Shana Grice

Investigation into Sussex Police contact with Shana Grice prior to her murder on 25 August 2016

> Independent investigation report
## Investigation information

<table>
<thead>
<tr>
<th>Investigation name:</th>
<th>Shana Grice</th>
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<tr>
<td>IOPC reference:</td>
<td>2016/071948</td>
</tr>
<tr>
<td>Investigation type:</td>
<td>Conduct</td>
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<tr>
<td>IOPC office:</td>
<td>Croydon</td>
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<td>Lead investigator:</td>
<td>Joanna White</td>
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<tr>
<td>Case supervisor:</td>
<td>Steven Foxley</td>
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<tr>
<td>Director General delegate (Decision Maker):</td>
<td>Sarah Green</td>
</tr>
<tr>
<td>Status of report:</td>
<td>Final</td>
</tr>
<tr>
<td>Date finalised:</td>
<td>10 June 2018</td>
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Introduction

The purpose of this report

1. I was appointed by the IOPC to carry out an independent investigation into Sussex Police’s contact with Ms Shana Grice and Mr Michael Lane, prior to Ms Grice being murdered on 25 August 2016. This came to the attention of the IOPC on 25 August 2016 as a death or serious injury referral. However, on 26 November 2016 it was identified that several police officers and members of police staff may have behaved in a manner that would justify the bringing of disciplinary proceedings. The investigation was subsequently changed to a conduct investigation.

2. This is my report for the Director General (DG) delegate, who I will refer to as the decision maker for the remainder of this report. I will aim to:

- provide an accurate summary of the evidence and attach or refer to any relevant documents
- provide the decision maker with sufficient information on which they will be able to determine whether any person serving with the police has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person’s performance was unsatisfactory
- provide the decision maker with sufficient information on which they will be able to determine whether disciplinary proceedings should be brought against any person to whose conduct the investigation related, and the form of any such proceedings
- provide the decision maker with sufficient information about whether they should refer any matter to the Crown Prosecution Service (CPS)
- provide the decision maker with sufficient information upon which they will be able to decide whether to make a recommendation to any organisation about any lessons which may need to be learned.

3. For the purposes of reaching determinations following receipt of this report, the powers and obligations of the director general have been delegated to the decision maker, Regional Director Sarah Green.

4. On receipt of the report, the decision maker will form an opinion about whether any person serving with the police has a case to answer for misconduct or gross
misconduct (or no case to answer), whether their performance was unsatisfactory and any other matters dealt with in the report.

5. The IOPC will then send a copy of this report and the decision maker’s opinion to Sussex Police. Sussex Police must advise the decision maker what action, if any, it will take in response to it. If the decision maker does not agree with Sussex Police, she may make recommendations and ultimately directions for any further actions or determinations. The decision maker will also decide whether to make a referral to the CPS.

6. Where article 2 or 3 of the European Convention on Human Rights (ECHR) is engaged this investigation is also intended to assist in fulfilling the state’s investigative obligation by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.

> Other investigations

7. A murder investigation was launched by Sussex Police following Ms Shana Grice’s death, and Mr Michael Lane was subsequently arrested. Mr Lane pleaded not guilty to the offence, and a trial was held at Lewes Crown Court. Mr Lane was found guilty and was sentenced to life imprisonment, with a minimum term of 25 years.

8. A Domestic Homicide Review into the death of Ms Grice was commissioned by the Joint Domestic, Sexual Violence & Abuse and Violence against Women & Girls (VAWG) Unit for Brighton & Hove and East Sussex.

> Summary of police contact

9. Ms Shana Grice was 19 years old when she first made contact with Sussex Police regarding Mr Michael Lane, who was 26 years old at the time. Ms Grice and Mr Lane worked together at a fire alarm company in Portslade, East Sussex.

10. Ms Grice’s first call to the police in relation to Mr Lane was on 8 February 2016. From the outset, Ms Grice stated “I don’t really know how to start this conversation but I think I’m being stalked”.

11. Ms Grice then went on to explain a history of behaviour by Mr Lane that had occurred throughout the preceding six months. This included Mr Lane being found outside her house, hiding behind walls, and persistent damage to Ms Grice’s car, which she suspected had been caused by Mr Lane.
12. Ms Grice’s complaint was dealt with by Sussex Police’s Resolution Centre. Following a short investigation, Mr Lane was given “words of advice” to leave Ms Grice alone.

13. On 24 March 2016, Sussex Police received a second call in relation to Ms Grice and Mr Lane. It was alleged by the mother of Ms Grice’s boyfriend that Ms Grice had been assaulted by Mr Lane, after he had followed her from her home.

14. Mr Lane was arrested on suspicion of assault, and further arrested by the investigating officer on suspicion of harassment. During interview, Mr Lane informed police he had been in an intimate relationship with Ms Grice, and alleged that an incident she had described in the context of harassment had in fact been a mutual arrangement to meet. After a brief discussion with Ms Grice, where according to the investigating officer she accepted she had been in an intimate relationship with Mr Lane, the investigating officer recommended no further action was taken against Mr Lane on both allegations, and gave Ms Grice “words of advice” about the criminality of wasting police time. Ms Grice was subsequently issued with a Fixed Penalty Notice (FPN) for wasting police time.

15. On 9 July 2016, Ms Grice dialled 999 and reported Mr Lane had stolen a key from her home the previous day and had used it to gain entry and stand in her bedroom while she was in her bed. Mr Lane was arrested, and given a police caution regarding the theft of key, and a Police Information Notice (PIN). The PIN informed Mr Lane he must terminate all direct and indirect contact with Ms Grice.

16. On 10 July 2016, Ms Grice telephoned Sussex Police to ask if a number of missed calls to her mobile telephone from a withheld number had been the police trying to contact her. The call operator established there was no record of Sussex Police attempting to call Ms Grice, and took a telephone number from Ms Grice that had been the only number revealed in the volume of calls. The call operator informed Ms Grice that he had checked Sussex Police systems and open source networks, and the number belonged to a travel insurance company. The number was later found to be from the home address of Mr Lane, but Ms Grice was never informed of this.

17. Later on 10 July 2016, Ms Grice telephoned Sussex Police again to report that she was still receiving calls from a withheld number. She said she had answered one of these calls and heard breathing, but no words were said by the caller. Ms Grice reported that she was concerned that the calls were coming from Mr Lane, and she was feeling scared. The call handler informed Ms Grice she would notify an officer who had dealt with events the previous day.

18. On 12 July 2016, Ms Grice telephoned Sussex Police and said Mr Lane had followed her while she was driving to work. The call handler informed Ms Grice that he would alert an officer who had dealt with the incident on 9 July 2016.
19. Later on the same day, Ms Grice telephoned Sussex Police to ask when an officer would respond to her earlier phone call. She said she was scared that Mr Lane would follow her again the next day and scared to leave her home. The call operator said he would inform another officer who may be in a better position to assist Ms Grice.

20. On 25 August 2016, Ms Grice’s boyfriend received a telephone call advising that Ms Grice had not arrived at work. He asked a relative to check Ms Grice’s home address, who found a bloody footprint outside the front door. Police were called and Ms Grice was found dead in her bedroom. Mr Lane was arrested on suspicion of murder, and was later found guilty of this offence following a criminal trial.

> The investigation

> Terms of reference

21. IOPC Commissioner Jennifer Izekor approved the terms of reference for this investigation on 4 October 2016. IOPC Associate Commissioner Tom Milsom took over as the Commission Delegate on 4 April 2017 and the terms of reference remained the same. The terms of reference specific to this investigation are:

22. To investigate the circumstances surrounding all police contact with both Shana Grice and Michael Lane from 8 February 2016 to 25 August 2016. In particular:

   a) Whether the police response to all allegations made by Shana Grice was appropriate and in line with local and national policies and procedures.

   b) Whether the action taken by police against Michael Lane in relation to the allegations made by Shana Grice was appropriate and in line with local and national policies and procedures.

   c) Whether police took necessary steps to safeguard and protect the welfare of Shana Grice.

   d) Whether police complied with local and national policies and procedures concerning;

      (i) Risk assessment

      (ii) Resolution of complaints

      (iii) Recording of matters
Subjects of the investigation

23. There was an indication that the police officers and police staff listed below may have behaved in a manner which would justify the bringing of disciplinary proceedings.

24. Where there is such an indication for any police officer, police staff member or relevant contractor, they are categorised as a subject of the investigation. All subjects are served with a notice of investigation, informing them of the allegations against them.

25. They are also to be informed of the severity of the allegations. In other words, whether, if proven, they would amount to misconduct or gross misconduct, and the form that any disciplinary proceedings would take.

26. The following person/people have been categorised as subjects of this investigation:

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Severity</th>
<th>Date notified</th>
<th>Interviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms A</td>
<td>Resolution Centre Investigator, Police Staff</td>
<td>Misconduct</td>
<td>27 April 2017</td>
<td>15 May 2017</td>
</tr>
<tr>
<td>PC Trevor Godfrey</td>
<td>Police Constable</td>
<td>Gross Misconduct</td>
<td>16 February 2017</td>
<td>14 March 2017</td>
</tr>
<tr>
<td>DI C</td>
<td>Detective Inspector</td>
<td>Misconduct</td>
<td>19 April 2017</td>
<td>22 May 2017</td>
</tr>
<tr>
<td>PS D</td>
<td>Police Sergeant</td>
<td>Misconduct</td>
<td>19 April 2017</td>
<td>18 May 2017</td>
</tr>
<tr>
<td>PC E</td>
<td>Police Constable</td>
<td>Misconduct</td>
<td>16 March 2017</td>
<td>18 May 2017</td>
</tr>
<tr>
<td>PC Mills</td>
<td>Police Constable</td>
<td>Misconduct</td>
<td>16 March 2017</td>
<td>22 May 2017</td>
</tr>
<tr>
<td>PS G</td>
<td>Police Sergeant</td>
<td>Misconduct</td>
<td>16 March 2017</td>
<td>27 July 2017</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Type</td>
<td>Date</td>
<td>Response received</td>
</tr>
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<td>---------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>PS H</td>
<td>Police Sergeant</td>
<td>Misconduct</td>
<td>28 February 2018</td>
<td>12 March 2018</td>
</tr>
<tr>
<td>Ms J</td>
<td>Safeguarding Investigations Unit Caseworker, Police Staff</td>
<td>Misconduct</td>
<td>7 February 2018</td>
<td>19 February 2018</td>
</tr>
<tr>
<td>Mr K</td>
<td>Contact Handler, Police Staff</td>
<td>Misconduct</td>
<td>27 April 2016</td>
<td>16 May 2017</td>
</tr>
<tr>
<td>Ms L</td>
<td>Contact Handler, Police Staff</td>
<td>Misconduct</td>
<td>1 June 2017</td>
<td>17 August 2017</td>
</tr>
<tr>
<td>Mr M</td>
<td>Contact handler, Police Staff</td>
<td>Misconduct</td>
<td>6 March 2018</td>
<td>16 March 2018</td>
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<tr>
<td>Mr N</td>
<td>Crime Recording and Investigation Assessor, Police Staff</td>
<td>Misconduct</td>
<td>1 June 2017</td>
<td>8 December 2017</td>
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<tr>
<td>PC O</td>
<td>Police Constable</td>
<td>Misconduct</td>
<td>14 August 2017</td>
<td>5 September 2017</td>
</tr>
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27. **Ms A**

Ms A was served with a notice of investigation outlining the following allegations: There was an indication Ms A did not comply with the Sussex Police Protection from Harassment Policy, and did not provide a rationale for why she chose to implement history markers and risk assessments linked to domestic abuse. Further, it was alleged that Ms A had failed to provide details of allegations against Mr Lane to give him the opportunity to respond to them. The IOPC investigation looked at Ms A’s conduct from 8 February 2016 until 15 February 2016.

28. **Police Constable (PC) Trevor Godfrey**

PC Godfrey was served with a notice of investigation outlining the following allegations: There was an indication PC Godfrey did not give Ms Grice an
opportunity to respond to allegations made by Mr Lane, and instead concluded that Ms Grice had been dishonest, and gave her “words of advice” about the criminality of wasting police time. Further, there was an indication that PC Godfrey failed to consider Sussex Police policies regarding domestic abuse. The IOPC investigation looked at PC Godfrey’s conduct from 25 March 2016 until 10 June 2016.

29. **Detective Inspector (DI) C**

DI C was served with a notice of investigation outlining the following allegations:
There was an indication DI C failed to comply with Sussex Police policies regarding protection from harassment and domestic abuse, by failing to consider Mr Lane’s behaviour in the context of domestic abuse and failing to consider the need for associated risk assessments. The IOPC investigation looked at DI C’s conduct on 25 March 2016.

30. **Police Sergeant (PS) D**

PS D was served with a notice of investigation outlining the following allegations:
There was an indication PS D failed to comply with Sussex Police policies regarding protection from harassment and domestic abuse, due to a lack of evidence to show he considered Mr Lane and Ms Grice’s behaviour in the context of domestic abuse, and a lack of evidence to show he considered the need for associated risk assessments. The IOPC investigation looked at PS D’s conduct on 28 March 2016.

31. **Police Constable (PC) E**

PC E was served with a notice of investigation outlining the following allegations:
There was an indication PC E failed to comply with Sussex Police policies regarding protection from harassment and domestic abuse, by failing to identify a course of conduct despite knowledge of a series of incidents. Further, there was an indication that PC E failed to respond to a report made by Ms Grice. The IOPC investigation looked at PC E’s conduct from 9 July 2016 until 11 July 2016.

32. **Police Constable (PC) F**

PC Mills was served with a notice of investigation outlining the following allegations:
There was an indication PC Mills failed to comply with Sussex Police policies regarding protection from harassment and domestic abuse, by failing to adequately address prevalent issues while dealing with Mr Lane. Further, there was an indication that PC Mills failed to respond to a report made by Ms Grice. The IOPC investigation looked at PC Mills’ conduct from 9 July 2016 until 15 July 2016.

33. **Police Sergeant (PS) G**

PS G was served with a notice of investigation outlining the following allegations:
There was an indication PS G had not taken past incidents, or the domestic
context of Ms Grice’s allegations into consideration when deciding on an outcome disposal. Further, there was an indication that PS G had not considered additional information that had come to light when reviewing the outcome disposal. Therefore, there was an indication PS G had failed to comply with Sussex Police policies regarding protection from harassment and domestic abuse. The IOPC investigation looked at PS G’s conduct from 9 July 2016 until 10 July 2016.

34. **Ms J**

Ms J was served with a notice of investigation outlining the following allegations: There was an indication Ms J failed to ensure that a risk assessment was adequately completed. The IOPC investigation looked at Ms J’s conduct on 15 July 2016.

35. **Police Sergeant (PS) H**

PS H was served with a notice of investigation outlining the following allegations: There was an indication that PS H failed to ensure that a risk assessment was adequately completed. The IOPC investigation looked at PS H’s conduct on 10 July 2016.

36. **Mr K**

Mr K was served with a notice of investigation outlining the following allegations: There was an indication Mr K failed to perform appropriate searches to identify the source of malicious communications. The IOPC investigation looked at Mr K’s conduct on 10 July 2016.

37. **Ms L**

Ms L was served with a notice of investigation outlining the following allegations: There was an indication Ms L failed to complete risk assessments according to guidance, and failed to record an allegation of crime appropriately. The IOPC investigation looked at Ms L’s conduct on 10 July 2016.

38. **Mr M**

Mr M was served with a notice of investigation outlining the following allegations: There was an indication Mr M did not record a crime appropriately, and did not complete risk assessments appropriately. The IOPC investigation looked at Mr M’s conduct on 12 July 2016.

39. **Mr N**

Mr N was served with a notice of investigation outlining the following allegations: There was an indication Mr N failed to consider all relevant information during the process of crime recording. The IOPC investigation looked at Mr N’s conduct from 12 July 2016 until 18 July 2016.
40. **Police Constable (PC) O**

PC O was served with a notice of investigation outlining the following allegations:
There was an indication PC O failed to respond to a complaint made by Ms Grice.
The IOPC investigation looked at PC O’s conduct on 12 July 2016.

> Policies, procedures and legislation considered

41. During the investigation, I have examined relevant national and local policies and legislation, as set out below. This will enable consideration as to whether the officers, staff and relevant contractors named in this report complied with the applicable guidance and legislation, and whether the existing policies were sufficient in the circumstances.

> Legislation/statutory guidance

42. The following legislation/statutory guidance was considered:

- The Protection from Harassment Act (1997)
- Section 76 of the Serious Crime Act 2015 – Controlling or Coercive Behaviour in an Intimate or Family Relationship
- The Police (Conduct) Regulations 2012
- Wasting Police Time, contrary to section 5(2) of the Criminal Law Act 1967
- Home Office Counting Rules for recorded crime
- Code of Practice for Victims of Crime
- The Human Rights Act (1998)

> Policies and Procedures

43. The following policies and procedures were considered:

- The College of Policing Approved Professional Practice (APP), which serves as practice guidance to which officers should have regard when discharging their responsibilities. The APP modules referred to within this investigation are:
  - Major investigation and public protection – Domestic Abuse
- Investigation – Investigative interviewing
- The Code of Ethics
- The Association of Chief Police Officers – Practice Advice on Investigating Stalking and Harassment. This guidance is currently referred to as guidance by The College of Policing.
- Sussex Police Policy 578/2014 – Protection From Harassment
- Sussex Police Policy 785/2014 – Call Grades and Deployment
- Sussex Police Policy 516/2013 – Domestic Abuse Policy
- The Sussex Police Investigations Framework

> Summary and analysis of the evidence

44. In order for the decision maker to reach their opinion, I have presented a summary and analysis of the evidence. During this investigation, a volume of evidence was gathered. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all of the evidence gathered in the investigation is referred to in this report.

45. On receipt of the report, the decision maker is required to record their opinion about whether there is a case to answer for misconduct or gross misconduct for each person to whose conduct the investigation relates, and whether the performance of each such person is satisfactory. Within the analysis, I will not make any determinations about these matters.

> Ms Grice’s report of stalking and vehicle damage on 8 February 2016

> The initial call by Ms Grice to Sussex Police

46. On 8 February 2016 at 10.43am, Ms Shana Grice telephoned Sussex Police and reported she believed she was being stalked by Mr Michael Lane. The call recording showed Ms Grice informed the call handler, [REDACTED], that during the preceding six months she had found Mr Lane outside her house when she was leaving for work, hiding behind walls, and appearing as soon as she
would leave her front door. Ms Grice explained that on one occasion Mr Lane had thrown his car keys at her.

47. Ms Grice said she had known Mr Lane as a friend outside of work, but she was unsure if he may have "got the wrong impression" regarding their relationship. [The call handler] asked Ms Grice if she had asked Mr Lane why he had been outside her house, and Ms Grice said Mr Lane had said that he wanted to speak to her.

48. Ms Grice went on to explain that her tyres had been let down numerous times, outside her home address and the address where she had previously resided. In addition to this, her boyfriend, [redacted], had had his car damaged outside her previous address, and a note had been left on his car regarding Ms Grice. Ms Grice said she had no evidence that Mr Lane was responsible for these incidents, but that she sometimes felt scared by what was happening. The call recording showed [the call handler] asked for contact details of [Ms Grice’s boyfriend], details of Ms Grice’s car, and both addresses where the behaviour had occurred.

49. Ms Grice informed [the call handler] she had reported Mr Lane’s behaviour to the Human Resources (HR) Manager at the company where both she and Mr Lane were employed. She said a meeting had been held with Mr Lane and that the behaviour had stopped for a few weeks, but had then continued.

50. Ms Grice said she had recently received flowers at her workplace that wished her Happy Birthday and said “love you”. Ms Grice said that she had phoned Interflora and established that Mr Lane had ordered the flowers. However, Mr Lane had denied sending the flowers when challenged by his employer.

51. The computer aided dispatch (CAD)\(^1\) for this incident showed that [the call handler] documented all the information Ms Grice had provided as heard in the call recording. The CAD was categorised as a vehicle crime, and [the call handler] manually inputted the incident title as “theft from veh/stalked”.

52. The IOPC liaised with a Communications Tutor from Sussex Police, [redacted], who stated that at the time this incident was reported there was no classification in the Sussex Police CAD system that would have allowed [the call handler] to have categorised this incident as stalking.

53. The CAD showed [the call handler] created an Occurrence Enquiry Log (OEL)\(^2\) for the damage to [Ms Grice’s boyfriend’s] vehicle. She recorded that it was a third party report and closed the case, providing a rationale that there were no

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1 A computer aided dispatch (CAD) is a record of the initial police response to an incident. Call handlers will grade the information they are given and use this to determine the type and speed of response to the incident, based upon risk.

2 An Occurrence Enquiry Log (OEL) is a crime report, which must be opened for every new allegation of crime. The OEL is a record of all actions and information relevant to an incident after the initial report.
lines of enquiry to pursue and no evidence the damage had been caused by Mr Lane. [Ms Grice’s boyfriend’ confirmed during interview with the IOPC that despite his suspicion that Mr Lane was to blame for the damage to his vehicle, neither he nor Ms Grice had any evidence to prove this.]

