

CASE STUDY

The purpose of this case study is to understand the impact of using a problem-solving approach in policing to find evidence-based solutions to situations. Dyfed-Powys Police uses the OSARA Model (SARA) to systematically identify, understand and sustainably resolve problems. This case study has been presented in this format.

This relates to the use of a Criminal Behaviour Order (CBO) to tackle anti-social behaviour, an intervention under the 'Anti-Social Behaviour, Crime and Policing Act 2014'.

Scanning

This issue became apparent when the female (offender), who had been living out of force for approximately 10 years, returning to the Llandrindod Wells. The subject had a history of anti-social behaviour and criminal conduct. She was also known to have issues with alcohol and general doesn't engage with support. This was an early opportunity to capture and assess the problem.

A MAVIS record was created soon after the female returned to the area. This was done for early consideration around support and in anticipation that anti-social behaviour powers may be needed at a future time.

We knew that there had previously been domestic violence issue with the female's Mum and concerns were soon being raised by neighbours reporting disturbances in the building; shouting and abusive behaviour. We were also aware that the female had an active CBO in the London area, preventing the use of TFL Underground Services due to anti-social conduct.

In addition, Ambulance Service were receiving nuisance Multi-Agency Referral Form (MARF) was submitted to highlight concerns for Mum and police intelligence was submitted.

Early considerations were around alcohol misuse, mental health and her previous conduct.

We understood that, in the early stages, extent was believed to be limited to a block of privately owned flats. The impact of this being limited to her Mum and the immediate neighbours.

Previous attempts were limited to the Metropolitan Police. There was no contact with the met from an NPT perspective.

Previous learning (POP on a Page #414), which relates to a Civil Injunction, occurred in a similar setting and circumstances. This factored in our approach.

Overview of police information:

- August 2020 - 2 Recorded Crime
- September to October 2020 - total of 19 Incident Reports and 7 Recorded Crime (2 hate related)
- November and December 2020 - total of 28 Incident Reports and 8 Recorded Crimes
- January 2021 - 3 Incident Reports (resulting in breach of CBO).

All reports are alcohol related anti-social behaviour and public order related.

One of the above crimes relates to a public order offence involving Probation Service. This is captured in that baseline. Issues for the Welsh Ambulance Service are also reflected above with similar demands for service.

Analysis

In terms of conditions that enable the problem, alcohol is a clear factor. Patterns in reported incidents show that the female is always under the influence of alcohol. The vulnerabilities of Mum, essentially her being a victim, became more apparent. There were opportunities to provide support.

Problem Analysis Triangle (PAT)

Location – Flats in a converted Victorian house that has been converted into four self-contained flats. Private ownership (Property Management). Significantly, the female a didn't officially live with her Mum but spent a considerable amount of time at the address.

Victim – Female (Mum), aged 84. Lives alone, housebound, very little support (refused). Vulnerable by age, disability and mobility issues. She was living in poor conditions.

Offender:

Female (trans-female) aged 49. History of anti-social behaviour and criminal conduct. Individual is an RSO, has 89 criminal convictions and warning markers for firearms, mental health, ailment and suicidal. Alcohol is a significant issue in her life, contributing to her mental health status. She refuses to engage with support.

Partners:

- Kaleidoscope - alcohol support (high interest and power)
- CMHT (The Hazels) - Primary Care (high interest with limitations)
- Property Management - Private Housing Agency (high interest and power)
- MAWWF and Rescue (high interest and low power)
- Adult Services (PCC) (high interest and power)
- Environmental Health (PCC) (high interest and power)
- Probation Service (high interest and power)

Objective (SMART)

- Specific:** To manage the impact of the female's behaviour on the wider community.
- Measurable:** To prevent, entirely (100%), anti-social behaviour and criminal conduct of the female.
- Achievable:** This was well within the capacity of stakeholders involved in terms of resource, finance and time.
- Relevant:** This aims to tackle anti-social behaviour and crime, and its impact on the community, addressing both local need and in line with force objectives.
- Timely:** To be achieved within a month, if possible.

