailing how they will respond to those particular issues.

- Stalking non-domestic abuse related
 - Stalking domestic abuse related.
30. Stalking and harassment remain a priority for the Investigations Portfolio for the new performance year. The new Subject Matter Expert (SME), Detective Superintendent Tony Hopkins has reviewed and refreshed the Stalking and Harassment Improvement Plan. Monthly forums have also been established with tactical leads in FCID and PPU to gain greater traction on this nature of offending.
31. Since April 2021, WMP has seen an average monthly figure of 666 stalking offences compared with 516 for the same period last year – 90% of these offences are domestic abuse related. Since the beginning of 2022, the outcome rate for domestic abuse and non-domestic abuse related stalking is 3.2%. In terms of harassment, since April 2021, WMP has seen an average monthly figure of 3,900 harassment offences compared with 2,949 for the same period last year – 22.5% of these offences are domestic abuse related. Since the beginning of 2022, the outcome rate for domestic abuse and non-domestic abuse related harassment is 2.1%.
32. In order to improve the positive outcomes, the following measures have been implemented: -
- The Early Awareness Stalking Intervention (EASI) project is now in place to address Stalking perpetrator behaviour.
 - A new mandated training and awareness programme for stalking is due to be delivered across departments in April 2022 which is focused on victim support and improving outcomes.
 - PPU are working alongside Legal Services to embed and improve the use of the civil intervention powers. A bi-weekly drop in 'clinic' has been re-established along with a training video from the Civil Interventions Team which will be delivered to rotational students within the PPU.
 - The use of digital media analysis to support prosecutions in stalking cases is under review in order to drive further improvements.
 - FCID Initial Investigation Team are launching a pilot to increase the use of Out of Court Disposals for non-domestic abuse harassment and malicious communications offences in order to reduce reoffending and escalation of harm.
 - Force audits continue to monitor performance, with governance via departmental Service Improvement Meetings.
 - A recent request has been submitted to the Data Driven Innovation (DDI) Lab to develop WMP data to identify the type and nature of stalking offenders and the subsequent risks associated with the different categories of their offending. This is with a view to create a dashboard that would allow WMP to priorities the most dangerous offenders.

Update/review of the proportionate investigation policy pilot

33. A recent review of PPU cases has established that some filing decisions are not compliant with the current Proportionate Investigation Policy. PPU Senior Leadership Team acknowledge that whilst the policy assists in managing demand, there is a direct correlation between implementing the guidance within the policy and a reduction in positive outcomes. Therefore, as part of the End-to-End Review of Investigations, the policy will be revisited in order to promote a proportionate investigation based on threat, risk and harm coupled with solvability.
34. Within FCID, cases involving stalking are automatically allocated to hubs for triage and investigation with oversight from a Detective Inspector to ensure all proportionate opportunities to progress investigations are pursued, in order to improve victim satisfaction and outcomes. This is monitored via internal audit and reported on at FCID governance boards.

Police use of protective measures and bail conditions in cases involving VAIWG

35. Police bail, officially known as 'pre-charge bail', is used when police have arrested a suspect but do not have enough evidence to charge them with a crime. If it is deemed necessary and proportionate, the police can release the suspect on 'pre-charge bail' whilst they continue their investigation. Those on bail may also be subject to specific conditions about where they can go and who they can associate with. These rules help the police protect victims and witnesses, preserve evidence and mitigate the risk of suspects committing crime.
36. Prior to the bail changes introduced through the Police and Crime Act 2017, if police wanted to continue an investigation against a suspect they could no longer detain without charge, they essentially had to release them with bail. However, there is now a presumption against the use of police bail in such circumstances. As set out in official police guidance, if further time is needed to investigate a suspect the police should now release them without bail "in almost all cases." The 2017 Act limited the use of bail to an initial 28 days with extensions up to three months requiring authorisation from a senior officer. Any extension beyond three months now needs permission from the courts. Police guidance advises officers to make a clear investigative plan to ensure police bail is used for "the minimum period required." As such, the police now release most suspects they need more time to investigate with a new status: released 'under investigation' (RUI). The police have no powers to require RUI suspects to report to them, no powers to place conditions on them and no time limits within which to complete their investigation against them.
37. Since the 2017 reforms, stakeholders throughout the criminal justice system have questioned whether they are having unintended consequences. Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) raised concerns that without the use of police bail conditions, vulnerable victims (particularly victims of domestic abuse) are not being protected properly. Practitioners from Women's Aid told HMICFRS that victims of domestic abuse are being forced into

precarious housing because police bail conditions are not being used to prevent their alleged abuser from returning to their home. In response the National Police Chiefs Council issued interim guidance to police forces “reinforcing pre-charge bail as a legitimate tool” when investigating domestic abuse cases. A recent HMICFRS report (Police use of protective measures in cases involving violence against women and girls) also highlighted bail conditions in rape, domestic abuse, stalking and harassment cases. The super complaint, submitted in 2021 by the Centre for Women’s Justice raised concerns that the UK policing do not use protective measures, such a pre-charge bail conditions and civil orders in VAIWG cases effectively.