54. After finalising the report of damage to [Ms Grice’s boyfriend’s] car, the CAD showed the call handler created a separate OEL for Ms Grice’s reports of damage to her vehicle and the allegation of stalking. The call handler marked the CAD with a response grade of “3.Planned” and passed the matter to Sussex Police’s Resolution Centre for investigation. The Sussex Police Call Grading and Deployment Policy stated a Grade 3 response is suitable when the response time is not critical in apprehending an offender. By contrast, a Grade 2 call would indicate there was a degree of urgency to the call due to an offender being detained, evidence being lost, or a person experiencing distress.

55. The call handler recorded the following rationale on the CAD for the call grading and allocation;

“Grade 3 CAD suitable for Resolution Centre to investigate because: although we have a named suspect no evidence at this time however, caller states Interflora said the male who sent flowers paid by card and the name on the card was Michael Lane so LOE³ – also caller has reported to her HR so they also may have intel on male as they carried out meeting with him”.

> Sussex Police Resolution Centre

56. The training material provided for Resolution Centre Investigators showed the centre was designed to assist Sussex Police to make financial savings by 2020, which would require a change to how services were delivered. The Resolution Centre was intended to enable incidents to be resolved at the earliest opportunity and to reduce the need to use the resources of front-line officers.

57. The training material showed that any type of offence could be dealt with by Resolution Centre staff. [Redacted], who delivered the training, explained the guidance and said that call handlers would send incidents to the centre if they were assessed as suitable for a Grade 3 response and could be resolved remotely over the telephone. Staff were recruited from within Sussex Police, as existing police officers or police staff with varying backgrounds and varying degrees of experience.

58. The training package for staff was a one-day course. This focused on the ethos “can it be resolved remotely or does it need a face to face interaction?” Decision making, risk assessments, and investigation strategies were addressed. In

³ “LOE” in this instance means Line of Enquiry.
addition to this, staff were given a condensed version of a one-day training course regarding domestic abuse.

59. Acting Inspector (A/Insp) P provided evidence to the IOPC, as an employee of the Resolution Centre. A/Insp P explained no policies were created that were specific to the Resolution Centre, but staff were expected to work within the parameters of force-wide policies. The “low threat” principle governed the continuation of cases within the centre, but there was no definitive policy that said medium risk of harm cases could not be investigated.

60. A/Insp P explained staff within the centre would use the THRIVE model⁴ to continually assess threat and risk, and to guide their judgement about whether an investigation should be kept within the centre, or re-directed to a response investigation team for a face to face level of engagement.

61. A/Insp P said that, at the time of Ms Grice’s initial case being investigated, there was no training specific to the Resolution Centre regarding how to deal with incidents of stalking. As the experience of staff differed, previous input and experience of dealing with cases specific to stalking was variable.

62. The training material showed the victim’s wishes were key in decision making within the Resolution Centre. However, if a suspect had a substantial history of offending, this would be given consideration, and may lead to an investigation being reallocated to a different team.

> Ms A

63. On 8 February 2016 at 2.37pm, the CAD for Ms Grice’s report of stalking and vehicle damage showed that a Resolution Centre Investigator was assigned.

64. Ms A was the designated investigator and was served with a notice of investigation as detailed above. Ms A attended one interview at the IOPC.

65. Ms A told the IOPC that incidents were queued for attention, but in this instance she was asked by her supervisor, [redacted], to look at Ms Grice’s report as her next investigation. Ms A explained this was “technically jumping the queue”, as a response is usually expected from the Resolution Centre within 24-48 hours.

66. [Ms A’s supervisor] provided a statement to the IOPC. He said he was responsible for “triaging” cases as they came to the Resolution Centre, and deciding whether an investigation remained suitable within the jurisdiction of the centre.

⁴ See Appendix 3
67. [Ms A’s supervisor] said he initially felt “uneasy” about Ms Grice’s report. He said that in his opinion, Ms Grice had made some disclosures that could be indicative of stalking behaviour.

68. However, [Ms A’s supervisor] said, he felt that the investigation was suitable for the Resolution Centre to begin with, due to the fact it was a Grade 3 response, and later decisions would be made based upon a further conversation with Ms Grice.

69. [Ms A’s supervisor] said;

“There were ultimately two options when receiving this investigation; we could either send it somewhere else or ring [Ms Grice] now. As we were aware the victim was able to speak at that time I felt the best service we could give was to speak to them now.

The idea was that by calling [Ms Grice] an S Dash5 could be completed whereas if the investigation was sent to the radio it would wait and if it was sent to investigations it could wait up to two days.”

70. [Ms A’s supervisor] said he considered Ms A to be the most suitable investigator to handle the call and obtain further information.

71. Ms A told the IOPC she began her investigation by reviewing the CAD, and researching Mr Lane’s police record. At the time, Mr Lane had been known to police on one occasion concerning an allegation of grooming in 2010. However, this incident received no further action as the intent to commit a sexual offence could not be proven. Ms A said that she considered the length of time that had passed since this allegation and said “it didn’t seem significant”. However, Ms A did later add this information to the DASH6 risk assessment form.

72. Ms A said that she telephoned Ms Grice and took further details about the incidents that had caused Ms Grice concern. She said Ms Grice told her she had been good friends with Mr Lane in the past, but they had fallen out approximately six months beforehand. Ms A said Mr Lane’s unwanted behaviour had led to a meeting at the company that they both worked for, and Mr Lane had been warned by his employers to leave Ms Grice alone. Ms A stated during IOPC interview that she genuinely believed Ms Grice was being stalked, commenting “I could feel her fear”.

73. Ms A told the IOPC her next investigative action was to speak to the HR Manager, who wishes to remain anonymous within the IOPC report, at the company where Ms Grice and Mr Lane worked. She said the manager also raised his concerns about Mr Lane’s behaviour, and expressed his concern for

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5 A S-DASH comprises of 11 stalking specific risk assessment questions. See Appendix 2.
6 The DASH is used by Sussex Police to assess risk in cases of domestic abuse. See Appendix 2.
Ms Grice’s safety. The HR Manager confirmed a meeting had been held with Mr Lane on 15 January 2016, to address the allegations Ms Grice had made.

74. Ms A told the IOPC she discussed safety planning with the HR Manager, and provided advice based on the opportunities that were available to the company as an alarm provider. The HR Manager advised they may be able to track Mr Lane’s work vehicle and mobile phone, and that a personal alarm could be provided to Ms Grice. The HR Manager was interviewed by the IOPC and said he could not recall if he ever sent vehicle tracking information to Ms A, and Ms Grice declined the offer of a personal alarm.

75. The OEL for this incident showed Ms A recorded that Mr Lane had admitted during his meeting with the HR Manager that he had been outside Ms Grice’s address, but denied all knowledge of other incidents, including sending her flowers.

76. When interviewed by the IOPC, the HR Manager stated;

“in my opinion [Ms A] was professional and had real concern for [Ms Grice’s] safety and taking the complaint seriously. [Ms Grice] never discussed her conversations with [Ms A] as this was private, but [Ms Grice] said to me she did feel reassured and had the support from [Ms A] and felt she could contact her or the team 24/7”.

77. Ms A told the IOPC her next action was to complete a risk assessment using the Single Combined Assessment of Risk Form (SCARF)\(^7\). The IOPC retrieved a copy of the SCARF, which showed a record of events, a completed DASH risk assessment, and the additional S-DASH stalking specific questions. Ms A said she completed the DASH to ensure she documented how Mr Lane’s behaviour was affecting Ms Grice, and how she could deal with the complaint effectively.

78. Ms A said she telephoned Ms Grice to gather the information necessary for the SCARF assessment, and Ms Grice confirmed that her relationship with Mr Lane had never been intimate.

79. Ms A told the IOPC that, since dealing with Ms Grice, she had been told she had not needed to complete the DASH form, as there had been no evidence of a domestic relationship. However, she said that, at the time, she believed she needed to open the DASH in order to answer the stalking specific questions (S-DASH) of the risk assessment. Ms A said she did not regret opening and completing the full DASH, including the stalking questions, because she felt the questions were relevant and provided information that could be useful.

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\(^7\) The Single Combined Assessment of Risk Form (SCARF) is the computer based form that Sussex Police use to store risk assessment information, including the DASH and S-DASH.
80. Ms A recorded a score of 11 positive answers on the DASH and said she manually changed the risk level to “Medium”, as opposed to the “Standard” level which she believed would be expected with the score. Ms A said she did this as she was not happy the “Standard” assessment accurately reflected her belief that Ms Grice was genuinely being stalked.

81. Ms A told the IOPC she advised Ms Grice she must phone 999 if any further incidents occurred, and explained she would provide her with an update the following day.

82. Ms A said she then sent the completed DASH form for supervisory review by her supervisor and the Safeguarding Investigations Unit (SIU).

83. At IOPC interview, Ms A stated “I just wanted to make sure that I did everything that I could before I went home”. She said that, before she left, she added history markers to Ms Grice’s mobile phone number and current home address, which said “Shana Grice at risk of harassment/stalking (medium risk) by Michael Lane”. Ms A said history markers act as an alert to call handlers and staff who deal with further incidents. The IOPC found evidence of this history marker in all further CADS involving Ms Grice.

84. The OEL showed that Ms Q reviewed the completed DASH on 9 February 2016, as a caseworker within the SIU. Ms Q was no longer employed by Sussex Police when the IOPC investigation requested a witness statement. However, a colleague in the same role, Ms R, was able to provide a statement concerning the role and responsibilities of SIU caseworkers.

85. Ms R explained that SIU caseworkers would attempt to engage with victims of domestic abuse where the risk of harm had been assessed to be “High”, and would then provide safety planning for the individual. In cases where the risk of harm had been assessed to be “Medium”, the expectation was that caseworkers would check the accuracy of the assessment, and then refer the individual to a partner agency, RISE, for domestic violence support and safety advice. Contact with the victim would, therefore, not be an expectation in the case of a “Medium” graded incident.

86. The OEL showed Ms Q checked the completed DASH and recorded that it had been accurately assessed as a “Medium” risk of harm. The OEL and phone records showed Ms Q telephoned Ms Grice at 10.16am on 9 February 2016 to gain further information. She then prepared a safety plan which included a referral to RISE, and provided details to Ms Grice of the National Stalking

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8 See Appendix 2.
9 The Safeguarding Investigations Unit (SIU) is a specialist unit within Sussex Police who will review risk assessments, adjust the assessment if they believe it has been inaccurately assessed, and refer victims to partner agencies or offer support according to the level of graded risk.
10 RISE is a domestic abuse charity based in Sussex.
Helpline. She also advised Ms Grice she should keep a record of any other incidents, and to contact police with any further concerns or complaints.

87. As these actions were not an expectation of Ms Q’s role, Ms R commented that telephoning Ms Grice was something that Ms Q would have likely chosen to do herself, to ensure she was able to fully establish the level of risk.

88. Ms A told the IOPC that when she next returned to the Resolution Centre, she checked Ms Grice’s case as a priority. She said she felt reassured the DASH had been reviewed and safety advice had been provided to Ms Grice.

89. On 9 February 2016 at 3.09pm, the OEL and phone records showed Ms A telephoned Ms Grice. During IOPC interview Ms A stated;

“that phone call was about making, making her know that we were….still here and I gave her some more…safety advice”.

90. Ms A said she asked Ms Grice to send her any relevant items from social media or her mobile telephone that might provide evidence for the investigation. Ms Grice later sent Ms A images of the card and invoice related to the flowers she had received from Mr Lane, and one screen shot of a Facebook message from Mr Lane to Ms Grice’s boyfriend, that read “she will cheat”.

91. Ms A told the IOPC that the length of time that had passed, combined with the winter weather, led her to believe that any evidence regarding the damage to Ms Grice’s car would have likely been lost.

92. [Ms A’s supervisor] confirmed in his statement that, without CCTV evidence, there was no realistic prospect of attributing the car damage to Mr Lane. However, he said he suggested Ms A should conduct Automatic Number Plate Recognition (ANPR) checks to see if Mr Lane’s car could be detected in locations that were significant to Ms Grice.

93. The CAD showed that ANPR checks were requested by Ms A dating back to 31 December 2015, but no noteworthy information was returned.

94. Ms A told the IOPC she called Ms Grice that evening to inform her she would attempt to speak to Mr Lane. She stated;

“I do remember her saying that…she didn’t want him to lose his job. She didn’t want anyone to lose their job over this and she just wanted him spoken to. She just wanted him to leave her alone and not to contact her again”.

95. The OEL showed Ms A informed Ms Grice that a Police Information Notice (PIN)\textsuperscript{11} could not be issued to Mr Lane at this stage due to lack of evidence.

\textsuperscript{11} A Police Information Notice (PIN) is a warning notice that police forces can use to inform an individual that their behaviour may be considered to be harassment. They are not covered by
Ms A told the IOPC she had discussed the viability of using a PIN with her supervisor. She said that, because this was Ms Grice’s first report to Sussex Police, and because Ms Grice worked with Mr Lane, the PIN was considered unsuitable. Ms A said she believed a PIN may be a suitable option to use in the future.

On 10 February 2016 at 6.51pm, phone records showed Ms A telephoned Mr Lane.

Ms A told the IOPC that, as soon as she informed Mr Lane a complaint had been made by Ms Grice concerning harassment, “he’s kicking off”. She said she told Mr Lane she was aware there had been a meeting at his workplace regarding him waiting for Ms Grice outside her home address, and was aware he had sent Ms Grice flowers. Ms A informed Mr Lane that Ms Grice felt harassed by him, and she was giving him words of advice to stop his behaviour towards her.

Ms A recorded on the OEL;

“I explained that there had been some strange things happen to [Ms Grice] over the last month, of which I was not going to discussed [sic], I explained that those matters were not being investigated, and that I was not speaking to him regarding any criminal matter.”

During interview at the IOPC, Ms A said she could not recall if she actually used the term “strange things” when talking to Mr Lane. She said she did not discuss the damage to Ms Grice’s car because she did not have any evidence, but she did talk about the flowers – which he denied sending. Ms A said the only issue that she directly accused Mr Lane of was making Ms Grice feel harassed, to which she told him that he must stop.

Ms A said that, at the time, she was unaware the Sussex Police policy regarding protection from harassment stated that details of an allegation must be provided to the accused, and they should be given the opportunity to explain the situation from their perspective. Ms A said she believed she had given Mr Lane sufficient information to know what he should not be doing in the future.

Ms A told the IOPC that she had not received any training from Sussex Police regarding how to give words of advice, or the likely outcomes. The IOPC found no evidence of such training in the Resolution Centre training material. Ms A said that if there had been evidence linking Mr Lane to the damage of Ms Grice’s car, she may have asked a different unit to have made the phone call or to deal with the matter in “a more robust way.”

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legislation and do not constitute legal action, but can be used in future legal proceedings to evidence that an individual had been warned that their behaviour could be regarded as harassment.
103. Ms A said Mr Lane was “just so difficult”. She told the IOPC that he said he did not understand, that he would get legal advice, and that he had not been near Ms Grice since the meeting at his workplace. Ms A stated;

“I just didn’t actually get particularly very far with him”.

104. Ms A recorded on the OEL;

“At the end of the call I managed to calm him down and told him to move on, not to contact [Ms Grice] by any means or go to her address, to leave her alone and that Police action would be taken if any further reports were made. Obviously due to the pair working for the same company their paths will cross and he has been requested to avoid all contact, unless it is work related. As mentioned during the call he expressed the injustice of it…”

105. Ms A told the IOPC her actions regarding Mr Lane were led by Ms Grice’s representations that she simply wanted somebody to speak to him.

106. The OEL and phone records showed Ms A telephoned Ms Grice to provide a full update, and to inform her that she had given Mr Lane words of advice. Ms A advised Ms Grice to call the police immediately if matters escalated and said that the matter would soon be filed.

107. The OEL showed that Ms A received an email the following day from Mr Lane and Ms Grice’s HR Manager. At IOPC interview, Ms A said she telephoned the HR Manager and found out Mr Lane had phoned him early in the morning to say he had spoken to the police, and he was very unhappy and wished to have a meeting.

108. Ms A said that, during this call, the HR Manager reported concern for Ms Grice’s safety and disclosed further information to Ms A regarding Mr Lane XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

109. The OEL showed that the HR Manager emailed Ms A on 11 February 2016 to say he had spoken with Mr Lane. In the email, it said;

“he mentioned to me that in your conversation last night you did not say what he was supposed to have done and he still does not know what has gone on, but feels angry he has been spoken to by the Police and warned about something he has no knowledge of”.

The HR Manager then asked for advice about which incidents he could discuss with Mr Lane.

110. Ms A recorded on the OEL that she telephoned the HR manager and said she was not investigating the “strange things” that had happened to Ms Grice’s car as there was no evidence, and asked the manager not to discuss the flowers.
111. The OEL showed the HR Manager sent a further email to Ms A on 11 February 2016, reiterating that Mr Lane was angry, and felt he could not defend himself against allegations he had no knowledge of. Ms A replied to this email to thank him for his update and advised him that the investigation would now close, but to make contact if further issues occurred.

112. On 11 February 2016 at 5.16pm, the OEL showed Ms A sent a request to Interflora to ask who had ordered Ms Grice the flowers that she had discussed. A response was received from Interflora on 15 February 2016, confirming that Mr Lane had been the sender.

113. The OEL showed Ms A completed a finalisation document for the investigation on 15 February 2016. She recorded that the matter needed to be reclassified as first time harassment and documented her rationale as;

“This has been investigated as harassment and stalking, our victim reported feeling stalked after her vehicle was damaged a 3rd time. There is no evidence to link the suspect to the vehicle damage, however evidence of harassment has been found as (unwanted flowers sent which was denied by suspect). Strong words of advice not to contact have been given to the suspect, which was the first course of action that the victim wanted. Victim has been given personal safety advice and is aware the matter is to be filed”.

114. On 15 February 2016 at 12.19pm, the OEL showed the finalisation document was reviewed and authorised by [Ms A’s supervisor], who noted the investigation was now complete, in line with Ms Grice’s wishes.

> Analysis of the evidence

115. The Sussex Police Protection from Harassment policy stated it was compliant with College of Policing guidance. The College of Policing relied on the Association of Chief Police Officers (ACPO) practice advice when investigating cases of stalking and harassment. ACPO guidance explained that information about risk factors when building a picture of harassment should be gained from a number of sources, including known intelligence and conviction history of suspects. It lists sexual offending and criminal damage as some of a number of offences that are relevant in the police response to harassment type cases.

116. The evidence showed Ms A began this investigation by reviewing the CAD and researching Mr Lane using police systems. She stated she did not consider a previous allegation of grooming from 2010 to be significant. However, she did record the information on the SCARF risk assessment. This is in line with the applicable policies and guidance.
117. The Code of Practice for Victims of Crime stated that victims of crime should be kept informed of the actions and outcomes of the police.

118. The evidence showed Ms A spoke to and updated Ms Grice on several occasions throughout her investigation. Ms Grice’s HR Manager provided evidence to say that, in his opinion, Ms Grice felt reassured and supported by Ms A’ response. These actions comply with the relevant guidance.

119. The Sussex Police Protection from Harassment policy stated that risk assessment and management must be an ongoing process in investigations concerning harassment or stalking. It said completion of a DASH is necessary for cases where there is an intimate or familial relationship between the victim and suspect. However, where there is no domestic inference it stated that the S-DASH risk assessment should be completed.

120. The findings of the 2017 HMIC and HMCPSI inspection of the police and CPS response to harassment and stalking\textsuperscript{12}, stated the S-DASH alone does not demonstrate the full effect of stalking behaviour and subsequent needs of the victim. It encouraged police forces to also use the DASH to assess risk in non-domestic cases, citing that it had been designed to risk assess all harassment and stalking. It stated;

“Although not all the questions in the DASH will be relevant to all victims of non-domestic abuse harassment and stalking, completing this form as a means of risk assessment for these victims would enable consistent information to be gathered and a comprehensive view of all the risks faced by the victims”.

121. The evidence showed Ms A completed both the DASH and S-DASH risk assessments while the behaviour was reported in a non-domestic case. Although the Sussex Police policy did not specify the requirement to complete the DASH in non-domestic cases, her actions were compliant with the advice within the HMIC and HMCPSI report.

122. The Sussex Police Protection from Harassment policy stated professional judgement and investigation are crucial to carrying out a risk assessment. The evidence showed that Ms A assessed there was a “Medium” risk of harm associated with Mr Lane’s behaviour towards Ms Grice, based on her own assessment of the circumstances. These actions comply with the relevant policy.

123. The Sussex Police Protection from Harassment policy stated risk assessments must be sent for supervisory review, and the level of risk should be recorded on police systems. The evidence showed that Ms A sent the completed SCARF to her supervisor, [REDACTED], and also to the SIU team for review. Ms A

\textsuperscript{12} See Appendix 2.
subsequently recorded this information as a history marker to be seen on all future CADs. These actions comply with the relevant policy.