Response

The following were considered as part of developing a plan;

- **ASB Warning Letter** outlining that her conduct is unacceptable and the impact and consequences were clearly defined. The intended outcome was to engage, explain and encourage a change in her behaviour, offering support.
- **Community Protection Warning (CPW)**. The intended outcome was to encourage a change in her behaviour by setting expectations;
 - you must not behave in an abusive, insulting or anti-social manner to members of the public,
 - you must not behave in a harassing or threatening manner in the public domain, and
 - you must not be in a state of drunkenness in a public place.
- **A Community Protection Notice (CPN)**. The CPN having the same conditions as the CPW. This, again, was intended to reinforce our expectations and make clear how the female is to conduct herself.
- **A Criminal Behaviour Order (CBO)** was prepared in anticipation of a further breach, again uploaded to MAVIS. Where the CPW/CPN is voluntary compliance, the CBO in nature is considerably more robust if the situation escalates;
 - not to act in an anti-social manner,
 - not to be found intoxicated or in a state of drunkenness in any public place,
 - to reside at her primary address (not at her Mums), and
 - not to contact the emergency services, save for a genuine emergency.

In addition, support with partners to be considered.

Assessment

Through the use of powers under the 'Anti-social Behaviour, Crime and Police Act 2014', the female's behaviour has ultimately been managed and the objective has been successfully achieved. Ultimately, the use of such powers were considered from very early stages, creating a means of changing her behaviour.

Within the first few calls being issued, an ASB Warning Letter was issued to the female by police (joint visit by NPT and MOSAVO). The letter outlined that her conduct in the complex was unacceptable and the impact and consequences were clearly defined. Issued on 5th September 2020.

Soon after, the female breached her order and failed to appear at court. Arrested on the 17th September 2020 and was remanded until the 29th of the same. During that time (learning from previous practice), a Community Protection Warning (CPW) was prepared and attached to MAVIS in anticipation of further issue post release. On the 5th October 2020, the CPW was issued to the female.

A Community Protection Notice (CPN) was prepared on the 8th October 2020 following the previous arrest. The CPN having the same conditions as the CPW. This, also, provides further evidence for a CBO. The CPN was then issued on 17th October 2020 following a further intoxicated disturbance at Brookville and was subsequently arrested when her behaviour spilled out into the street.

Following a number of breaches of the CPN and other offences, the CBO was attached to the final charge file. All cases were pulled together by CPS to deal collectively. This created a delay, combining nine separate case files over an eight week period.

On the 6th January 2021, she was remanded due to the sheer number of offences until the 20th January 2021 when, at that time, the CBO was finally issued. The CBO was breached on the 29th January 2021 and the female is now in prison awaiting a Crown Court hearing date.

A further CBO has been sought to include support on release, to include an assessment with the Community Mental Health Team and obligatory Kaleidoscope.

Noteworthy is that, whilst these interventions were delivered, support was continuously documented throughout this process. BWV was also used to capture all activity and this creates fantastic evidence in support of any of the more robust 'civil' orders going to court.

Also significant was that, in engaging, Mum received support and care. Mum was admitted to hospital late October 2020 where she remains. This was achieved police and Adult Service involvement; safeguarding our most vulnerable.

Barriers

Information sharing was an issue where an ISP is not in place. In this case, sharing details with Property Management was problematic. This was overcome by encouraging neighbours to report issues to Property Management as well as the police.

Learning

In terms of the wording of conditions, whilst 'you must not be in a state of drunkenness in a public place' was used, this creates implications in terms of Human Rights where the individual is alcohol dependant and will, therefore, always be under the influence. Instead, we now look to use 'you must not act in an anti-social manner whilst under the influence of alcohol in a public place'.

It's also important to note that when applying for support from other agencies as a condition of a CBO, statements of support are required from that agency then submitted at the time of the application (a statement stating from the relevant agency stating that they are aware and will provide the support as stipulated).

Good Practice

When the use of ASB tools (powers under the 2014 Act), preparation can really assist the process. By forward-thinking and uploaded prepared CPW, CPN and then CBO documentation can greatly assist Response Teams to submit; especially in the absence of NPT. This makes good use of time, saving Response Officers the need to build such documents at the time of an interaction (custody).

For further information please email SaferCommunitiesHub@Dyfed-Powys.pnn.police.uk