38. In response to this, the Government released a statement in November 2021 stating that an official review will commence into pre-charge bail legislation to ensure the system prioritises the safety of victims and witnesses, as well as the management of suspects. The review looked at how legislative frameworks around pre-charge bail can more effectively:

- support the police in the timely management of investigations, whether released on bail or without bail (“released under investigation”);
- respect the rights of suspects, victims and witnesses to timely decisions and updates;
- support the timely progression of cases to courts; and
- how existing rules may be made simpler and more flexible in design to support effective operational decisions

39. As a result of the review, changes to the bail act are expected to be announced in the summer following royal assent being given but are expected to centre on the presumption of the use of police bail. WMP Criminal Justice Services will shortly publish new guidance taken from the above legislation to provide clear information to investigators in relation to proportionate use of bail conditions in all investigations including advice around VAIWG offences in order to appropriately safeguard victims. Strategy and Direction are currently working with Qlik developers to accurately present relevant case disposal data in order to demonstrate the required improvements around use of bail. Improvements around use of Police Bail to effectively manage perpetrators is also an action within the Criminal Justice VAIWG Delivery Plan.

40. In readiness for the anticipated national legislation changes, interim guidance has been circulated to all custody sergeants reinforcing that bail should be considered for all VAIWG offences, and that appropriate conditions should be applied to further safeguard victims. Custody sergeants are reminded to ensure that investigators are cognisant of this opportunity to further protect victims and robustly manage offenders during the bail period. Under new bail legislation, the victim’s voice must be shown to have been considered and in advance of this being introduced, custody staff should now record victim voice on custody records. As part of custody performance

management, all cases where VAIWG perpetrators have been bailed without conditions are reviewed to ensure bail is applied robustly and feedback is provided to investigators and custody staff where necessary. Work is currently underway to understand the volume of offenders who have breached police bail so investigators can appropriately manage their suspects effectively to reduce harm to victim. The new reforms will see the responsibility for extending initial bail periods return to custody managers and so a task and finish group has been established with relevant stakeholders to prepare for legislative changes. This will further opportunities within custody to influence the use of bail in a wider context, especially around VAIWG offences.

41. Bail provision can be used in conjunction with Civil Orders, including Domestic Violence Protection Orders, Stalking Prevention Orders, Sexual Harm Prevention Orders, non- molestation and restraining orders. The use of such orders has been recommended as a Performance Indicator within the Crime Portfolio on the 2022/23 performance year and is a key requirement within the Criminal Justice VAIWG Delivery plan.
42. The following data relates to Connect custody records from April 2021 to February 2022. It shows the number of people in custody for Stalking/Harassment/Malicious Communications, Rape and offences with a Domestic Violence marker and indicates the method of disposal from custody. It is not possible to provide data via the Connect dashboard to show how many of those bailed were given bail conditions.

	Stalking/Harassment/Malicious Communications	Rape	Domestic Abuse related offence
Total Persons in Custody (PIC) between April 2021 and February 2021	2777	1109	12833
Charged %	10%	4%	7%
Bailed %	18%	29%	15%
RUI %	25%	30%	18%
OOCD %	3%	0	3%
No further action %	28%	14%	47%

Misogyny

43. External

- Whilst awaiting further clarity from the College of Policing (see paragraph 16) and from Government following the Law Commission report, WMP continue to make the background preparations to ensure we are in a position to record

misogyny offences and incidents if such a complaint was made by member of the public.

44. Internal

- WMP remains committed to addressing misogynistic behaviour amongst its workforce and has launched a series of events, guidance and campaigns to address this.
- The WMP internal Sexual Harassment policy was launched in October 2021, echoing the 'Upstander not Bystander' campaign, encouraging all staff to challenge inappropriate behaviour and use of unacceptable nicknames. During this launch the confidential reporting line was re- advertised, which resulted in an uplift in reporting.
- In November 2021, WMP Professional Standards Department (PSD) held daily sessions focusing on the use of 'banter' aligned to the Chief Constable's Roadshows. This used anonymised examples to help explore how banter may be perceived by others. These sessions were well attended and informative, exploring the appropriateness of using outdated and often derogatory misogynistic phrases.
- A PSD Independent Advisory Group (IAG) recently held a scrutiny panel in order to consider cases linked to sexual harassment in the workplace. This provided valuable feedback for PSD and highlighted the need for enhanced victim contact plans, the development of an internal PSD scrutiny group and increased training for WMP Appropriate Authorities to ensure consistency of approach and informed decision making.
- PSD continue to regularly use the Corporate Communications department to support messaging via Team Talk, blogs and 'Dilemma of the month' to reinforce expectations around high standards. More recently, the communications have focused on abuse of position for sexual purposes, challenging poor behaviour and advocating being an upstander. The PSD prevention and intervention team continue to roll out training to staff focusing on standards of expected behaviour, highlighting recent cases where breaches of standards have resulted in dismissal and criminal investigations.
- Operation Santos led by DCC Vanessa Jardine will also compliment the VAIWG strategy by addressing the 'Our Behaviours' strand.

Training

45. A full review of the training provision associated with VAIWG has been completed by Organisational Development and Learning and assurance provided that the VAIWG agenda is addressed within both investigator and uniform training and as part of the Policing Education Qualifications Framework programme for student officers.

46. VAIWG is also a theme throughout the WMP Vulnerability and Risk training¹³, which also advocates a trauma-informed approach to assist in improving a victim's experience. This training is currently being delivered to 8,500 WMP officers and staff and more detailed training around trauma has, and continues to be delivered to investigation teams across the Crime portfolio, in order to support an informed approach when considering a victim's experience.

Next Steps

47. The board is asked to take note of the contents of this report.

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¹³ Vulnerability and Risk Training aims to equip WMP Force Champions with the necessary knowledge and understanding around Vulnerability to be able to deliver face to face sessions with force wide practitioners. This includes examining what makes a person vulnerable, and the risk factors that are associated with a person who is deemed to be vulnerable.