124. The Sussex Police Investigations Framework\textsuperscript{13} required investigating officers and staff to consider the risk and seriousness of an allegation, in conjunction with the solvability and proportionate response.

125. The evidence showed Ms A focused her investigation on collating evidence of stalking. She requested ANPR checks of Mr Lane’s vehicle, requested information from Ms Grice’s social media accounts, requested confirmation that Mr Lane had sent Ms Grice flowers, and liaised with Ms Grice’s HR Manager. Ms A said she did not seek to find evidence of Mr Lane damaging Ms Grice’s vehicle and provided a rationale based upon the length of time that had passed, and the winter weather having potentially eroded evidential opportunities. This decision was supported by her supervisor, XXXXXX. These actions are in line with the relevant policy.

126. The Sussex Police Investigations Framework stated the wishes of victims should be central to an investigator’s approach, and their wishes should be followed unless there is a wider threat to the public or another individual.

127. The evidence showed that Ms Grice only wished for Mr Lane to be spoken to by police and told to leave her alone. Both of these actions were completed by Ms A.

128. The evidence showed the only proof of unwanted behaviour Ms A was able to obtain, was flowers that had been sent by Mr Lane, and a workplace meeting about Mr Lane being near to Ms Grice’s address. Ms A considered wider threats by reviewing intelligence concerning Mr Lane, and seeking further evidential opportunities with ANPR checks and requesting information from the HR Manager.

129. The ACPO guidance regarding stalking and harassment stated that after investigation, a PIN could be used following an allegation of harassment type behaviour where a charge, caution or prosecution is not possible. This could be in circumstances where the behaviour can be explained by the suspect as being lawful or reasonable, or where there is a report of a single act which does not form part of a course of conduct according to the Protection from Harassment Act 1997 (PHA).

130. A course of conduct according to the PHA is conduct on at least two occasions which is unwanted and causes the victim to feel harassed.

131. The practice advice from ACPO stated;

\textit{“There may be situations where there is not a reasonable explanation for the behaviour complained of… and the police will need to consider taking further}

\textsuperscript{13}See Appendix 4.
action by issuing a police information notice. This will usually be at the early stage of a situation when there is no evidence that an offence of harassment has occurred (i.e. a course of conduct has not been proved”).

132. The Sussex Police Protection from Harassment policy reflected ACPO guidance, adding that the views of the victim should also be taken into account if consideration was being given to the use of a PIN.

133. The evidence showed Ms A felt unable to prove a course of conduct. The HR Manager was unsure if he ever sent Mr Lane’s vehicle tracking information to the police, and no evidence was found during this investigation that he did so. There was no evidence to link Mr Lane to the damage to Ms Grice’s car, and Mr Lane denied all allegations when challenged by Ms A. Therefore, the only firm evidence that Ms A had of conduct that had caused Ms Grice to feel harassed, was the fact that Mr Lane had sent Ms Grice flowers. There is, therefore, evidence to suggest this may have constituted a “single act” according to the ACPO guidance.

134. Ms A provided evidence to show that neither she nor her supervisor believed a PIN could be issued to Mr Lane. Ms A provided a rationale for this decision as being linked to lack of evidence, the fact this was Ms Grice’s first report to Police, and the fact Mr Lane and Ms Grice worked together. Sussex Police policy and the guidance detailed above both described a PIN as suitable when a single incident had been recorded, and said a PIN is an opportunity to notify the accused that the behaviour could amount to harassment if it continued. However, in line with Sussex Police policy, Ms A only spoke to Mr Lane about allegations, as requested by Ms Grice.

135. The Sussex Police Protection from Harassment policy stated;

“In single incident cases only and where the identity of the person complained of is known he/she should be advised that an allegation regarding their behaviour has been received.

Details of the allegation must be provided to the “accused” and they in turn should be given the opportunity to explain the circumstances from their perspective.”

136. The notice of investigation served to Ms A alleged that she may have failed to provide Mr Lane with sufficient information about the allegations against him, in order to give him the opportunity to respond to them. The evidence showed Ms A recorded telling Mr Lane that “strange things” had been happening to Ms Grice, which Ms A was not prepared to discuss with him. Emails sent by the HR Manager showed Mr Lane had expressed that he found this unjust, and considered he could not defend himself against allegations he had no knowledge of.
137. The evidence showed Ms A felt her telephone call with Mr Lane had been difficult, and that she did not feel she had been able to get very far with him. She said she had not mentioned the car damage because she had no evidence, but did discuss the flowers and the fact Ms Grice was feeling harassed. The evidence showed Ms A had not received any training regarding how to give words of advice to suspects.

> The IOPC has made a number of learning recommendations in relation to this incident.
A report of assault against Ms Grice on 24 March 2016

The initial call by Ms S to Sussex Police

138. On 24 March 2016 at 11.39pm, Sussex Police received their second phone call regarding Ms Grice and Mr Lane. The CAD showed Ms S informed the call handler that her son’s girlfriend, Ms Grice, had been assaulted by Mr Lane, and that he had also attempted to take her mobile phone. Ms S said Ms Grice had then been taken to Ms S’s address by passers-by who had stopped to assist her.

139. The call recording showed Ms S informed the call handler that Ms Grice had previously reported Mr Lane’s behaviour to Sussex Crimestoppers. The IOPC pursued this line of enquiry and were unable to trace any such contact.

140. The CAD showed the call was categorised with a Grade 2 response. Grade 2 responses in Sussex Police require the earliest possible police attendance, with a target response time being within one hour. The grade acknowledges a degree of importance or urgency with initial police action.

141. On 25 March 2016 at 12.27am, the CAD showed Special Constable XXXXX and Police Constable (PC) O had arrived at Ms S’s address, and recorded their decision to take a statement from Ms Grice. This was within the target response time.

142. Ms Grice finalised her statement at 1.19am. In summary, her statement said;

- Ms Grice had been out for the evening with colleagues and attended a local public house.
- Ms Grice left the public house at 10.30pm and returned home. Approximately 15 minutes later, her two housemates returned home, accompanied by Mr Lane.
- Ms Grice had known Mr Lane in a professional capacity since June 2015. Prior to that, she had also known of him as a customer at the public house.
- Ms Grice said there had been previous issues with Mr Lane that she had reported to police, so she had been unhappy he had gone to her home.
- Ms Grice said she had a verbal argument with Mr Lane, and then decided to leave the address.
- After leaving the address, Ms Grice noticed Mr Lane following her, running to catch up with her. She was on the telephone to her boyfriend at the time so continued to walk while Mr Lane was calling her name.
• Mr Lane then “grabbed” Ms Grice’s phone, pulling it away from her left ear while saying “no no no”. While taking her phone, Mr Lane pulled some of Ms Grice’s hair, causing pain but no injury.

• Ms Grice reported she did not believe Mr Lane intended to take her phone, but instead intended to prevent her from talking to her boyfriend.

• Ms Grice then pulled her phone from Mr Lane, and moved away from him. A passing car stopped, and the occupants asked Ms Grice if she needed help. Ms Grice replied that she did, and asked them to take her to her boyfriend’s house.

143. [Name redacted], Ms Grice’s boyfriend, and his father, Mr S, provided statements to the IOPC. They stated the officers who attended their home appeared to deal with the situation well. They said the officers had responded quickly, and appeared to do a thorough job, while calming Ms Grice down. They reported there were at least three family members in the room when Ms Grice provided her statement, including her boyfriend.

144. On 25 March 2016 at 3.07am, the Occurrence Enquiry Log (OEL) showed PC O created an Initial Investigation Report, which summarised the comments Ms Grice had reported in her statement. With regard to possible witness opportunities, PC O recorded that the details of the people who had stopped to assist Ms Grice had not been ascertained. PC O recorded it would be necessary to arrest Mr Lane.

145. On 25 March 2016 at 4.36am, the custody record showed PC O arrested Mr Lane on suspicion of assault by beating. Mr Lane’s detention was authorised shortly afterwards and the investigation of the incident was allocated to Police Constable (PC) Godfrey at 8.22am.

> The investigation of the assault

146. PC Godfrey told the IOPC that as a Response Investigation Team (RIT) investigator it was his role to investigate volume crime, including low-level assaults. In this instance, it was his job to investigate Ms Grice’s allegations, and then present the evidence to a more senior officer for a disposal outcome. Mr Lane was in custody at the time that PC Godfrey began his shift at 8am on 25 March 2016.

147. During his IOPC interview, PC Godfrey said he read Ms Grice’s statement, which made it clear Mr Lane had not attempted to steal her phone. He stated;

“at best what I’ve got is someone pulling a phone from someone’s ear and so…I thought there must be more to it…it’s either going to be attempt theft of phone or there’s some history between them”. 
148. PC Godfrey told the IOPC he researched the history of Ms Grice and Mr Lane. He said he reviewed the OEL and NICHE\textsuperscript{14} history from Ms Grice’s previous allegations in February, noting the features of the offences and the history markers that were linked to Ms Grice’s details. PC Godfrey said he also considered Mr Lane’s conviction history.

149. Due to the history between Ms Grice and Mr Lane, PC Godfrey said, he telephoned Ms Grice to establish if there had been any further incidents she had not reported to police. Phone records showed a call was made to Ms Grice from the RIT department at 9.33am on 25 March 2016.

150. PC Godfrey said that, during this telephone call, Ms Grice informed him of a further incident that had occurred on 26 February 2016, where Mr Lane had been found late at night in an alleyway of a property neighbouring Ms Grice’s home.

151. During interview at the IOPC, PC Godfrey said this started “ringing alarm bells”, and so he decided to take a further statement from Ms Grice to establish whether an offence of stalking or harassment needed to be considered. He said he informed Ms Grice he would leave the station straight away to attend her home address, but she requested he meet her at her boyfriend’s home.

152. PC Godfrey told the IOPC that Ms Grice’s boyfriend, [XXXXXXX], answered the door when he arrived to take the statement. PC Godfrey said he asked Ms Grice if there was somewhere quiet they could go to talk, but she insisted that she would like to give her account in front of [her boyfriend’s] family. PC Godfrey told the IOPC, he had no reason to suspect Ms Grice would not give a full account in front of her boyfriend or his family, as at the time he was treating her as a victim of crime, and believed she might benefit from the support of [her boyfriend’s] family.

153. In summary, the statement Ms Grice provided to PC Godfrey stated;

- Ms Grice had known Mr Lane after meeting him at The [XXXXXXX] pub in the summer of 2015.
- They had become friends, and Ms Grice had soon started working at the same company as Mr Lane.
- Mr Lane had asked Ms Grice out for drinks on several occasions, but she had refused and told him that she was not interested in him. Mr Lane then persistently phoned and sent messages to Ms Grice. Ms Grice blocked him from media contact in October 2015.
- Since then, Ms Grice had been followed home twice by Mr Lane and had found him waiting outside her address. She further discussed the damage to

\textsuperscript{14} NICHE is the Sussex Police database which stores information about individuals as suspects, victims and witnesses.
her car and the unwanted flowers that Sussex Police had previously investigated.

- On 26 February 2016, Mr Lane had been found in an alleyway near to Ms Grice’s home and was challenged by [Ms Grice’s boyfriend]. Mr Lane had said he was allowed to be there and walked away.

- Ms Grice said the cumulative effect of the incidents with Mr Lane had left her frightened and scared, and feeling like she was always being watched. Ms Grice said she was considering leaving her job to avoid further contact with Mr Lane.

154. After finalising the statement with Ms Grice, PC Godfrey told the IOPC he returned to Crowhurst Road police station to interview Mr Lane.

155. The interview transcript showed PC Godfrey began the interview by arresting Mr Lane on suspicion of harassment. He asked Mr Lane to explain his version of events.

156. Mr Lane informed PC Godfrey he had been in an intimate relationship with Ms Grice since the autumn of 2015. Mr Lane said this relationship had been “on and off” as Ms Grice had a boyfriend.

157. Mr Lane went on to explain he had followed Ms Grice from her home the preceding evening after she had become upset that her housemates had found out about their relationship. Mr Lane stated;

“She left. I went after her. She was on the phone, I grabbed the phone and then that was it”.

Mr Lane said he had grabbed the phone because he wanted to speak to Ms Grice.

158. During the interview with Mr Lane, PC Godfrey asked if Mr Lane had previously followed Ms Grice to her mother’s house. Mr Lane agreed that he had on several occasions, and said he did this because he wanted to speak to her, but Ms Grice “didn’t want to know”. Mr Lane also accepted he had waited outside Ms Grice’s home with the same intention, and that this behaviour could be construed as stalking.

159. Mr Lane acknowledged he had sent Ms Grice flowers on her birthday, despite denying this during previous police contact in February 2016.

160. Mr Lane claimed he had ceased contact with Ms Grice after being warned by police to stay away from her in February 2016, but she had reinitiated contact with him. He said the relationship had then become intimate, and continued to be intimate.
161. PC Godfrey informed Mr Lane that Ms Grice had been in the company of her boyfriend when they had spoken earlier that day, and remarked that she would not have been in a position to disclose a relationship with Mr Lane.

162. Mr Lane told PC Godfrey the incident on 26 February 2016 that Ms Grice had discussed in her statement, had been a mutual arrangement to meet. Mr Lane said he had evidence of the intimate relationship on his telephone. PC Godfrey said he wanted to check Mr Lane’s telephone and speak to Ms Grice alone.

163. Following interview, Mr Lane showed PC Godfrey text messages on his telephone from Ms Grice. PC Godfrey told the IOPC there were “dozens of texts from her the previous day ending up with her saying she still wants him. There are further dozens of texts from previous days before that”. PC Godfrey said he confirmed the telephone number that had sent the messages matched that of Ms Grice.

164. PC Godfrey told the IOPC he did not check how far back the messages dated but he “got the gist” that Ms Grice and Mr Lane were in an intimate relationship.

165. The IOPC found evidence of three pages of text messages PC Godfrey uploaded to NICHE. There were ten messages from Ms Grice and 18 from Mr Lane.

166. The first page of messages showed Mr Lane typed “XXXXX?”, and Ms Grice responded “Yeah xxxx”. Mr Lane typed “OK…That’s it! Everyone is going to find out”. Ms Grice responded “Stop being stupid!...I still want you xxxxx”.

167. Although the date of transmission is unclear in the evidence, the third page of messages showed they had been read by Ms Grice the previous day.

168. On 25 March 2016 at 1.20pm, the OEL showed PC Godfrey made a detailed entry based on what Mr Lane had told him. He recorded;

“…[Mr Lane] admitted taking the phone away from her ear so he could talk to her. She ran off and he returned to the house…
Since the interview [Mr Lane] showed me the text messages on his phone from [Ms Grice]. There are dozens of texts from her yesterday ending up with he [sic] saying she still wants him. There are further dozens of texts from previous days. All in all this totally backs up [Mr Lane’s] claim that they have been in a relationship behind her boyfriends back and that she has been very less than truthful in her statements.

As such I fully recommend NFA\textsuperscript{15} on all counts.”\textsuperscript{16}

\textsuperscript{15} “NFA” in this instance means No Further Action.

\textsuperscript{16} PC Godfrey did not have responsibility to make the final decisions regarding what action should be taken in regard to either Mr Lane or Ms Grice. The individuals responsible for these decisions are discussed later in this report.
169. On 25 March 2016 at 12.53pm, the custody record showed Custody Officer (CO) T made an entry stating;

“further arrest/account provided/denied offence”.

170. When interviewed by the IOPC, CO T said he could not specifically recall the incident, but typically, the information he would enter on to the custody record would be given to him by the officer who interviewed a suspect. CO T stated;

“I believe by the way I have written it, and included the term ‘further arrest’, that Michael Lane was further arrested during interview, he provided an account for both offences and denied both offences. However, this is my interpretation of the custody log and I cannot recall this particular incident.”

171. On 25 March 2016 at 2.03pm, phone records showed PC Godfrey telephoned Ms Grice. The telephone call lasted for 84 seconds.

172. PC Godfrey recorded on the OEL;

“I have phoned [Ms Grice] and spoke to her regarding [Mr Lane’s] claim. She has fully admitted that they are much more than friends. I have advised her that wasting Police time is a criminal offence which she fully understands and apologises. I have given her strong words of advice”.

> Police Constable (PC) Godfrey

173. PC Godfrey was served with a notice of investigation as detailed above. He provided a written response to the notice and also attended one interview at the IOPC.

174. In his initial response to notice, PC Godfrey said he believed he had a “reasonable degree of basic proficiency” as a RIT investigator, but he could not recall ever having seen or had any formal training about Sussex Police’s policies related to domestic abuse.

175. At IOPC interview, having had sight of his training record, PC Godfrey acknowledged he had attended domestic violence training during his career. PC Godfrey’s training record showed that, since 4 July 1990, he had attended one day of classroom-based domestic abuse training at the time of his involvement with Ms Grice. This was on 13 April 2015. PC Godfrey had also completed three NCALT training courses relevant to domestic abuse, one in 2013 and two in 2015. PC Godfrey had not received any training specific to stalking.

176. The IOPC reviewed the training material from the course PC Godfrey attended on 13 April 2015. The course included content about the definition of domestic abuse.

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17 NCALT are online e-learning packages that staff and officers will complete at a computer.
– including detail about controlling and coercive behaviour, identifying and assessing risk, and risk management.

177. At IOPC interview, PC Godfrey said that, after he had viewed “consistent chatting” between Ms Grice and Mr Lane on Mr Lane’s phone, “it told me basically that she had completely lied to me”.

178. PC Godfrey said that, when he telephoned Ms Grice, he asked her if she was free to speak, but could not recall if he checked whether she was on her own. He said Ms Grice admitted she was in a relationship with Mr Lane, and admitted organising the meeting on 26 February.

179. PC Godfrey acknowledged during interview that the details Ms Grice had given regarding Mr Lane taking her phone were not misleading, and that Mr Lane had admitted this incident. PC Godfrey said he did not ask Ms Grice if she wished to withdraw any of her complaint.

180. PC Godfrey told the IOPC he was dealing with the assault allegation as part of the harassment which, in his opinion, was then found to be untrue because of the relationship being proven. He acknowledged that taking the phone would amount to unwanted contact, and that there was evidence of previous harassment with Mr Lane’s admissions that he had followed Ms Grice home.

181. PC Godfrey said he did not seek an explanation about why Ms Grice had been dishonest, but said he assumed this had been because she had been accompanied by her boyfriend and his family when providing her statement. PC Godfrey stated, Ms Grice had been “a little bit trapped” when giving both statements to officers during this incident.

182. PC Godfrey said he believed Ms Grice had wasted police time because she had knowingly provided a false statement, which had resulted in him arresting and spending time interviewing Mr Lane. PC Godfrey said that he felt this was appropriate despite the admissions of Mr Lane following Ms Grice home and waiting outside of her house, “because she had told me blatant lies”.

183. Regarding the allegation that PC Godfrey had failed to give Ms Grice an opportunity to respond to Mr Lane’s claims, PC Godfrey confirmed he had given her the opportunity, and that this was within the 84-second phone call he had made when he delivered words of advice. During this call, PC Godfrey said he clarified the points Mr Lane had raised regarding his relationship with Ms Grice and the meeting Mr Lane had claimed was pre-arranged. PC Godfrey said he did not want “to keep pushing the point”, and moved on to tell Ms Grice that she had told him “a bunch of lies”, and this would be considered to be wasting police time.

184. PC Godfrey did not give Ms Grice any information about the assault allegation, and said he could not comment on whether or not Ms Grice would still believe this
was being investigated. He explained it was the responsibility of an Inspector to make charging decisions in instances of domestic violence. PC Godfrey said he informed Detective Inspector (DI) C of the circumstances he faced.

185. At IOPC interview, PC Godfrey said he did not specifically inform DI C that Mr Lane had admitted the assault as alleged by Ms Grice, but would have presented DI C with an overall view of the assault being part of the alleged harassment.

186. At IOPC interview, PC Godfrey said he made DI C aware that Ms Grice had been “totally discredited for everything” she had said regarding stalking and harassment, and had been lying to police about everything. PC Godfrey said DI C made the decision that, based on the fact Ms Grice had been “proven to be lying”, the case could not be taken to Court as there was no realistic prospect of prosecution.

187. During IOPC interview, when asked about the fact that Ms Grice may have failed to inform PC Godfrey about her relationship with Mr Lane and one incident of harassment, but had alleged an assault and further incidents that Mr Lane had admitted, PC Godfrey stated;

“It’s discernibility of a witness. What we’ve got here is…Michael Lane has got no previous convictions…no criminal history…we’ve got the girl who has made allegations in which she’s been found to be lying all the way through…”

188. PC Godfrey said that after Ms Grice’s credibility as a witness was “in tatters” it appeared to him “perfectly reasonable to conclude that the alleged offences had not in fact taken place as described”.

189. PC Godfrey later stated;

“it’s a very minor assault that would likely be no further actioned anyway unless there’s any aggravating factors and then you bring in the fact that the witness is actual fact proven to be a liar…they’re not going to pursue it…you’re not going to say oh but we can get him for that little bit there…we look at the incident as a whole, the incident as a whole is basically she has portrayed a completely misleading account to police which has been fully investigated…”

190. PC Godfrey described Mr Lane’s action of pulling Ms Grice’s hair while taking her phone away from her ear as being “accidental” because she had long hair.

191. At IOPC interview, PC Godfrey said he did not complete a DASH risk assessment with Ms Grice when he took her statement, as the matter had not initially presented as a domestic incident.

192. PC Godfrey said he had heard of the S-DASH risk assessment, but did not know about the form and had not seen one. During the course of the IOPC investigation, the Sussex Police training team confirmed that officers had not received formal training in the completion of the S-DASH form. PC Godfrey said
he would have made a calculated judgement about risk of harm after interviewing Mr Lane.

193. At IOPC interview, PC Godfrey said he also did not complete a DASH form after the matter had been established to be within a domestic context as;

“…everything was based on a lie so I did not consider it appropriate to fill in a DASH form when everything… she’s told me was misleading and lies and the fact that she’s an active and willing participant in this relationship… I don’t see there was anything to be gained by putting a DASH form in”.

194. PC Godfrey said he did not consider the act of Mr Lane taking the phone from Ms Grice as domestic abuse as;

“…she’s basically upset and run away. She’s upset at the fact that her… affair has been disclosed to her work colleagues… he’s run off after her to try and speak to her and explain or whatever but I didn’t consider that to be a domestic, no”.

195. PC Godfrey said he did not provide any safety advice or prepare a safety plan for Ms Grice because she had been “a willing participant in an affair”. He stated;

“…so I don’t know what else I could have done…there was no risk identified at the time. He’s got no violence. She was a willing participant”.

> Detective Inspector (DI) C

196. On 25 March 2016 at 2.06pm, the OEL showed DI C made the following entry;

“I have discussed this case with the OIC\textsuperscript{18} with a view to a disposal decision, in addition I have read the updates on the OEL.

The OIC PC Godfrey has informed me that he has taken a statement from the victim in which she alleges harassment and denies having a relationship with the suspect. However PC Godfrey has witnessed messages from the aggrieved to the suspect which paint a very different story and this seriously brings her statement into question.

With this in mind and without any other corroborating evidence there is no realistic prospect of a prosecution or other positive outcome and the suspect can be released NFA.

As the victim has made what appears to be a false statement, evidence should be collated in relation to this matter and the matter can then be reviewed to confirm if she is to be dealt with for wasting police time.”

\textsuperscript{18} “OIC” in this instance means the officer in charge of the case.
197. On 25 March 2016 at 2.19pm, the custody record showed Mr Lane was released from custody without charge, as authorised by DI C.

198. DI C was served with a notice of investigation as detailed above. He provided a written response to the notice and also attended one interview at the IOPC.

199. DI C told the IOPC he had been an inspector for 13 years, and had been working with the Response Investigation Team (RIT) since approximately December 2014. DI C explained the RIT dealt with a majority of crime, but the most serious crime would be addressed by specialist teams.

200. As the “duty” Inspector on 25 March 2016, DI C had responsibility for the management and investigation of all serious crime across Brighton and Hove, as well as the more complex investigations that came through the RIT.

201. DI C told the IOPC that one aspect of his role within the RIT would be to review all cases of domestic abuse where the suspect was in custody and consideration was being given to taking no further action. He said he could not recall if this was force policy or a local arrangement for Brighton and Hove division.

202. DI C explained that the review of cases often involved verbal discussion with OICs and a review of available documents. On this occasion, DI C said, he believed he read the two statements Ms Grice had provided, the OEL, the custody record, and discussed the case with PC Godfrey. DI C said PC Godfrey initially sought his advice after interview with Mr Lane, after it had been established there was a domestic context to the investigation.

203. DI C said that, during the first conversation with PC Godfrey, he was told Mr Lane had denied any offences during interview.

204. DI C said he could not recall the exact conversation he had with PC Godfrey, but he remembered being told Ms Grice had allegedly lied in her statement when discussing the context of her relationship and nature of her contact with Mr Lane. He stated;

“This seriously undermined the evidence she had provided in her statement and brought into question the validity of the allegation she had made against the suspect”.

205. DI C said he asked PC Godfrey about the known history of both Mr Lane and Ms Grice, and whether there was any corroborating evidence available or pending. He stated;

“I do remember that PC Godfrey informed me that the suspect, Lane, had no previous convictions or cautions, there was no corroborating evidence to this offence and no DASH had been completed, as prior to interview it was not
believed to be a domestic incident. I also recall asking PC Godfrey to speak with the victim again”.

206. DI C said he was aware of the previous reports from Ms Grice as they were recorded on the OEL. He said he did not research the incidents, and would not routinely do so as he relies on the officer in the case to provide him with relevant information. DI C said he could not recall if PC Godfrey informed him about the history markers on Sussex Police computer systems concerning stalking, linked to Ms Grice.

207. DI C told the IOPC he had a further conversation with PC Godfrey after Ms Grice had been telephoned. Although he could not recall a great deal about the content of this discussion, he remembered PC Godfrey confirming that Ms Grice had admitted to being in a relationship with Mr Lane, and admitting she had not been completely honest in her statement. DI C said he could not recall if PC Godfrey told him which aspects of Ms Grice’s statement were dishonest, or if he was provided with an explanation about why she may have been dishonest.

208. DI C said that he could not recall asking PC Godfrey to complete risk assessments, but that this would be an expectation because of the domestic nature of the incident, regardless of the outcome of the investigation. He explained that the risk assessments were part of safeguarding, and were therefore, a separate issue from the advice that he would expect to give regarding outcome disposals.

209. DI C told the IOPC he made the decision to release Mr Lane without charge having considered whether there was sufficient evidence to charge him with the offences alleged. He said he contemplated whether it would be appropriate to bail Mr Lane to obtain further evidence, and whether alternative disposals such as a caution or Domestic Violence Protection Notice (DVPN)19 would be appropriate. DI C said he did not consider a DVPN to be a suitable safeguarding measure for Ms Grice, due to the lack of history of violence between her and Mr Lane, the fact they did not live together, and the undermining evidence in Ms Grice’s account.

210. With regard to a caution, DI C stated;

“...these disposals involve an admission from the suspect and following my discussion with PC Godfrey I was of the opinion that whilst the suspect had provided an account he had denied the allegations and provided evidence which corroborated his account and undermined the victim statement.

…I did consider bailing the suspect for further enquiries, however the OIC had informed me there was no corroborative evidence available”.

19 A Domestic Violence Protection Notice (DVPN) is a notice served by the police when they believe that an individual has been violent or threatened violence against another within the domestic context, and the police believe that the victim needs protection from the perpetrator. A DVPN has certain conditions, including stopping the perpetrator from being within a certain distance of the victims home.
211. DI C said that, if Mr Lane had accepted the allegation of assault, he would have considered issuing him with a caution.

212. DI C stated that, in order for him to have considered charging Mr Lane with an offence, he would need to consider the full code test, meaning the allegation and subsequent investigation would need to pass both the evidential and public interest threshold. He stated;

“When considering the evidential test I need to consider whether the prosecutor will be satisfied there is sufficient evidence to provide a realistic prospect of a conviction for each charge…I must consider any factors which undermine the case…in this matter the suspect had denied the offences alleged, there were no witnesses… and no other corroborative evidence which had been brought to my attention. In addition the suspect had no previous convictions or cautions and there was minimal reported history between the victim and the suspect. Most importantly when considering whether there was a realistic prospect of conviction, particularly for a charge of harassment, the fact that the victim had not provided a truthful account of her relationship with the suspect, and the circumstances surrounding any recent contact between them, completely undermined her evidence and the case as a whole.”

213. During interview at the IOPC DI C explained, if there was undermining evidence in a statement, he would not be able to select certain parts of it to take forward.

214. DI C acknowledged he gave direction to collate evidence concerning Ms Grice wasting police time, and his expectation was that PC Godfrey would then report the findings of this, including the result of making further contact with Ms Grice, to his supervisor to decide if this would be an appropriate course of action.

215. DI C wished to make it clear, in accordance with his OEL entry, he did not request that a penalty notice was given to Ms Grice. However, he stated he could have considered much more serious penalties, for offences including perverting the course of justice, based on his understanding that Mr Lane had been arrested and kept in custody due to false information. DI C said that this was why he requested that further enquiries were undertaken before a decision was made.

216. When asked why he had not considered the words of advice that Ms Grice had already been given to be sufficient, DI C reiterated he had not made a final decision as yet, and the situation had been worthy of further enquiries.

> Police Sergeant (PS) D
217. On 28 March 2016 at 10.49pm, the OEL showed PS D made the following entry;

“I have reviewed this investigation and note the (victim) has blatantly misled the Police, and made a false statement.

PC Godfrey has clearly wasted hours of Police (tax payers) time, by taking statements, interviewing the (suspect) and writing this report. I am not satisfied that [Ms Grice] can just end this matter without any consequences to her actions. Therefore, [Ms Grice] is to be issued a FPN\(^\text{20}\) for wasting Police time and this matter is to be filed”.

218. PS D was served with a notice of investigation as detailed above. He provided a written response to the notice and also attended one interview at the IOPC.

219. PS D told the IOPC that, while DI C had responsibility to decide the outcome disposal for Mr Lane, PS D’s input primarily concerned the decision of how to finalise the concern that Ms Grice had wasted police time. However, PS D said he had been aware of the investigation regarding Mr Lane and Ms Grice from the outset. He said his role within the Response Investigation Team (RIT) was to review investigations of suspects in custody and to make disposal decisions when the incident did not require the input of the Crown Prosecution Service.

220. In his written response to the IOPC, PS D explained the discussions he had regarding this investigation were primarily with PC Godfrey. He stated;

“PC Godfrey would have updated me regarding the content of the interview of Mr Lane and his defence to the allegation which he denied… PC Godfrey informed me that he spoke to Ms Grice who admitted to lying by admitting she was having an affair with Mr Lane and corroborated his account”.

221. PS D said his understanding was that Mr Lane had denied both the offence of harassment and the offence of assault. He said that, although he could not recall the situation completely, he believed he had discussions with PC Godfrey after Mr Lane had been interviewed, and after PC Godfrey had spoken to Ms Grice.

222. PS D told the IOPC he believed Ms Grice had admitted in the phone call with PC Godfrey that she had provided a fabricated statement. When asked if he was made aware which parts of her statement may have been untrue, he said PC Godfrey had not broken it down, but she had alleged being stalked and harassed, which she had then said was untrue. PS D said his understanding was that Ms Grice had fabricated the statement because she did not want her relationship with Mr Lane to be revealed.

\(^{20}\) A Fixed Penalty Notice (FPN) is a financial penalty that is issued for low-level offences.
223. At IOPC interview, PS D was asked if this meant that everything in Ms Grice’s statements was untrue. He stated;

“…it massively undermines her… having… provided a full statement, you can’t then sort of pick and choose which bits she was then deciding she was telling the truth with…”

224. However, PS D said he believed he had been told by PC Godfrey that Ms Grice had been dishonest about everything. He said that in some situations he might double check the information given to him by another officer. However, in this situation he considered there to be no need, as the information that he had been given was straightforward, in that Ms Grice had fabricated the allegations.

225. PS D said he could not recall at what stage of the investigation he was made aware of the history between Ms Grice and Mr Lane, or whether he looked on the NICHE system for details of previous police contact.

226. PS D said in response to DI C’s request that evidence was collated to confirm whether Ms Grice could be dealt with for wasting police time, he considered the text messages PC Godfrey had retrieved from Mr Lane’s phone.

227. He stated;

“[the texts] basically corroborated [Mr Lane’s] account and then… provided evidence that… she’d lied, because it was showing that they were… texting and agreeing to meet… it certainly wasn’t a conversation between someone… stalking another… and then it… confirmed the fact that she’d sort of fabricated that statement that she provided”.

228. PS D said, in addition to reviewing the text messages, he spoke to PC Godfrey again and reviewed both of Ms Grice’s statements and the OEL.

229. PS D provided the following rationale to the IOPC concerning his decision to issue Ms Grice with a FPN;

“Ms Grice had wilfully provided a fictitious statement to Police detailing how she was subject of harassment and assault. This transpired not to be the case, and Ms Grice had lied about being subject of harassment/stalking, to avoid admitting the truth of being in a secret relationship with Mr Lane to her boyfriend and her parents. Mr Lane had not/was not harassing her at this time. Saying otherwise is a false statement, and this blatantly misled the Police into arresting Mr Lane for something that had not happened. The only disposal options I had available were to NFA or FPN Ms Grice”.

230. PS D was asked why he did not think the words of advice that had already been given by PC Godfrey were a sufficient way in which to deal with Ms Grice’s alleged indiscretions. His explanation was Ms Grice had an early opportunity to
explain what had been going on, and PC Godfrey had taken time to collate a statement and interview Mr Lane based on untrue allegations.

231. At interview with the IOPC, PS D was asked if he had any concerns that risk assessments had not been completed by this stage. He responded;

   “…retrospectively you could question whether it should have or not, but was I concerned at the time? No… she said they were in a relationship. She was still intending to continue to see him… from the nature of the assault described… I wasn’t concerned… that I remember… if it had specifically jumped out at me I’m sure I would have requested that it was done”.

232. PS D said he believed risk assessments may have been discussed with PC Godfrey, but could not recall at what stage this may have been.

> The Fixed Penalty Notice (FPN)

233. The OEL showed that, after PS D had authorised the issue of a FPN, the decision was ratified on 17 April 2016 by police staff member, Mr U. PC Godfrey told the IOPC Mr U had been his immediate supervisor at the time of this investigation.

234. The IOPC attempted to contact Mr U as part of this investigation. However, Mr U did not wish to assist the investigation, and was not obligated to do so as a retired member of police staff. Sussex Police advised the IOPC that, at the time, Mr U was working as a RIT Supervisor, having previously worked as a police officer for 19 years.

235. The OEL and phone records showed PC Godfrey attempted to telephone Ms Grice twice on 22 April 2016, but his calls went unanswered. He recorded on the OEL that he did not wish to leave a message for Ms Grice in case it was overheard by her boyfriend and caused embarrassment.

236. The OEL and phone records showed PC Godfrey telephoned Ms Grice on 3 May 2016. PC Godfrey recorded on the OEL that Ms Grice had been on holiday abroad, but he had advised her that she would be issued with a FPN.

237. Ms Grice’s boyfriend, [REDACTED], told the IOPC he could recall Ms Grice receiving a telephone call from Sussex Police while they were on holiday. However, he said he was unaware of what was discussed, and believed that nothing had happened as a result of the call.

238. The FPN showed that Ms Grice signed and accepted the penalty at 7.30pm on 10 June 2016. The offence was recorded on the FPN as Ms Grice having knowingly wasted police time by making a false report.
239. Police Constable (PC) V provided a statement to the IOPC. PC V was tasked by PC Godfrey to serve Ms Grice with the FPN. PC V explained that PC Godfrey had informed him that Ms Grice had made an allegation that proved to be false.

240. PC V said that, when he served the FPN to Ms Grice, she appeared calm and appeared to fully accept it. He said he could recall Ms Grice asking how long the process would take as she did not want others in the house to know he was there.

241. Evidence was given to the IOPC from several witnesses, and also during Mr Lane’s trial at Lewes Crown Court, to say Ms Grice continued to be pursued by Mr Lane after the FPN was issued. This included him following her, waiting outside her house, and further damage occurring to her vehicle, which she suspected was being caused by Mr Lane. Ms Grice informed witnesses that she felt disbelieved by police and as though she were wasting their time, but no evidence was found that Ms Grice complained to Sussex Police for more than three months.

242. Ms W, who shared a house with Ms Grice stated;

“[Ms Grice] told me …that she was fined and accused of wasting police time in regards to this incident. A few weeks before she died she said to me that no one believed her, but it did happen and because of the history of everything it looked like she was lying. [Ms Grice] also said that she could not believe that she got fined when she was the one that got hurt when [Mr Lane] had pulled her hair”.

243. Ms Grice’s mother provided evidence stating;

“[Ms Grice] definitely changed during the time all of this was happening, she wasn’t herself. She was usually bright and bubbly but I remember that after this all started she just felt ill and tired all of the time”.

> Analysis of the evidence

> PC Godfrey

244. The Sussex Police Investigations Framework\(^2\) directed investigators to gather intelligence during an investigation, and question what is known, and where there may be gaps in information. PC Godfrey provided evidence to say that, when he began the investigation, he read Ms Grice’s statement which alleged an assault without domestic inference. He interrogated police systems and noted the history of Ms Grice and Mr Lane. Based on this information, the evidence suggested PC

\(^{21}\) See Appendix 4.
Godfrey telephoned Ms Grice to establish whether there may be further offences to consider. These actions are endorsed by procedural guidance.

245. The Sussex Police Investigations Framework encouraged a collaborative approach between investigator and victim, where the views of the victim are considered. The evidence showed Ms Grice provided a statement to PC Godfrey in the presence of her boyfriend, [redacted], and other members of [her boyfriend’s] family. PC Godfrey provided evidence to say the presence of others had been requested by Ms Grice and he had offered her the opportunity to speak on her own. No evidence was found to contradict this. At this stage, PC Godfrey’s actions were in accordance with procedural guidance.

246. The evidence showed that, based upon Ms Grice’s disclosures, PC Godfrey identified it would be appropriate to arrest Mr Lane on suspicion of harassment. The Sussex Police Protection from Harassment policy is therefore considered to be relevant. The policy stated that risk assessment must be ongoing from the outset of an investigation. It stated that in non-domestic instances of harassment or stalking the S-DASH risk assessment must be completed. PC Godfrey said that he was not familiar with the S-DASH form and Sussex Police provided evidence to say that practical completion of the form had not been included in training material. PC Godfrey did not complete the S-DASH, and said that he would have created a risk assessment after interviewing Mr Lane, if he had felt it was necessary.

247. The Protection from Harassment Act 1997 (PHA) defined harassment as repeated and unwanted behaviour towards a victim. The Protection of Freedoms Act 2012 added section 2A into the PHA to create the offence of stalking. Section 2A(3) of the PHA provided examples of acts which are associated with stalking, including following a person, contacting a person and interfering with the property of a person. It was highlighted that when taken in isolation these activities may appear harmless, but when they are carried out repeatedly they may amount to stalking.

248. To prove a case of stalking there must be evidence that the alleged perpetrator had pursued a course of conduct that amounts to harassment, and this conduct would amount to stalking. A course of conduct was defined within the PHA as at least two occasions where a reasonable person should know that their behaviour amounted to unwanted contact. The legislation applies to parties in both domestic, and non-domestic circumstances. The Sussex Police Protection from Harassment policy mirrored these definitions.

249. The evidence showed that, during PC Godfrey’s interview with Mr Lane, Mr Lane admitted the assault as described by Ms Grice and admitted previously following Ms Grice home and waiting outside of her home. Mr Lane acknowledged Ms Grice had responded negatively to this attention and that this could be construed
as stalking behaviour. Mr Lane also admitted he had been dishonest during previous police contact, by denying he had sent Ms Grice flowers.

250. The evidence showed that at the time PC Godfrey was carrying out his investigation, he had information available to him on Sussex Police systems that showed history markers warning that Ms Grice was at risk of stalking by Mr Lane, a previous risk assessment that documented stalking, and a recent incident that had been resulted as first time harassment. However, the evidence showed PC Godfrey did not pursue an offence relating to harassment after it had been established that Ms Grice and Mr Lane had been in a relationship and arranged a meeting.

251. The Sussex Police Domestic Abuse policy defined domestic abuse in line with the Home Office definition as;

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality”.

252. The policy further stated, the approach of Sussex Police to incidents of domestic abuse will be one of risk management. It required all incidents to be subject to a DASH risk assessment that must be recorded on the SCARF.

253. The Sussex Police Domestic Abuse policy stated that it complied with College of Policing Approved Professional Practice (APP) guidance. The APP relating to domestic abuse stated that all officers should follow initial risk identification and safety planning processes in instances of domestic abuse, even when no criminal offence appears to have been committed.

254. PC Godfrey provided evidence to the IOPC to say he confirmed during a telephone call with Ms Grice that she had been in a relationship with Mr Lane. PC Godfrey provided evidence to suggest he was aware that the incident should now be regarded as an incident of domestic abuse by referring the matter to an Inspector for an outcome decision. However, at IOPC interview he stated that he did not consider the incident to be domestic abuse.

255. PC Godfrey provided evidence to say he wilfully22 failed to complete the DASH risk assessment as he believed there was nothing to be gained from it, and that everything Ms Grice had told him was, in his opinion, misleading and lies. Further, he stated he did not provide any safety advice or safety plan to Ms Grice because of her status as a “willing participant in an affair”.

22 In Attorney General’s Reference No 3 of 2003, the court approved the definition of “wilful” as “deliberately doing something which is wrong knowing it to be wrong or with reckless indifference as to whether it is wrong or not”.
256. The College of Policing APP concerning domestic abuse stated that officers must take the wider context of a relationship into account. It said;

“Officers should not only be searching for evidence to support a criminal prosecution but also looking for signs that abuse may be occurring, even where the conduct may not amount to a crime.”

257. The APP stated, every victim must be listened to and made to feel believed. It said, victims may mistrust the police if officers have been unsupportive or disbelieved them in any way, and this can become a barrier to them seeking assistance in the future. The APP stated officers must reassure the victim and ask themselves why a victim may have been hostile or unco-operative. The APP added that officers must understand the dynamics of domestic abuse, and try to make victims feel safer after police contact.

258. The evidence showed PC Godfrey’s initial actions during this investigation involved him taking steps to ascertain further information from Ms Grice after reviewing the information available to him. However, the evidence showed that, after establishing that the investigation was within the context of domestic abuse, PC Godfrey made an 84-second phone call to Ms Grice, during which he gained admissions from Ms Grice about her relationship with Mr Lane. He then delivered a penalty concerning wasting police time. PC Godfrey provided evidence to say he did not give Ms Grice any information about the assault allegation, and said that he could not comment on whether or not Ms Grice would still believe this was being investigated.

259. Section 76 of the Serious Crime Act 2015 introduced the offence of Controlling and Coercive Behaviour in an Intimate or Family Relationship. This was introduced specifically to capture abuse in an ongoing relationship. Coercive behaviour was defined as;

“an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim”.

260. The impact of these behaviours should be proven to have a serious effect upon the victim, by either causing them to fear violence, or causing serious alarm or distress which has a substantial adverse effect on their day-to-day activities.

261. Crown Prosecution Service (CPS) guidance stated that an effective assessment of victims should be undertaken. It said the complex dynamics of domestic abuse must be considered, to recognise the harm caused by the cumulative effect of abuse. It warned that assumptions must not be made about what a “typical” victim might look like, and that victims may sometimes present with misleading accounts.

262. The evidence showed PC Godfrey considered no action should be taken against Mr Lane, after it was established that Ms Grice had been dishonest about the nature of her relationship with him. PC Godfrey decided Ms Grice could not have
been harassed, as she was willingly in a relationship with Mr Lane. Ms Grice had provided a statement to say that she had been followed by Mr Lane several times, and the cumulative effect of his behaviour had left her frightened and scared. She said she was considering leaving her job to avoid further contact with him. Mr Lane accepted this behaviour during interview with PC Godfrey, and agreed that his behaviour could be construed as stalking.

263. Evidence showed that PC Godfrey had received one day of classroom-based training concerning domestic abuse, prior to dealing with this incident. Coercive and controlling behaviour was covered within the training material. Descriptors of these terms were also included in the Sussex Police Domestic Abuse Policy. There is no evidence to suggest PC Godfrey considered the offence of Controlling and Coercive Behaviour in an Intimate or Family Relationship.  

264. The College of Policing APP guidance concerning domestic abuse stated that teenagers may be vulnerable to domestic abuse from older partners. Ms Grice was a teenager and Mr Lane was eight years older than her. The APP stated both stalking and domestic abuse can have a significant impact upon the psychological, physical and social functioning of a victim. Evidence provided by Ms Grice’s mother showed she believed Ms Grice’s wellbeing declined as a result of Mr Lane’s behaviour. No evidence was found to suggest PC Godfrey considered or responded to Ms Grice’s vulnerabilities as a victim of domestic abuse, or as a persistently targeted victim.

23 The decision maker may wish to make an observation about whether PC Godfrey breached the standards reasonably expected of him, given his lack of recent training which guidance identified as essential.
270. The Police (Conduct) Regulations 2012 cited Equality and Diversity as a standard of professional behaviour. The Code of Ethics explained this principle as the requirement for officers to treat all people with fairness and respect, and to treat people impartially. The following were included as examples of guidance to officers:

- Show compassion and empathy
- Recognise that some individuals who come into contact with the police are vulnerable and may require additional support and assistance
- Act and make decisions on merit, without prejudice and using the best available information

271. PC Godfrey provided evidence to say that, after viewing messages between Mr Lane and Ms Grice, he took the view she had been completely dishonest. The OEL showed he recommended no further action should be taken against Mr Lane, and this was prior to discussing Mr Lane’s claims with Ms Grice.

272. The evidence showed Mr Lane admitted during interview the assault as described by Ms Grice, and behaviours that could be construed as stalking behaviour. Mr Lane also admitted during interview with PC Godfrey that he had been dishonest with the police during a previous investigation. Despite this, PC Godfrey told the IOPC he had arrested somebody who should not have been arrested and recommended no further action should be taken against Mr Lane.

273. PC Godfrey provided evidence to say that Ms Grice admitted during a phone call she had failed to disclose the nature of her relationship with Mr Lane and also the context of her meeting with Mr Lane on 26 February 2016. No evidence was found in this investigation to contradict this. However, PC Godfrey acknowledged
Ms Grice could not reasonably have provided this information, given the circumstances in which the statements were taken.

274. Therefore, the evidence suggests that both Mr Lane and Ms Grice had been found to have been less than truthful during their contact with Sussex Police. However, the evidence showed that the consequences of their dishonesty received a markedly different response from PC Godfrey.

275. The evidence showed PC Godfrey recommended that no action was taken against Mr Lane, and he discussed during IOPC interview how Mr Lane pulling Ms Grice’s hair during the assault was “accidental”. No evidence was found to show that PC Godfrey doubted Mr Lane’s credibility.

276. By contrast, Ms Grice was reprimanded for her dishonesty with words of advice about wasting police time. PC Godfrey maintained throughout this investigation that Ms Grice had completely lied to him, and that it seemed reasonable to conclude that the alleged offences had not taken place. This was despite Mr Lane’s admissions during interview. The evidence showed that PC Godfrey considered Ms Grice not to be credible.

> DI C

277. The Sussex Police Domestic Abuse policy stated it complied with relevant College of Policing Approved Professional Practice (APP) guidance. The APP concerning domestic abuse said officers must take the wider context of a relationship into account. It said;

“Officers should not only be searching for evidence to support a criminal prosecution but also looking for signs that abuse may be occurring, even where the conduct may not amount to a crime.”

278. Section 76 of the Serious Crime Act 2015 introduced the offence of Controlling and Coercive Behaviour in an Intimate or Family Relationship. This was introduced specifically to capture abuse in an ongoing relationship. CPS guidance said the complex dynamics of domestic abuse must be considered, to recognise the harm caused by the cumulative effect of abuse.

279. DI C provided evidence to show he had responsibility to review cases of domestic abuse in circumstances where an officer was considering taking no further action. He provided evidence to say that, as part of this review process, he read the statements of Ms Grice, which discussed previous incidents that had been reported to Sussex Police, the custody record and also the OEL. The evidence
showed that the OEL recorded Mr Lane’s admission to taking Ms Grice’s phone from her ear. However, the custody record showed Mr Lane had denied offences.

280. DI C also provided evidence to say that the review process involved verbal discussions with PC Godfrey, which left him with the impression that Ms Grice had been dishonest in her statements and that Mr Lane had denied offences.

281. The evidence showed DI C did not consider a prosecution or DVPN to be appropriate for Mr Lane due to the lack of corroborating evidence, the undermining nature of Ms Grice’s statement and the lack of previous violence or convictions concerning Mr Lane. He said he did not believe a police caution would be a suitable outcome as he was under the impression Mr Lane had denied all offences. Given the weight of the evidence found about the content of his discussions with PC Godfrey, there is evidence to suggest that DI C may not have breached guidance by failing to act upon indicators of domestic abuse.

282. However, there is also evidence to suggest that the content of the OEL and previous contact that Ms Grice had had with Sussex Police contained indicators of abuse, harassment and coercive behaviour. Therefore, there is evidence to suggest DI C may not have taken into account the wider context of the relationship.

283. The Crown Prosecution Service\textsuperscript{24} provided specific guidance for consideration of charges such as Perverting the Course of Justice and Wasting Police Time against a victim of domestic abuse when their allegations are found to be false. Guidance stated;

“Prosecutions for these offences in the situations above will be extremely rare and by their very nature will be complex and require sensitive handling. On the one hand, victims of… domestic abuse making truthful allegations require the support of the criminal justice system. They should not be deterred from reporting their allegations. Nor should they be criminalised for merely retracting an allegation because true allegations can be retracted for a broad range of reasons. Very often such allegations are made by a person who is vulnerable or in the context of a relationship, often with a protracted and complicated history.”

284. Further, it stated;

“It is important… to bear in mind that it is common for true victims of… domestic abuse to give inconsistent accounts due to the trauma of the attack or for other reasons. The extent and circumstances of any inconsistencies must be carefully scrutinised…”

285. The evidence showed DI C asked for proof to be collated concerning Ms Grice making a false statement to police. He did not specify an outcome, but provided evidence at interview to state he could have considered more serious sanctions.

\textsuperscript{24} Guidance accessed online 3 October 2017.
than the FPN which resulted, to be given to Ms Grice. The evidence showed the allegations Ms Grice made during this incident were an escalation in seriousness compared to her previous reports to Sussex Police, in that she reported an offence of violence that was established to be within the context of domestic abuse. Although it is recognised that the above guidance relates to prosecutors, the decision maker may wish to evaluate whether the impact of a penalty delivered by the police could be similar in this instance.

286. The Sussex Police Domestic Abuse policy showed all incidents of domestic abuse must be subject to a risk assessment, by completion of a DASH that is to be recorded on the SCARF. The College of Policing APP concerning domestic abuse stated that risk assessment and safety planning should be completed in all instances, regardless of whether a criminal offence appears to have been committed.

287. The evidence showed no risk assessments or safety planning were completed during this investigation. DI C provided evidence to say he held the responsibility to review investigations when an officer was considering taking no further action with an incident of domestic abuse. PC Godfrey also provided evidence to suggest that this was his belief. However, DI C stated that risk assessments and safeguarding were separate issues to the advice he was expected to provide regarding outcome disposals. There is, therefore, no evidence to suggest that DI C was obligated to ensure risk assessments were completed.

> PS D

288. The Sussex Police Domestic Abuse policy stated it complied with relevant College of Policing APP guidance. The APP concerning domestic abuse stated officers must take the wider context of a relationship into account, and be searching for evidence that abuse may be occurring.

289. The APP stated that every victim must be listened to and made to feel believed. It said victims may mistrust the police if officers have been unsupportive or disbelieved them in any way, and this can become a barrier to them seeking assistance in the future. The APP stated that officers must reassure the victim and ask themselves why a victim may have been hostile or unco-operative. The APP added, officers must understand the dynamics of domestic abuse, and try to make victims feel safer after police contact.

290. The Crown Prosecution Service (CPS) stated that prosecution for offences such as Perverting the Course of Justice and Wasting Police Time against a victim of domestic abuse should be rare. The CPS said victims of domestic abuse require the support of the criminal justice system and should not be deterred from reporting their allegations, due to the vulnerabilities and complexities associated
with such circumstances. The CPS said inconsistencies in accounts must be carefully scrutinised.

291. PS D provided evidence to show that, although he had knowledge of this incident from early on, his principal role involved the decision regarding how to finalise the matter of Ms Grice having wasted police time. As part of his review of the case, PS D said, he read text messages between Ms Grice and Mr Lane, the OEL, statements of Ms Grice, and discussed the matter with PC Godfrey.

292. PS D provided evidence to say his belief was that Mr Lane had denied all of the offences alleged by Ms Grice. In addition to this, he said, he was provided with information that suggested Ms Grice had provided an entirely fictitious statement, resulting in Mr Lane being arrested for something that had not happened. PS D said the text messages, to his mind, corroborated Mr Lane’s account and provided evidence Ms Grice had been dishonest.

293. The evidence suggested PC Godfrey informed others that Mr Lane had denied offences and Ms Grice had been dishonest in her statements. However, evidence showed that this information was contradicted in the OEL, where PC Godfrey recorded that Mr Lane had admitted taking the phone away from Ms Grice’s ear – in line with the evidence she had provided in her statement. The evidence showed there was a record available on Sussex Police systems to show that Ms Grice had previously raised concerns that Mr Lane was stalking her. Therefore, there is evidence to suggest that PS D’s decision to issue a FPN to Ms Grice, may be contrary to guidance stating that victims of domestic abuse should be made to feel believed and supported, and that a failure to do so may become a barrier to them seeking assistance in the future.

294. The Sussex Police Domestic Abuse policy showed that all incidents of domestic abuse must be subject to risk assessment, by completion of a DASH that is to be recorded on the SCARF. The College of Policing APP guidance concerning domestic abuse stated, risk assessment and safety planning should be completed in all instances, regardless of whether a criminal offence appears to have been committed.

295. The evidence showed PS D’s principal involvement with this case began three days after Mr Lane had been released from police custody, and that a risk assessment and safety planning had not been completed. PS D provided evidence to say he was not concerned that a risk assessment had not been completed at the time due to the nature of the assault described and the relationship between Ms Grice and Mr Lane, that he believed was ongoing.
The IOPC has made a number of learning recommendations in relation to this incident.
On 9 July 2016 at 6.48am, call records showed Ms Grice telephoned Sussex Police. The call recording showed Ms Grice informed the call handler, [REDACTED], that Mr Lane had taken her back door key the previous day, and used it to enter her property at approximately 6.00am that morning. Mr Lane had then stood in Ms Grice’s bedroom while she was in bed. Ms Grice said that at the time, she had not known who it was who had entered her bedroom, and felt scared so hid underneath her bed covers. Ms Grice explained, after the person had left her bedroom she looked out of her window and recognised Mr Lane leaving her house.

The call handler, [REDACTED], provided a statement to the IOPC. He explained he initially opened the CAD using a descriptor of “theft” due to Ms Grice revealing that her back door key had been stolen by Mr Lane. The call recording showed the call handler asked Ms Grice to hold the line part way through the phone call. The call handler explained he did this as he wished to consult a supervisor, as he became concerned about the history markers linked to Ms Grice’s name, warning she was at medium risk of stalking by Mr Lane.

The call recording showed, after a short period of the call being on hold, the call handler asked Ms Grice to provide further information concerning the history of her reports to Sussex Police. He also took further details from Ms Grice concerning when Mr Lane had taken the key. The call handler explained to Ms Grice that he wanted to check details of previous incidents, and that these may impact upon the type of police response that would be required. The call handler told the IOPC he said this as he wanted to look at the “incidents as a whole” rather than one single incident. The call handler informed Ms Grice he would call her back.

Call records showed there was a nine-minute gap between Ms Grice’s initial call being terminated and the call handler calling her back. In his statement for the IOPC, the call handler said he spent this time using Sussex Police systems to check the history between Ms Grice and Mr Lane, and discussing the case with his supervisor. The CAD showed the call handler linked the previous incidents to the new report, and added a domestic abuse “tag”, that would alert officers that the incident had taken place within the context of a domestic relationship.

The call handler informed the IOPC that both he and his supervisor decided that, given the history of assault, stalking and harassment, it would not be suitable to allocate this incident to the Response Investigations Team (RIT). The call handler
explained this was due to the 24-48 hour response that would be expected from the RIT. The call handler said he also felt the case was unsuitable for the Sussex Police Resolution Centre to deal with, as Mr Lane had previously been given words of advice by them, but had not changed his behaviour.

301. The call recording and CAD showed that, when the call handler called Ms Grice back, he completed an initial risk assessment by asking automatically generated questions. These actions are in line with the Sussex Police Domestic Abuse policy, which stated that call handlers must record the crime as a domestic incident and ask a set of risk assessment questions.

302. The call handler told the IOPC he felt the call justified a face-to-face response from Sussex Police, and graded the CAD with a Grade 3 response, with a “window of opportunity”. He explained this would alert officers that attendance was required within a four-hour timeframe. The CAD showed evidence of these actions and the call handler’s rationale, in line with his concern that the call was unsuitable for allocation to an investigation team.

303. The Sussex Police Domestic Abuse policy stated that incidents of domestic abuse must only be given a Grade 3 response or lower if it can be unequivocally established that neither the victim or any children are at any immediate risk of harm. The call recording showed the call handler asked Ms Grice several questions to clarify that Mr Lane was no longer at the address and there were no children present. The call handler ended the call by informing Ms Grice that an officer would be with her within four hours, and Ms Grice agreed that this was “fine”. He informed Ms Grice she must dial 999 if she was fearful of Mr Lane attending her address in the meantime.

> Police Constable (PC) E

304. On 9 July 2016 at 10.44am, the CAD showed PC E had arrived at Ms Grice’s address in response to her earlier call. PC E was served with a notice of investigation as detailed above. He provided a written response, attended one interview at the IOPC, and answered further questions after interview.

305. PC E told the IOPC that, as a Response Officer, he was responsible for initial attendance to incidents reported to the police. He was working on his own on 9 July 2016.

306. PC E said, prior to meeting Ms Grice, he noted the history marker that had been added in February 2016, which identified that Ms Grice was at medium risk of stalking by Mr Lane. He said that he was unsure if he had seen the “tag” on the CAD concerning domestic abuse, but said he would have used his own judgement to assess the situation upon arrival at the scene.
307. PC E said, when he arrived at Ms Grice’s address, he was greeted by Ms Grice and her housemate, Ms W. There was nobody else at the address. PC E said he spent time listening to Ms Grice describe the incident with Mr Lane. He said Ms Grice explained that a locksmith had already attended her address to change the barrel for the lock that Mr Lane had opened to gain access to her home.

308. PC E told the IOPC that Ms Grice disclosed a recent intimate relationship with Mr Lane. PC E said this informed him that he was dealing with an incident of domestic abuse. As such, he explained this put him in the “mindset” that there was a risk to be managed, and it would be proportionate to take positive action for a concern more significant than simply theft of the key.

309. PC E said that, after his initial discussion with Ms Grice, his first action was to obtain evidence to prove an offence. He did this by taking statements from Ms Grice and Ms W. PC E said he purposefully included as much history as he could in the statements, as he believed it would all be relevant in the context of domestic abuse.

310. In summary, the statement that Ms Grice provided to PC E stated;

- Ms Grice had been in a relationship with Mr Lane for approximately one month, which had ended the preceding week.
- Ms Grice explained she had known Mr Lane for two years and they had worked together at a local alarm company.
- Ms Grice said that, after approximately two months of them working together, she would notice Mr Lane waiting outside her home address, every other day. She reiterated the issues she had previously raised to police concerning damage to her car that she had suspected was caused by Mr Lane.
- Ms Grice said that she had stopped talking to Mr Lane after early issues, but they had then reconnected as it appeared to her that he had changed. However, as the damage to her car persisted, and after the incident of assault in March, they stopped speaking again.
- Ms Grice said they had recently re-established contact and had started to “see each other”. Ms Grice said she had not wanted to be in a “proper relationship”, but Mr Lane had kept asking until “eventually I gave in”. However, she said Mr Lane’s behaviour caused her concern and she had decided to end the relationship the week before this incident occurred.
- Ms Grice said the situation remained friendly between her and Mr Lane and that he had attended a barbecue at her home on 6 July 2016. She said she had noticed Mr Lane checking her back door after the barbecue. Ms Grice said Mr Lane had also attended her home address to collect some belongings on 8 July 2016. Ms Grice said that she and her housemates later noticed that the key to the back door of their house was missing.
Ms Grice recalled that she went out that night and arrived home at approximately 2am on 9 July 2016. At 6am while in her bed, Ms Grice heard footsteps approaching her bedroom, and then her bedroom door opened. She said she lay in fear under her bed covers and could hear a person breathing nearby.

Approximately one minute later, she heard the person leave. Ms Grice looked out of her window and saw Mr Lane leaving her house. Ms Grice telephoned Mr Lane but there was no answer. Text messages were exchanged between Ms Grice and Mr Lane where he had claimed that the police had arrived at his house.

Ms Grice told her housemate, Ms W, about what had happened and subsequently telephoned the police.

Mr Lane then telephoned Ms Grice at approximately 9.30am, and Ms W recorded part of this telephone call. Mr Lane admitted being in the house and said that he had wanted to see Ms Grice.

Ms Grice said she was shocked and scared by what Mr Lane had done, and this had been a “step up” from his previous behaviour. She said she felt greatly affected by his actions and she was worried about what Mr Lane might do next.

311. The statement Ms W provided to PC E, showed Ms Grice had informed Ms W about what had happened at approximately 6.15am on 9 July 2016, and Ms Grice had appeared shocked. Ms W said she had emailed the recording of Mr Lane and Ms Grice’s phone call to PC E.

312. In his written response to the IOPC, PC E said he listened to the start of this recording while he was at the house with Ms Grice, before requesting that it was sent to him. He said he listened to enough of the call to hear Mr Lane admitting he had taken the key from Ms Grice’s home, but did not listen to the full recording.

313. After completing the two statements, PC E told the IOPC his next action was to address the immediate safeguarding of Ms Grice. He stated;

“Given the nature of what had happened I identified the necessity to arrest Mr Lane. By having Mr Lane in custody I would remove the immediate risk to Ms Grice rather than accept or reduce it”.

314. At IOPC interview, PC E said he believed that he would have checked Mr Lane’s police record before arranging for him to be arrested, to ensure that officers were aware of any associated risks. PC E said he also checked Ms Grice’s police record, which revealed that she had previously been given a Fixed Penalty Notice (FPN). PC E said that the record provided him with very little information about the circumstances behind the FPN, and said this did not have any influence over
his subsequent decision making. PC E said that, during discussion, Ms Grice revealed the reason why she had received the penalty, and that he felt “surprised” by this as she had appeared to him to be genuine and believable.

315. PC E told the IOPC that he liaised via phone call with a supervising officer. He explained it is best practice in instances of domestic abuse to “check in” with a supervisor regarding progress and developments. PC E could not recall the specifics about what was discussed during this phone call, but said that it was agreed that an arrest attempt would be made for Mr Lane at his work place.

316. Ms W told the IOPC that she recalled PC E speaking on the phone. She stated;

“The officer said that he was conflicted as to what it was as [Mr Lane] and [Ms Grice] had slept together so they could not decide whether it was a domestic issue or a stalking issue… while we gave our statements to the officer, he was on the phone trying to get advice on what to charge [Mr Lane] with.”

317. On 9 July 2016 at 11.10am, the CAD for the arrest attempt showed a request was made to arrest Mr Lane at his workplace before 1pm, when he was due to leave. Mr Lane was to be arrested on suspicion of domestic theft from dwelling. The CAD showed no units were able to respond to this request within the designated timeframe.

318. PC E told the IOPC that at approximately 1.15pm there was a knock at Ms Grice’s door. He said he asked Ms Grice and Ms W to wait at the rear of the property while he opened the door to find Mr Lane. PC E said Mr Lane was holding a key, which PC E seized.

319. PC E said he immediately arrested Mr Lane on suspicion of theft. PC E stated;

“I had been considering a stalking or harassment offence but when he arrived at the address I definitely had the evidence to prove a theft”.

320. At IOPC interview, PC E stated;

“I didn’t know whether what had happened that morning would have constituted stalking or harassment because there has to be this course of conduct… I wasn’t sure at the time whether… because this was the first thing that happened after a period of consensual contact and a relationship of sorts… whether… that whole thing constituted a course of conduct or whether it was an incident on it’s [sic] own…”

321. PC E explained, despite documenting all of the historical incidents in Ms Grice’s statements, he was uncertain at the time whether the intervening period of a relationship would have discounted these from forming a course of conduct. PC
E’s training record showed that, at the time of dealing with Ms Grice, he had not received any training that was specific to stalking.

322. PC E had attended training events concerning domestic abuse, including the Responding Effectively to Domestic Abuse one day course. This included content about the definition of domestic abuse – including detail about controlling and coercive behaviour, identifying and assessing risk, and risk management.

323. PC E told the IOPC that colleagues soon arrived to convey Mr Lane to custody, and he gave them a verbal handover of the circumstances of Mr Lane’s arrest. PC E said he provided information about the theft of key, but not of his consideration for an offence of stalking or harassment.

324. PC E said that, after Mr Lane’s arrest and the completion of statements from Ms Grice and Ms W, he felt satisfied he had gathered all available evidence and removed the risk to Ms Grice. PC E was immediately diverted to an emergency call, which delayed his return to the police station to complete subsequent reports.

325. Call records showed, after PC E left Ms Grice, she made two phone calls to Sussex Police, at 3.38pm and 3.43pm. The first of these call recordings was blank and therefore the IOPC are not able to comment on the significance of the call.

326. However, the recording of the phone call Ms Grice made at 3.43pm showed Ms Grice reporting she had retrieved the barrel to the lock that had been changed by a locksmith earlier that day. The call handler informed Ms Grice she would telephone PC E to advise him of the situation. PC E told the IOPC he recalled asking Ms Grice to retrieve the barrel, in an effort to match the barrel to any key Mr Lane might have had in his possession. However, PC E could not recall ever receiving a phone call or email to advise that the barrel was available. A search of PC E’s email account by the IOPC found no evidence this information was passed on to PC E by email, and call records were unavailable. PC E told the IOPC that, after Mr Lane had admitted taking the key, there would have been no need to gain further evidence by retrieving the barrel.

327. On 9 July 2016 at 5.50pm, the OEL showed, PC E created an Initial Investigation Report for the incident of Mr Lane entering Ms Grice’s home. The record provided an account of the incident and the history between Ms Grice and Mr Lane, with minor errors concerning the dates and circumstances of prior police involvement. The record noted that when Mr Lane was asked if he needed a solicitor when arriving in police custody, he had responded “I don’t need to, I know I did it”.

328. PC E concluded his entry on the OEL by stating:

“The victim wants Lane to leave her alone and is worried that he will continue to attend her address and cause problems. Consideration was given to looking at
this as a stalking as the behaviour is concerning but on [sic] this instance there is not a cause [sic] of conduct. With regards to other trespass offences there has been no further theft, violence or attempts at sexual contact so it remains a theft from dwelling and trespass at this time. She wants him out of her life and not to contact her or come to her home address”.

329. PC E told the IOPC that, after he had finished his entry on the OEL, he telephoned PC Mills to give him a verbal handover of the incident. PC Mills was the allocated investigating officer for this incident.

330. On 9 July 2016 at 6.45pm, records showed, PC E completed a SCARF form containing a DASH risk assessment. PC E told the IOPC he completed the DASH using information he could recall from his conversation with Ms Grice. The DASH contained nine positive responses, with a “Medium” level of risk recorded. The DASH showed PC E added the comment; “medium risk-recent change in relationship and the trespass shows an escalation in behaviour”.

331. The DASH showed that, in addition to the risk assessment, PC E completed a risk management record. Using the RARA25 model, he documented the steps that had occurred to remove the immediate risk to Ms Grice. These were listed as the arrest of Mr Lane, the lock being changed to prevent further access to Ms Grice’s home, and the DASH that had been submitted for safeguarding purposes.

332. During interview with the IOPC, PC E said he could not recall if he had looked at the DASH that had previously been completed, in February 2016.

333. The DASH completed by PC E showed that, despite a positive response to Question 826, the S-DASH questions were not subsequently completed.

334. The IOPC noted that the Sussex Police DASH form did not contain the same prompt at Question 8, which asked officers to complete the additional S-DASH questions, which could be found in the template provided by its creator, Ms Laura Richards. More detail about the trigger questions for a S-DASH can be found in Appendix 2 of this report.

335. On 10 July 2016 at 6.33pm, the SCARF showed the DASH was reviewed by a supervising officer, Police Sergeant (PS) H. On 15 July 2016, it was further reviewed by a DASH specialist, Ms J, from the Safeguarding Investigation Unit (SIU). Both of these assessors agreed with PC E’s assessment of risk and did not flag the missing S-DASH questions. These matters will be addressed later in this investigation report.

336. During IOPC interview, PC E acknowledged he had not completed the S-DASH questions. He said that, at the time of dealing with Ms Grice he felt that he had been trained adequately to deal with incidents of domestic abuse, but not of

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25 See Appendix 2.
26 See Appendix 2.
stalking. PC E said he could not be sure if he had been aware of the separate S-DASH questions and could not recall any training specific to the completion of these.

337. The IOPC spoke to staff from the Sussex Police training team, who confirmed that officers were not taught how to complete the S-DASH form within their initial training. Officers were expected to demonstrate competencies in DASH completion during a period of tutorship from a colleague when first leaving training. However, this input would be variable.

338. The OEL showed PC E exhibited the text messages Ms Grice had sent to him relating to her contact with Mr Lane, in addition to forwarding them to PC Mills. This was confirmed by the IOPC through a search of PC E’s Sussex Police email account. The email search also showed PC E forwarded the voice recording Ms W had emailed to him on to PC Mills.

> Police Constable (PC) Mills

339. The OEL showed, the investigation of this incident was allocated to PC Mills. PC Mills was served with a notice of investigation as detailed above. He provided a written response and attended one interview at the IOPC.

340. As a member of the Response Investigation Team (RIT), PC Mills was responsible for investigating alleged offences, interviewing Mr Lane and reporting back to a supervisor with any findings. PC Mills told the IOPC that, upon allocation of the investigation, he received a paper file and a brief handover from a supervisor. PC Mills said he could not recall receiving any advice or instructions from a supervisor about how to progress the case.

341. PC Mills told the IOPC he believed the paper file would have contained Ms Grice’s statement. However, he said it would have been his responsibility to appraise himself of background information using the PNC and NICHE databases, prior to beginning his interview with Mr Lane. PC Mills said NICHE would contain the OEL for this incident, show any warning markers, and would also make it clear if there was a SCARF to consider. PC Mills said he could not recall if he researched details of the previous incidents Ms Grice had reported to Sussex Police.

342. In his written response to notice, PC Mills told the IOPC he could not recall if he had read through the SCARF that PC E had completed, but that in hindsight, he

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27 The voice recording that Ms W had sent to PC E, was a recording of the conversation Ms Grice had with Mr Lane, after he had entered her home. A full transcript of this call can be found in Appendix 5.
28 The Police National Computer (PNC) is a large database that contains information about cautions, convictions and recent arrests of individuals. Warning markers and other relevant intelligence is also noted on a PNC record.
29 NICHE is a local database used by Sussex Police to store information about individuals.
should have done so. Following an audit of the system, the IOPC obtained evidence to confirm PC Mills did not view the SCARF on NICHE at any time during his dealings with Mr Lane and Ms Grice. At IOPC interview, having seen the SCARF which contained the DASH, PC Mills said this could have “possibly” influenced the way that he had dealt with Mr Lane.

343. The IOPC found that, at the time PC Mills was investigating this incident, there was one warning marker attached to Mr Lane’s NICHE record, which related to an allegation of a sexual offence in 2010. The history marker regarding stalking, which had been added in February 2016, was only available on the system that would alert call handlers or officers searching the Webstorm database\(^{30}\), which contain the CADs. PC Mills said he would “sometimes” check the CAD records prior to interview, but could not recall if he did so in this instance.

344. Interrogation of PC E’s Sussex Police email account showed that he had sent PC Mills the recording of Mr Lane speaking to Ms Grice. PC Mills acknowledged during his interview with Mr Lane that he had received this recording. However, when interviewed by the IOPC, PC Mills could not recall whether he had listened to the recording.

345. The recording showed Mr Lane admitted taking Ms Grice’s key from the outset. However, approximately three minutes into the call Mr Lane stated that he was “not right in the head” and said that he needed to find out why, and perhaps be “locked up”.

346. PC Mills told the IOPC he would not routinely check the PNC history of a victim. He said he did not become aware of Ms Grice’s FPN until after Mr Lane had been interviewed.

347. On 9 July 2016 at 7.43pm, the record of interview showed, PC Mills began his interview with Mr Lane. The interview lasted for 12 minutes\(^ {31}\). In summary, the transcript showed Mr Lane admitted it had been wrong to take Ms Grice’s key, and wrong to have entered her property that morning. PC Mills then stated;

“there’s quite a bit of history between you two isn’t there?”

\(^{30}\) The Webstorm database is an incident management database used by Sussex Police. It contains information about incidents as they occur in the form of CADs. Later investigative updates will generally be moved to an OEL on NICHE, and the CAD will then be closed.

\(^{31}\) Full transcript of Mr Lane’s interview can be found in Appendix 6.
349. Mr Lane agreed, but this topic was not probed further and Mr Lane moved on to say he would cease contact with Ms Grice, and discussed his intention to move to China to “get away”.

350. PC Mills informed Mr Lane that Ms Grice had needed to change the lock at her home, and this had incurred a cost of £65. PC Mills asked Mr Lane if he would be in a position to reimburse this cost to Ms Grice, and Mr Lane explained he would deduct this from £300 he claimed Ms Grice owed to him. PC Mills explained Mr Lane may still need to pay the £65.

351. At IOPC interview, PC Mills was asked if he had considered Mr Lane’s actions in the context of previous reports Ms Grice had made. PC Mills stated;

“…I think going by what she had put in her statement, no, not so much because she had said stuff had been reported previously… it was in my mind that that had been reported, that had been dealt with as an individual matter”.

352. In his written response to the IOPC, PC Mills stated;

“Michael Lane’s behaviour whilst committing this offence is quite possibly strange behaviour. I do not believe that this behaviour is the type of behaviour conducted by a reasonable and fair person. Michael Lane was asked about this behaviour in interview. I recall Michael Lane fully admitting the offence of theft. I recall that he showed remorse by his body language and by admitting that he was sorry. I do not recall his exact wording but at the time I believed that his relationship with his partner had just ended and, like most people would be, was upset by this. I did not think that this would lead to an escalation in Michael Lane’s behaviour”.

353. During the IOPC interview PC Mills stated;

“Just the fact that he… went back to her house and let himself in… he’s separated from her and he’s gone back to her house at a silly time in the morning… most people probably wouldn’t do that… that was the thing that alarmed me the most about him”.

354. PC Mills told the IOPC that, at the time, he was giving Mr Lane the “benefit of the doubt” due to the upset he appeared to be experiencing after the breakdown of his relationship with Ms Grice.

355. PC Mills said he would have been able to arrest Mr Lane for further offences during interview, if other offences had been obvious. PC Mills was able to recall the points to prove for harassment but unable to state the features of stalking behaviour. PC Mills’ training record showed he had not received any stalking specific training from Sussex Police, at the time he dealt with Mr Lane.

356. At IOPC interview, PC Mills was asked a number of questions about his interaction with Mr Lane. PC Mills was asked why, during his interview with Mr
Lane, he had not addressed how unusual Mr Lane’s behaviour had been when entering Ms Grice’s bedroom so early in the morning. PC Mills responded; “I don’t know… I can’t recall”.

357. The IOPC asked PC Mills if he believed he had addressed all the pertinent issues during his interview with Mr Lane. PC Mills responded; “Probably not… why I didn’t, I don’t know… no I don’t think I did…”

358. The IOPC asked PC Mills if he had failed to consider this incident as part of a bigger picture, rather than an isolated incident. PC Mills responded; “I probably did… knowing now what I know, yes I probably did”.

359. At IOPC interview, PC Mills explained he had received two days of training that was specific to domestic abuse in his 14 years as a police officer. His training record showed that he had completed the Sussex Police Responding Effectively to Domestic Abuse course in May 2015, and he explained the same presentation was provided in a RIT development course he had attended in March 2016. The training material showed that controlling and coercive behaviour was discussed, as well as identification, assessment and management of risk.

360. PC Mills said he did not feel he had received sufficient training, and he did not feel that he had been adequately prepared for the situations he may face regarding domestic abuse.

361. PC Mills’ employment record showed he had been a police officer since 2003. PC Mills told the IOPC he had been a response officer for a majority of this time, which involved responding to calls from members of the public, and making arrests when necessary. After completing the paperwork for arrests, this role then required PC Mills to hand over the case to an investigator or another individual to progress the matter. PC Mills said this would have been the extent of his role as a response officer.

362. PC Mills explained that he moved to the RIT in August 2015 to be an investigator. He said he spent one day with a colleague as preparation for this role, and he had found the transition to the role difficult due to the differences from his previous role. PC Mills said he had not received any training in interviewing suspects since he had started as a police officer in 2003, and no refresher training was provided when he moved to his new role leading investigations. PC Mills stated; “You’re just expected to get on with it. You’re just expected to know what you’re doing… you’re literally just learning as you go”.

363. PC Mills told the IOPC he had not felt supported to lead investigations, and there had been a lot of pressure on staff to expedite matters.
364. The IOPC retrieved the training material from the RIT development course that PC Mills had attended in March 2016. The material showed that a 90-minute section of the five-day course was provided to staff as a refresher of interview skills. This training consisted of a presentation to attendees, without opportunities to practice applying the skills discussed.

365. PC Mills’ training record showed he attended and completed Investigations Framework training the day before he interviewed Mr Lane, on 8 July 2016. The training material showed this course did not address suspect interviewing, but did explain to officers that an investigation must be a formal gathering and examination of evidence, with a duty to bring criminals to justice and protect the vulnerable. A scenario of harassment was included in the training material.

366. PC Mills told the IOPC that, after his interview with Mr Lane, he sought supervisory advice from civilian supervisor, Mr X. He said he would always seek advice from a supervisor after interview, and he would explain to them what had been said by the suspect in interview, and the previous history including convictions. PC Mills said he provided Mr X with details of the incident involving Ms Grice and Mr Lane, including the fact Mr Lane had stood in Ms Grice’s bedroom uninvited. PC Mills said he “probably” did not inform Mr X about previous reports to Sussex Police from Ms Grice.

367. PC Mills told the IOPC that Mr X made the decision that a police caution would be an appropriate justice outcome for Mr Lane, for the offence of theft of key. PC Mills said he was told that a caution would be suitable because of Mr Lane’s previous good character. PC Mills said he was “pretty sure” it was also Mr X who said a Police Information Notice (PIN) should also be issued to Mr Lane.

368. In his written response to notice, PC Mills stated;

“The Police Information Notice (PIN) is issued for harassment when two or more incidents have occurred”.

369. During IOPC interview, PC Mills said he could not recall if he had ever received any training specific to the use of PINs, and if he had, he could not recall the training. While discussing relevant Sussex policies, PC Mills said he was unaware of the Sussex Policy regarding protection from harassment, which stated PINs were only relevant for single first time incidents, and when there was no other notifiable offence. When given this information at interview, PC Mills acknowledged that a PIN would not have been appropriate in this case.

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32 See Appendix 4.
370. The PIN showed PC Mills recorded the following allegation;

“You have made unwanted contact with [Ms Grice] by attending her home address, attending [Ms Grice’s] mother’s address, phone calls, text messages and letting yourself into her home address.

You are terminate [sic] all contact with [Ms Grice], including indirect contact”.

371. PC Mills acknowledged during IOPC interview that the information within the PIN presented a course of conduct. The IOPC informed PC Mills during interview that the Sussex Police Protection from Harassment policy identified “watching or spying on a person” as a feature of stalking behaviour. PC Mills agreed that Mr Lane’s behaviour during this incident could be relevant to an offence of stalking. However, PC Mills commented that he could not recall ever being sent the relevant policy, and said that, to his knowledge, policy dissemination by Sussex Police typically occurred when changes to policy or legislation were made.

372. The IOPC informed PC Mills during interview that the same policy stated that all reports involving stalking or harassment must be investigated in full before a PIN is issued. PC Mills said that, in hindsight, he did not feel this had happened.

373. On 9 July 2016 at 9.09pm, the custody record showed, Mr Lane signed to accept a caution for theft in dwelling. He was released from police custody at 9.16pm the same day.

> Police Staff Mr X

374. Mr X was named by PC Mills and PS G as contributing to the decision making processes involved in this incident. Mr X had retired from Sussex Police prior to the IOPC approaching him for assistance with the investigation. Despite this, Mr X did agree to speak to the Lead Investigator.

375. However, after careful consideration, a decision was made by the Lead Investigator that Mr X would not be asked to provide evidence. This was because there was no indication that he had been responsible for authorising any outcomes.

> Police Sergeant (PS) G

376. On 9 July 2016 at 8.22pm, the custody record showed PS G made the following entry;

“I have reviewed the evidence ad [sic] have liaised with the interviewing officer. I authorise [Mr Lane] is issued with a Simple Adult Caution for Theft of the door key and issued a PIN with regards his behaviour towards the victim”.

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377. PS G was served with a notice of investigation as detailed above. He provided a written response to the notice and attended one interview at the IOPC.

378. PS G told the IOPC his role within the Response Investigation Team (RIT) was to supervise the team, and to be the decision maker for disposal outcomes. PS G also acted as a “gatekeeper” to authorise matters to be sent to the Crown Prosecution Service for charging advice.

379. PS G told the IOPC he had received several training inputs to perform a supervisory role, but these had been completed when newly promoted to the rank of Sergeant, approximately 14 years prior. He said he received no transition training to supervising investigations when moved to the RIT team, from a road policing role. PS G said no training days were rostered into the RIT shift pattern, and although he had requested a RIT training course on several occasions, this had been declined. PS G said;

“In essence I feel that it was expected that I would “learn on the job” and there was no training to assist me with the new role”.

380. PS G’s training record showed he had attended the Domestic Abuse Secondary Investigators’ course on 7 July 2016, two days prior to dealing with Ms Grice’s report. The training material showed that new legislation regarding controlling and coercive behaviour was addressed, with the summary highlighting “acts of violence might be the most visual, shocking and obvious offences however always look for and discount the presence of [controlling and coercive behaviour] first”.

381. PS G said that, ideally, he would review files and provide guidance to investigating officers when they are allocated work. He would then review material as an investigation progressed, and provide disposal decisions and advice based on his knowledge of the case.

382. However, PS G said, the workload of the RIT was high, and realistically, there were some instances when he was not appraised of a situation until a disposal decision was being sought. PS G said he could not recall at what stage he became involved in the investigation regarding Mr Lane, but confirmed he made the decision to issue a caution and PIN as a way to finalise matters.

383. PS G told the IOPC that, when making his outcome decision, he considered the OEL and the statement of Ms Grice. He said that, although he did not have time to read all of the information that was available on police systems, he was aware of Ms Grice’s previous allegations of criminal damage which she suspected had been caused by Mr Lane, and aware of the incident that had resulted in Ms Grice receiving a Fixed Penalty Notice (FPN). PS G said he also had a “lengthy” discussion with PC Mills.
384. In addition to his conversation with PC Mills, PS G said, he recalled having a conversation with other supervisors who were of an equivalent rank to himself. He said Mr X may have been one of these colleagues. PS G explained the experience of other colleagues was important when reaching decisions and he did not wish to rely solely on his own opinion of the matter.

385. PS G said it was not the history of Ms Grice and Mr Lane that concerned him, but the action of Mr Lane letting himself into Ms Grice’s property. PS G said it had been an “unusual incident” and he wanted to ensure that he was addressing the correct offence. He said the domestic element of the offence aggravated the situation.

386. In his written response for the IOPC, PS G stated;

“I considered various offences including Harassment/Stalking as well as Burglary but in my opinion and that of the other supervisors at the time could only realistically provide evidence to support the Theft allegation which [Mr Lane] had admitted to.”

387. At IOPC interview, PS G said he could not have pursued an offence of harassment or stalking as he could not evidence a course of conduct. The IOPC explained the previous incidents that had occurred and asked PS G whether they could have been relevant to a course of conduct. PS G said that, because Ms Grice and Mr Lane had been in a relationship in the period of time between the incidents, this made him believe any course of conduct would need to be demonstrated since the relationship breakdown, which had only occurred in the previous few days. Therefore, this incident was considered to be the first incidence of potentially harassing behaviour.

388. PS G stated;

“I’m not saying that legally that’s exactly how it should be… they were in a relationship then recently broke up again and he was invited round to a barbecue, it’s very difficult to, to prove a course of conduct and… in the offender’s mind to prove a course of conduct… he has to for harassment… know that his behaviour is harassing or believe it to be harassing. And if you’ve just had a relationship that’s just broken up and you’re invited round for a barbecue that’s very difficult to prove that he will know that his behaviour is harassing… as a course of conduct”.

389. PS G said that it is “fairly hard” to take into consideration incidents that had happened before the relationship, which had only just ended.

390. The IOPC asked PS G if he had considered Mr Lane’s behaviour to be indicative of coercive and controlling behaviour. PS G said;

“…I just didn’t feel we had enough on the statement and from the information and from the on and off relationship. And the fact that it was now over and it was
being addressed I didn’t feel that it was necessary to, to deal with that part of it and I don’t think we could have done”.

391. PS G told the IOPC he took into account Ms Grice’s comments in her statement that she was frightened of Mr Lane’s behaviour that morning. However, he said, he formed the impression she was more scared before she realised it was Mr Lane, and she was then angry rather than frightened. He said that he formed this opinion because she had then texted Mr Lane to challenge his behaviour.

392. Given the concerning nature of Mr Lane’s behaviour, PS G said, he issued the PIN to ensure Mr Lane was made aware his behaviour was harassing Ms Grice, and that it would be taken into account if he persisted contact with her. He said it could then be used as a “tool” in future allegations to demonstrate Mr Lane had been asked to stop contact, and further contact would be considered as part of a course of conduct.

393. PS G said that, at the time, he believed the PIN would be effective in protecting Ms Grice. His rationale for this was Mr Lane had no history of violence and accepted the “stupidity” of his behaviour during interview.

394. The IOPC asked PS G whether he had considered Ms Grice to be a repeat victim, described within the Sussex Police Domestic Abuse policy as someone who had reported two incidents within a 12-month period. PS G said he had not treated Ms Grice as a repeat victim at the time due to the history she had given of the “on and off relationship”, and the previous assault allegation being dismissed. PS G explained the fact that the March 2016 assault had received no further action, and Ms Grice had received a FPN, impacted upon his decision only in that he could see no history of violence from Mr Lane. He explained that from a policing perspective, the March incident would not be regarded as an incident due to the result it received. PS G said that, although a FPN affects the credibility of an individual, he regarded this as an historical incident, and said it did not make him disbelieve Ms Grice.

395. In his written response to the IOPC, PS G said a caution had seemed an appropriate disposal due to Mr Lane’s lack of previous offending, and his apparent willingness to address his offending behaviour. At IOPC interview, PS G explained Mr Lane’s willingness to address his offending behaviour was evidenced by his admission to stealing the key, his admission his behaviour was wrong, and his comments that he would not do anything else towards Ms Grice in the future. PS G said he also took into account the fact this was Mr Lane’s first justice disposal while being in police custody.

396. PS G explained the Crown Prosecution Service (CPS) would have been responsible for any charging decision that could have been made, if he had presented them with the available evidence. He said that, in his opinion, they
would have returned the matter as suitable for a caution as there was insufficient evidence for further offences. PS G stated;

“on previous occasions when we referred matters to the CPS with somebody with no offending behaviour, with no violence, the CPS will say ‘give this man a caution’”.

397. PS G said it was his responsibility to decide whether a case would go to the CPS, based upon two tests. The first was whether there was enough evidence to prove an offence. The second test was whether it would be in the public interest to pursue a matter. He explained that the public interest test involved weighing the needs of an offender and victim against passing a case through the criminal justice system. PS G maintained that, based upon the evidence that he had at the time, a caution for the theft of keys and a PIN to address Mr Lane’s behaviour was appropriate.

> Analysis of the evidence

> PC E

398. The Sussex Police Domestic Abuse policy stated thorough evidence gathering at a scene is fundamental to a successful outcome in instances of domestic abuse. The evidence showed PC E identified this incident as one of domestic abuse from Ms Grice’s disclosures about her recent relationship with Mr Lane. He then spent time with Ms Grice, documenting her concerns in a written statement and asked her to send him copies of text messages and the key barrel, if it could be retrieved. PC E also took a written statement from Ms W and requested that she email a copy of the voice recording to him.

399. The evidence showed PC E did not collect the key barrel that Ms Grice had reclaimed. However, PC E said, he could not recall being told the barrel had been retrieved. Further, PC E said, in light of Mr Lane’s admissions to taking Ms Grice’s key, he considered there to be no benefit to pursuing further evidential opportunities. Based on the weight of the facts, which showed that PC E did collate available evidence, there is an indication that PC E complied with the relevant policy.

400. The Sussex Police Domestic Abuse policy stated that offenders will be held criminally accountable for their actions, and arrest is an immediate and significant step in reduction of risk and safety planning. PC E provided evidence to demonstrate he identified the need to arrest Mr Lane as a way to provide immediate safeguarding to Ms Grice. The evidence showed he requested an
arrest attempt from colleagues, and arrested Mr Lane himself when he appeared at Ms Grice’s door.

401. The Sussex Police Protection from Harassment policy outlined harassment and stalking in accordance with legislation. The Protection from Harassment Act 1997 (PHA) provided legal direction for behaviour “which is repeated and unwanted by the victim and which causes the victim alarm or distress”.

402. The PHA did not specify a period of time during which incidents should occur in order to form a course of conduct. The CPS stated;

“How long as the behaviour complained of ceased, even for a short period of time, and then resumed either in the same or a different form, this can form a course of conduct. Acts might be some distance apart, and yet still constitute a course of conduct. Each case will fall to be determined on its own facts”.

403. The evidence showed that PC E considered stalking and harassment as possible offences he could arrest Mr Lane for. PC E told the IOPC he was aware of a history marker concerning stalking, and Ms Grice disclosed a history of behaviour that had caused her concern. However, PC E said, the relationship that had occurred between Ms Grice and Mr Lane in the period between the previous incidents and Ms Grice’s new allegation, led to confusion about whether this was a single incident or part of a course of conduct. PC E and Ms W provided evidence to show PC E liaised with supervisors for advice about whether stalking and harassment offences may be applicable. PC E said he arrested Mr Lane for theft as he felt certain that it was an offence he could prove.

404. The evidence showed PC E had not received stalking specific training from Sussex Police, and he reported that he did not feel adequately prepared to deal with such incidents. Despite his decision not to arrest Mr Lane for an offence of harassment or stalking, the evidence showed PC E documented his consideration of the offences on the OEL, and completed a DASH risk assessment containing relevant information.

405. Based upon the facts, there is evidence to suggest PC E’s decision not to arrest Mr Lane for an offence of stalking or harassment may not have been in line with relevant guidance. However, there is also evidence to show PC E recorded his concerns on relevant documents and sought advice prior to arresting Mr Lane.

406. The Sussex Police Domestic Abuse policy stated that all incidents of domestic abuse must be subject to a risk assessment that will be recorded on the SCARF. The policy stated;

“The officer will complete the risk assessment with the victim face to face in order to build rapport and gain their trust. The officer will carry out all the intelligence checks on the form when they return to the police station. Only then will they be
in a position to assess the level of risk and take initial steps to manage the risk using RARA. The DASH will be forwarded via NICHE to their supervisor and a copy routed to APT.

407. The evidence showed PC E identified this incident as one of domestic abuse, and completed the DASH based on information that had been provided by Ms Grice. PC E acquired the information that was relevant to the DASH during a face-to-face discussion with Ms Grice, and would not have been able to complete the digital form while away from a police station. He also completed a risk management entry using RARA, documenting the steps he had taken as the initial investigating officer. The evidence showed PC E sent the completed DASH to a supervisor for review. These actions were in line with relevant policy guidance.

408. However, when a positive response was recorded to Question 8, PC E did not complete the additional stalking based questions on the S-DASH. PC E provided evidence to say he had not been familiar with the S-DASH questions and could not recall receiving training concerning their completion. The Sussex Police training team provided evidence to state officers had not been trained to use or understand the S-DASH within their formal training.

409. The IOPC noted there was no mention in the Sussex Police Domestic Abuse Policy that officers must complete the additional S-DASH questions when a positive response was received to Question 8. The policy contained various appendices, with several guidance documents specifically highlighting that domestic stalkers are the most dangerous. However, officers were not specifically directed to complete the S-DASH questions in incidents involving stalking behaviour. Further, the DASH template reviewed by the IOPC and used by Sussex Police did not mirror that designed by the DASH creator, Ms Laura Richards, in that it did not contain the prompt at Question 8 directing officers to answer the further S-DASH questions.

410. The Sussex Police Domestic Abuse Policy stated that it complied with College of Policing Approved Professional Practice (APP). The APP concerning domestic abuse stated response officers should ensure that a good handover is provided to further investigating officers. This should include all relevant information about a perpetrator’s history of abuse, and risk assessments.

411. The evidence showed that, in addition to completing the DASH, PC E completed a crime report on an OEL, which documented the history between Ms Grice and Mr Lane, and her comments that she wished for no further contact from him. PC E produced exhibits and emailed evidence to the investigating officer.

33 See Appendix 2.
34 APT is the Adult Protection Team, which is encompassed by the Safeguarding Investigations Unit.
35 See Appendix 2.
Police Constable (PC) F

412. The Sussex Police Domestic Abuse policy said it complied with relevant College of Policing Approved Professional Practice (APP). The APP concerning domestic abuse stated officers should obtain as much detailed information as possible to understand the context of domestic abuse. It said investigating officers should explore the history of the abuse and suggest lines of enquiry, including reviewing previous incidents and interrogation of police systems.

413. PC Mills provided evidence to show it was his role to investigate the incident between Ms Grice and Mr Lane on 9 July 2016. He told the IOPC it was his responsibility to research the relevant background of the incident, using information available on police databases. The evidence showed PC Mills did not view the SCARF containing the risk assessment that PC E had completed, and he could not recall if he researched the history of police involvement with Ms Grice and Mr Lane. PC Mills was unsure if he had listened to the recording he had been sent of Mr Lane and Ms Grice speaking on the phone.

414. The Sussex Police Protection from Harassment policy said it complied with relevant College of Policing APP guidance. The College of Policing APP relied on ACPO guidance concerning the investigation of issues pertaining to harassment and stalking. ACPO guidance stated;

“Harassment is not necessarily visible to the victim or police at the outset of the case, but officers should consider that this is a possibility whenever repeated suspicious activity is encountered”.

415. The ACPO guidance stated police officers have positive obligations throughout the whole investigative process to protect victims of harassment.

416. The Protection from Harassment Act 1997 (PHA) provided examples of acts which are associated with stalking, including watching or spying on a person, following a person, contacting a person and interfering with the property of a person. It was highlighted that when taken in isolation these activities may appear harmless, but when they are carried out repeatedly, they may amount to stalking.

417. The evidence showed Ms Grice’s statement, which PC Mills had access to, provided indicators of stalking behaviour, as outlined by the legislation detailed above. Ms Grice had expressed feelings of fear and concern about what Mr Lane would do next. PC Mills provided evidence to show he had not considered Mr Lane’s actions during this incident in the context of previous reports, as he deemed they had been dealt with, and were individual matters. The evidence showed that PC Mills predominantly addressed the issue of Mr Lane taking Ms Grice’s key during interview. PC Mills said he chose to give Mr Lane the “benefit of the doubt” due to the distress he appeared to be experiencing. There is
evidence, therefore, to suggest that PC Mills’ failure to identify stalking or harassment was linked to assertions that may be considered inconsistent with policy and legislative guidance.

418. The APP concerning Investigative Interviewing said supervisors should ensure all officers conducting suspect interviews are appropriately trained. It states “Investigative Interviewing” should be approached with an investigative mindset, and interviewing officers should review available information and then thoroughly plan and prepare an interview based on what is known. The APP said officers should initiate an account from an individual by using prompts, and then break down the information received to probe relevant topics systematically, until as full as possible picture is obtained.

419. PC Mills provided evidence to say, in hindsight, he did not feel he had addressed all pertinent issues during his interview with Mr Lane. Evidence showed he raised the history between Mr Lane and Ms Grice, but then moved on from this topic immediately. PC Mills also did not press the issue of how inappropriate Mr Lane’s behaviour had been by entering Ms Grice’s home to speak to her.

420. However, PC Mills also provided evidence to show that he did not feel he had been adequately transitioned from a team that dealt only with initial response to incidents and arrests, to a team that interviewed suspects and investigated crime. The training history of PC Mills showed he had attended training that included interviewing skills in March 2016. However, this did not involve practical application of the skills discussed. Based on the facts outlined above, there is evidence to suggest PC Mills may not have fully complied with relevant guidance concerning investigative interviewing. However, the decision maker may wish to make an observation about whether PC Mills breached the standards reasonably expected of him, given his lack of recent training which guidance identified as essential.

421. The Sussex Police Protection from Harassment policy stated that a PIN should only be issued in first-time incidents of harassment. The evidence showed that PC Mills did not make the decision to authorise a PIN, but he did complete the paper form that was issued. At interview, PC Mills accepted that the number of incidents he recorded on the PIN could represent a course of conduct, and therefore, would make the PIN inappropriate. Prior to IOPC interview, PC Mills stated a PIN could be used when two or more incidents of harassment had occurred. This explanation is inconsistent with policy guidance which stated that it should be used for first-time incidents. However, PC Mills said he did not believe he had ever received training in how to use a PIN. No evidence was found to show that PC Mills took positive action to investigate the harassment Ms Grice had detailed in her statement.
422. The Sussex Police Domestic Abuse policy described domestic abuse as;
   “Any incident or pattern of incidents of controlling, coercive or threatening
   behaviour, violence or abuse between those aged 16 or over who are or have
   been intimate partners or family members regardless of gender or sexuality”.

423. The policy stated that it complied with relevant College of Policing APP, which
   stated;
   “Officers should not only be searching for evidence to support a criminal
   prosecution but also looking for signs that abuse may be occurring, even where
   the conduct may not amount to a crime”.

424. Section 76 of the Serious Crime Act 2015 introduced the offence of Controlling
   and Coercive Behaviour in an Intimate or Family Relationship. This was
   specifically introduce to capture abuse in an ongoing relationship. Coercive
   behaviour was defined as;
   “an act or a pattern of acts of assault, threats, humiliation and intimidation or
   other abuse that is used to harm, punish or frighten their victim”.

425. PS G provided evidence to show, based on the information he had available, he
   did not feel it was necessary or possible to pursue an offence of controlling and
   coercive behaviour. However, the evidence showed that Ms Grice’s statement
   described a history of concern about Mr Lane’s behaviour, the fact he had
   entered her bedroom while she slept, and her feelings of being shocked and
   scared. She described Mr Lane as being persistent in seeking a relationship with
   her.

426. The Sussex Police Domestic Abuse policy stated, a repeat victim of domestic
   abuse is someone who had reported two or more incidents within a 12-month
   period. PS G provided evidence to show he had not considered Ms Grice to be a
   repeat victim as described within the policy, due to the “on and off relationship”
   between Ms Grice and Mr Lane, and the previous assault allegation from March
   2016 being dismissed by police. The evidence showed the incident that PS G
   was dealing with was the fourth allegation made by Ms Grice concerning Mr Lane
   within a six-month period.

427. Part of PS G’s role was to act as a “gatekeeper” for cases to be referred to the
   Crown Prosecution Service (CPS) for charging consideration. The APP
   concerning Domestic Abuse stated;
   “The police should refer to the CPS all domestic abuse cases which are assessed
   by a decision maker as either meeting the evidential part of the Full Code Test or
being capable of meeting it…Where there is doubt as to whether a case should be referred, the CPS should be consulted”.

428. The APP continued;

“The police and the CPS have agreed charging standards for certain types of offence… these are guidelines to assist in selecting the appropriate level of charge in light of all the facts that can be proved… The offence for which the suspect is arrested may not be the actual offence with which they are later charged… Custody officers… should liaise with the CPS at an early stage to seek advice on the sufficiency of the evidence, type of evidence required and the most appropriate charge(s)”.

It stated stalking and harassment are within a selection of offences that may arise from the conduct of an individual and could lead to multiple charges.

429. Further, the APP stated;

“Cautions are rarely appropriate in domestic abuse cases. By nature, they involve the aggravating factor of breach of trust and abuse is often not reported on the first occasion. Charge is, therefore, always the preferred option where the case passes the evidential and public interest tests. In principle, if there is sufficient evidence to caution, there is sufficient evidence to charge… If the evidential threshold is passed, cases should normally be referred to the CPS”.

430. The evidence showed that PS G recognised that this incident involved a domestic context, and he explained this aggravated the seriousness. He told the IOPC he felt confident he could evidence the theft with Mr Lane’s admissions to stealing Ms Grice’s key. However, the matter was not referred to the CPS despite the domestic element to the theft, and PS G authorised the use of a police caution as a sanction.

431. PS G provided evidence to show that, in addition to the theft, which he felt there was sufficient evidence to prove, he considered whether an offence of stalking or harassment may also be relevant.

432. The Protection from Harassment Act 1997 (PHA) defined harassment as repeated and unwanted behaviour towards a victim. The PHA did not specify a period of time during which incidents should occur in order to form a course of conduct. The CPS stated;

“Arguably, therefore, so long as the behaviour complained of ceased, even for a short period of time, and then resumed either in the same or a different form, this can form a course of conduct. Acts might be some distance apart, and yet still constitute a course of conduct. Each case will fall to be determined on its own facts”.
433. PS G told the IOPC he could not pursue an offence of harassment or stalking, as neither he nor his colleagues felt they could evidence a course of conduct. PS G said he was aware of previous incidents that had occurred between Ms Grice and Mr Lane. However, he said, the relationship that had occurred in the period of time intervening reported incidents made him believe that this event would need to be considered as a first instance of harassing behaviour.

434. Further, PS G provided evidence to state he would have found it difficult to prove that Mr Lane would have known that his behaviour was harassing Ms Grice, in light of his recent relationship with her. However, the PHA states the behaviour is judged according to what a “reasonable person should know” amounted to unwanted contact.

435. The Sussex Police Protection from Harassment policy referred to the relevant College of Policing APP. The APP relied on ACPO practice advice regarding stalking and harassment. The ACPO guidance stated an investigating officer should liaise with the CPS at the earliest opportunity to seek advice about the sufficiency of evidence available, if an offence of stalking or harassment is being considered. PS G was not the investigating officer in this instance, but did have supervisory oversight, and did act as a “gatekeeper” for cases to be referred to the CPS. However, PS G told the IOPC he did not refer the case to the CPS, based upon his belief that he could not evidence a course of conduct, and his previous experiences of the CPS returning such matters for a caution.

> The IOPC has made a number of learning recommendations in relation to this incident.
Ms Grice’s phone call to Sussex Police on 10 July 2016 at 4.36pm.

436. On 10 July 2016 at 4.36pm, call records showed Ms Grice telephoned 101 and spoke to contact handler, Mr K.

437. The call recording showed Ms Grice informed Mr K she had received five missed calls from a withheld number over a period of approximately two hours. Ms Grice provided her crime reference number from the incident the previous day, and explained that she was curious if the police had been trying to contact her concerning this. Mr K told Ms Grice he would have a look at the relevant crime report to establish if anybody had been trying to contact her, and then call her back with any information.

438. Call records showed Mr K called Ms Grice back at 4.46pm. Mr K informed Ms Grice there were no records to show that anybody from Sussex Police had been trying to contact her. Ms Grice provided further information to say one call she had received had revealed a landline number, which she had called back, but nobody had answered. She said, given the events of the previous day, she was concerned the calls were coming from Mr Lane.

439. Mr K said he would make a note that Ms Grice was receiving the calls and advised that she should call back using 999 if she received any further information to indicate it was Mr Lane making the calls.

440. Call records showed Mr K called Ms Grice back a second time, at 4.55pm. He asked for the details of the landline number Ms Grice had received a call from. Mr K asked if Ms Grice recognised the number, and she replied that she did not. Mr K said he would carry out some checks to see if the number was recognised within Sussex Police systems.

441. Call records showed Mr K called Ms Grice back a third time at 5.03pm. He informed Ms Grice that the number had not been recognised on police systems, but he had entered the number into “Google” and found it belonged to a travel insurance company. Mr K advised that it seemed unrelated to what had happened with Mr Lane, but Ms Grice should call back if she received any further indication that Mr Lane was trying to contact her.

442. The OEL showed the number Ms Grice gave Mr K did in fact belong to Mr Lane’s home address, and could be found in a CAD dating back to 2004. However, this was not discovered until 18 July 2016 by another member of Sussex Police staff, and will be discussed later in this report.
443. Mr K was served with a notice of investigation as detailed above. He provided a written response to the notice, and attended one interview at the IOPC.

444. Mr K told the IOPC he had been a contact handler with Sussex Police for three years, and it was his role to take calls from members of the public and deploy resources appropriately. Mr K said deployment decisions were made according to the National Decision Model (NDM) and THRIVE model, and he would ask the caller questions to identify any potential lines of enquiry.

445. Mr K explained Ms Grice’s initial call to him was a simple enquiry to find out if Sussex Police had been trying to contact her. For this reason, he said, he did not consider the call to be a report of a new crime.

446. Mr K said he searched the NICHE database using Ms Grice’s name, and read the OEL from the incident the previous day. He said he could not find any relevant records to suggest that police colleagues had been trying to contact Ms Grice. The IOPC confirmed there was no relevant entry on the OEL, and Mr K did access this document.

447. After Ms Grice had provided the telephone number that had been identified, Mr K said, his first line of enquiry was to further search the NICHE database using these details.

448. The IOPC requested system access checks were completed, and found Mr K accessed Ms Grice’s record on NICHE, the OEL and finalisation document from the incident the previous day. However, he did not search NICHE for the telephone number Ms Grice had given him.

449. At interview, Mr K said he was “surprised” he had not searched NICHE for the telephone number, as his knowledge and experience would usually lead him to check this database first.

450. The IOPC took a statement from a Communications Tutor at Sussex Police, who provided evidence about the training and expectations of staff within the contact centre. [The Communications Tutor] said she would expect staff who receive a call regarding malicious calls to begin by gathering information about the frequency and nature of the calls, and to ask if the caller had any suspicions about where the call had originated from.

451. [The Communications Tutor] said she would then expect the call handler to try to identify the source of the calls, if any number was available. She said the call

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36 See Appendix 3.
37 See Appendix 3.
handler should conduct Webstorm searches, Command and Control (C&C) searches and NICHE searches. [The Communications Tutor] said that in-depth training is provided to staff concerning the use of NICHE.

452. Mr K told the IOPC that, after viewing the NICHE system, he also conducted a Webstorm and C&C search for the number Ms Grice had provided, but was unable to retrieve any results.

453. The IOPC requested data checks of Mr K’s use of a C&C search. The result showed Mr K searched the database for the correct telephone number. However, he entered the details into a search box labelled “Free Text” which defaulted the search process within a limit of two years. Being that Mr Lane’s number was recorded from 2004, this would not have provided any relevant results.

454. At IOPC interview, Mr K said that, although he was familiar with the C&C system, he had never received any training concerning how to use it. He said he had not known at the time that using the telephone number search field would have provided results that were unrestricted by a period of time.

455. [The Communications Tutor] told the IOPC she did not believe that open source searches using internet search engines had ever been used or recommended by Sussex Police.

456. Mr K told the IOPC he performed the “Google” search for the number Ms Grice had provided as a “last resort”. He said he wanted to do the best he could to deal with her call and to find any lines of enquiry that might assist. Mr K explained, internet searches would often produce results to suggest where a number may originate from.

457. The Public Contact Guidance (PCG) system was available to call centre staff, to access procedural and policy guidance concerning how to manage different types of call. Mr K told the IOPC he did not access the PCG in this instance as he did not consider the call to be a report of a crime. From his perspective, Ms Grice was reporting missed calls, and despite her suspicion the calls may have originated from Mr Lane, Mr K could not find a line of enquiry to suggest that this was the case.

458. The OEL from 9 July 2016, showed Mr K finalised the matter by making an entry detailing his contact with Ms Grice. The entry included the telephone number he had searched and the fact he had been unable to match this number with system checks.

459. Mr K said he made this entry to ensure an officer in the case would be made aware of Ms Grice’s call. Mr K said he believed the relevant officers would notice

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38 A Command and Control (C&C) search is the means by which the Webstorm system can be interrogated to identify CADs that match a search criteria.
updates on the OEL, as the case was still labelled on the NICHE system as “under investigation”. Mr K said he may have made alternative efforts to have notified an officer if the case had been marked as “Filed”, meaning closed.

460. Mr K did not create a new “crime” for this incident by generating either a CAD or OEL.

> Analysis of the evidence

461. The Public Contact Guidance (PCG) system provided policy and procedural guidance to contact centre staff. An A to Z list of topics could be found within the PCG, which provided staff with guidance about how to handle all types of call. The PCG stated that a new “crime” must be recorded on an OEL with every new allegation.

462. The evidence showed Mr K did not create a new crime for Ms Grice’s call with either a new CAD or OEL. At interview, Mr K provided a rationale to say he was treating Ms Grice’s call as an enquiry about missed phone calls, rather than an allegation of a crime. The call recording showed that this was the context of Ms Grice’s original call.

463. The National Decision Model (NDM) provided guidance to police staff and officers regarding decision making. One component of the NDM directed individuals to gather information and intelligence to inform their decision making.

464. The evidence showed Ms Grice provided Mr K with a telephone number from which she had received a missed call. Ms Grice stated her concern that Mr Lane may be calling her, and provided the crime reference number for the recent incident involving Mr Lane. However, Ms Grice said she did not recognise the telephone number.

465. The evidence showed Mr K made several attempts to link the number to Mr Lane or any other source, in order to seek a line of enquiry that might warrant investigation. If Mr K had used an alternative search technique, the evidence showed he would have been able to identify that Mr Lane was responsible for the calls. However, Mr K reported he had not been trained to use the system that he searched. Despite using checks that were inappropriate, his attempts were consistent with the guidance within the NDM, and demonstrated an attempt to take positive action.

466. The PCG stated it was appropriate to add information to an existing OEL if it was a message for an officer about an existing report, but not when there was an allegation of a new crime.
467. The evidence showed Mr K made an entry on the OEL for the incident of 9 July 2016, detailing Ms Grice’s contact and the number she had provided. The OEL was still marked as an incident that was under investigation at the time. However, as discussed, Mr K did not consider Ms Grice’s contact to be a report of a new crime, and could not establish a line of enquiry that could be pursued. These actions were consistent with policy guidance.

> Police Sergeant (PS) G

468. On 10 July 2016 at 4.51pm, the OEL showed, Mr K made the entry detailed above.

469. On 10 July 2016 at 5.33pm, the OEL showed, PS G completed a Supervisor Review of the incident that had occurred on 9 July 2016. PS G recorded he had completed an evidential evaluation, and was satisfied the theft matter had been adequately addressed with an adult caution.

470. In the notice of investigation the IOPC served to PS G, it alleged there was an indication that PS G had not considered the further information that Mr K had provided when reviewing the investigation.

471. In his written response to the notice, PS G stated;

“I was not aware of the updates and when completing a finalisation form on a report that I had already made a disposal decision on a previous day there does not appear any reason to routinely re-read or review that report”.

472. At IOPC interview, PS G said, given the short period of time between the entries, it was possible that both he and Mr K could have been making the written entries at the same time.

473. A data search requested by the IOPC showed OELs are locked down to one user at any given time. The search showed Mr K finished his entry on the OEL at 5.07pm, and that PS G began his entry at 5.33pm.

474. At IOPC interview, PS G said if any further relevant entries had been made on the OEL that needed his consideration, he would have expected an investigating officer to have informed him.

> Analysis of the evidence

475. The Sussex Police Protection from Harassment policy defined harassment as behaviour that is repeated and unwanted by the victim. To prove a case of harassment, there must be two or more instances of behaviour that causes the
victim alarm or distress. The policy stated there was a collective responsibility to ensure that harassment was correctly identified and investigated.

476. PS G provided evidence to say he was not aware of Ms Grice’s further phone call when he performed the Supervisor Review. He said if there had been further relevant updates, then he would have expected to have been notified by the investigating officer.

477. The evidence showed there was a 26-minute gap between Mr K’s entry being finalised, and PS G conducting his review on the OEL. Therefore, the additional information regarding missed calls was available to PS G. However, PS G said there would be little need to re-read an OEL when a matter had been finalised the previous day. The entry made by Mr K showed that, although Ms Grice had suspicions the calls originated from Mr Lane, no proof had been found to support this. Therefore, there is evidence to show that, although PS G had information available to him that Ms Grice had made further contact, there was no evidence to suggest the phone calls had originated from Mr Lane.

> Ms Grice’s phone call to Sussex Police on 10 July 2016 at 11.25pm

478. On 10 July 2016 at 11.25pm, call records showed, Ms Grice made a further call to Sussex Police, and spoke to call handler Ms L.

479. The call recording showed Ms Grice informed Ms L that she had reported a crime to Sussex Police the previous day regarding theft and trespassing, and she was now repeatedly receiving phone calls from a withheld number. Ms Grice said she was concerned the calls were coming from Mr Lane. She stated;

“…I’m really scared, I’m actually really scared”.

480. Ms Grice told Ms L she had answered one of the phone calls and could hear somebody breathing, but the caller did not say anything. Ms Grice provided Ms L with the crime reference number for the incident the previous day, and Ms L said she had retrieved the appropriate record.

481. Ms L told Ms Grice she would inform the officer who was dealing with the incident from 9 July 2016, and ask them to make contact on a visible telephone number. Ms L advised Ms Grice not to answer any further calls from withheld numbers, and took additional details regarding the number of calls Ms Grice had received.

482. Ms Grice said she was scared that Mr Lane was outside her house, and was too scared to look outside her window, or even to move. Ms L advised Ms Grice not to leave her home, and to call 999 straight away if she became concerned somebody was outside acting suspiciously. Ms L reiterated she would inform an
officer involved in the investigation from the previous day, and ask them to make contact with Ms Grice as soon as possible.

> Police Staff Ms L

483. Ms L was served with a notice of investigation as detailed above. She provided two written responses to the notice, which were deemed sufficient and did not require her to attend interview at the IOPC.

484. On 10 July 2016 at 11.30pm, the evidence showed Ms L created a CAD to document Ms Grice’s call. The CAD showed Ms L classified the incident as “silent calls”, and she linked the call to the incident that had occurred the previous day. The CAD showed Ms L acknowledged the history marker available on Webstorm, that identified Ms Grice as being at risk of stalking by Mr Lane, by marking it as relevant.

485. The CAD showed Ms L documented Ms Grice’s concerns, as heard in the call recording. Ms L used an opening code for the CAD of “C_OTHER” to define the nature of the call. This is the opening code the Sussex Police Protection from Harassment policy cited as being a suitable descriptor for incidents of harassment.

486. The “C_OTHER” opening code automatically generated four risk assessment questions in the CAD. A score based on the responses to the questions was then generated and documented in the CAD. The two options for the risk assessment were “standard/medium” or “high”. The questions were:

- How often do you experience ASB39?
- Do you feel deliberately targeted?
- How has this affected you?
- Is there anyone in the household who could be considered vulnerable?

487. In the notice that was served to Ms L by the IOPC, it stated these questions could not be heard in the call recording, but responses had been documented in the CAD.

488. Ms L told the IOPC that “guidance emails” from Sussex Police had informed her the question set was a guide, and there was no requirement to ask the questions, providing the incident was assessed based on the content of the call. XXXX, a Communications Tutor from Sussex Police, confirmed the questions did not need to be read out verbatim, but the call handler must get the relevant information if a caller is reporting silent or heavy breathing calls.

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39 “ASB” stands for Anti-Social Behaviour. The question set for “C_OTHER” offences was the same as would be used for incidents of ASB, public order, criminal damage and harassment.
489. The CAD showed that, in response to the first question concerning frequency of the calls, Ms L recorded a response of “occasionally”. Ms L told the IOPC that in absence of predefined answers available on the CAD, this seemed the most suitable answer according to the information provided by Ms Grice.

490. The CAD showed that, in response to the second question regarding feeling targeted, Ms L selected a response indicating Ms Grice’s belief that Mr Lane was responsible for the calls.

491. The CAD showed that, in response to the third question concerning how Ms Grice had been affected, Ms L selected “affected a great deal”. Ms L told the IOPC she selected this response as Ms Grice had sounded “extremely distressed on the call and clearly it had affected her more than the lower choice of ‘moderately affected’”. Ms L added free text to say Ms Grice was “terrified” the caller was Mr Lane.

492. The CAD showed, in response to the fourth question regarding vulnerability, Ms L provided a response of “no” and added that she had not asked Ms Grice the question. Ms L told the IOPC she answered this question based upon the information Ms Grice had provided about herself including her age, and the information that was available on NICHE.

493. The CAD showed a risk assessment score of “8” was generated based on the information Ms L had entered, marking the call as “standard/medium” risk.

494. On 10 July 2016 at 11.57pm, the CAD showed, Ms L recorded that the matter was to be “crimed and closed”, stating there were no lines of enquiry due to the phone calls originating from a withheld number. Ms L also recorded she had emailed PC E as the officer in charge of the incident Ms Grice had reported on 9 July 2016.

495. The OEL from the incident of 9 July 2016 showed Ms L made an entry describing Ms Grice’s call, and explaining there were no links to identify the withheld calls to Mr Lane. Further, Ms L created a new “crime” on a separate OEL, recording the same information and closing the incident.

496. The CAD showed Ms L marked this incident as suitable for a Grade 4 response, which Sussex Police policy stated would be appropriate if a matter had been fully investigated and resolved without the need to deploy resources.

497. Using the VOWSIO\(^{40}\) principles that were available to call centre staff at the time, Ms L told the IOPC she could not realistically have deployed a resource to deal with the call, as there were no witnesses to state where the calls originated from, and the withheld number negated the opportunity to identify an offender. Ms L

\(^{40}\) See Appendix 3.
explained she had used NICHE to gather relevant information, and considered the background between Ms Grice and Mr Lane. However, without a searchable telephone number, and without any words being heard in the call, there was no evidence available to confirm that Mr Lane was responsible for the calls. Ms L said she did not add a domestic abuse “tag” to the call, due to the lack of evidence that the calls were originating from Mr Lane.

498. Ms L stated;

“Although the call did not meet the required threshold for further investigation, due to the distress exhibited by [Ms Grice] and to ensure that the officer dealing on the link was aware of a further call, I requested that the officer in charge make contact to as part of the ongoing case, offer reassurance and discuss the contact from the withheld number further as necessary”.

499. The Sussex Police Communications Tutor, [redacted], told the IOPC that call centre staff were permitted to pass messages to officers when there was no new allegation being made. [The Communications Tutor] said she would expect staff to check the Sussex Police staff database, named MINT, for details of when the officer is next on duty, and advise the caller when they would be likely to receive a call back. She said it is important to check the availability of officers as this could affect the way in which the call is handled.

500. The CAD showed Ms L recorded “OIC 41 ON LINK EMAILED”, and the CAD she had linked this incident to was that which dealt with the call Ms Grice had made on 9 July 2016. The CAD from 9 July 2016 showed PC E was still named as the OIC. However, a CAD provides details of initial incidents as they occur, while an OEL provides details of investigations as they progress. In this instance, PC Mills would have been the most recent OIC as documented in the OEL.

501. Ms L told the IOPC her normal practice would be to check the NICHE record for details of an OIC, and then source the named officer’s contact details via MINT. The IOPC liaised with Sussex Police and found that the MINT system could not be audited to check which aspects of the system Ms L had looked at on 10 July 2016.

502. Interrogation of PC E’s email account showed Ms L emailed him at 11.40pm on 10 July 2016. She attached a copy of the CAD she had created, and advised that Ms Grice was requesting contact using a visible telephone number.

503. PC E’s time sheet showed he had finished work at 11.30pm on 10 July 2016. He was next recorded on duty on 11 July 2016 at 3pm.

> Analysis of the evidence

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41 OIC means officer in the case/officer in charge.
504. The Sussex Police Protection from Harassment policy stated all allegations of harassment or stalking must be subject to an initial risk assessment, which should be undertaken by the person who generated the CAD. The risk assessment consisted of a list of set questions which would be automatically generated with the offence code of “C_OTHER”. The policy said each question did not need to be asked in full if the information had been volunteered.

505. The policy stated;

“It is important to consider that a risk assessment is the collection and assimilation of relevant information to determine the level of risk of harm being posed to an individual(s). It is not the exercise of filling in a form. The risk assessment form is a tool and a guide to practitioners. Professional judgement and investigation are also crucial to the process”.

506. The evidence showed Ms L selected the appropriate offence code according to policy guidance, and completed the risk assessment questions based on the information she had gathered from Ms Grice and Sussex Police systems. Ms L selected responses that she believed reflected the seriousness of the situation Ms Grice was reporting.

507. The Sussex Police Call Grades and Deployment policy stated a Grade 4 response was suitable in instances of a case being fully investigated and filed at source, without the need to deploy resources. The Public Contact Guidance (PCG) advice concerning malicious communication stated that communications staff should gain information from the caller, and search CADs and NICHE for linked reports and history markers. It stated such calls could be given a Grade 4 response if there were no lines of enquiry, based on the facts that could be established.

508. The evidence showed Ms L opened a new CAD and OEL to record a new “crime”. The CAD showed she linked previous reports and acknowledged a history marker as relevant. Ms L provided evidence to say that using the VOWSIO principles, she could not establish a line of enquiry for an investigations team to pursue.

509. The Sussex Police Domestic Abuse policy stated it complied with relevant College of Policing APP. The APP guidance stated police staff should be aware of the contribution they can make to victim safety by taking positive action in situations of domestic abuse.

510. The evidence showed Ms L did not mark the call as a domestic incident, and provided a rationale to say she did not think this would be appropriate, given that she could not find evidence to link Mr Lane to the calls. Ms L did take steps to make an officer aware of Ms Grice’s concerns, and said she did this because of
the distress Ms Grice was exhibiting. Further, Ms L recorded Ms Grice’s concerns on the OEL from 9 July 2016, that was still marked as “under investigation”.

511. However, Ms L sent the information to an officer who was not on duty, and would be unable to respond for more than 15 hours. The evidence showed PC E was marked on the linked CAD as the OIC, but this information was out of date, and another officer would have been more accurately cited as the OIC on other systems.

> Police Constable (PC) E

512. IOPC interrogation of PC E’s email account showed receipt of the email Ms L had sent to him on 10 July 2016. However, the account showed that he did not respond to the email or forward it on to anybody else.

513. Further IOPC interrogation of call records showed there was no log of PC E using his airwaves device to call Ms Grice, and no evidence a call was made from Sussex Police main lines to Ms Grice.

514. In his written response to the notice of investigation, PC E stated;

“I recall receiving the email about the further call Ms Grice made to the police. What I cannot honestly say is if I took any action. I do not recall if I called Ms Grice. Looking at the OEL from the case I can see that this information was recorded there but this was not by myself. I did not update the log at all. I did not forward this email on to PC Mills, who I was aware was the new OIC as he updated me with the result of Mr Lanes time in custody. Any lack of action on my part I accept falls below my own standards and that of the standards of professional behaviour”.

515. During interview at the IOPC, PC E said he should have forwarded the email to PC Mills, who he knew was the OIC of the most recent Sussex Police investigation. PC E said the CAD that Ms L had used to identify his name inaccurately reflected he was the OIC, when in fact he had only been the OIC for the initial incident attendance.

516. PC E said that, ideally, Ms L would have checked NICHE – which would have contained all relevant OEL’s – for more recent updates, which would have revealed that PC Mills was the OIC at the time.

517. PC E told the IOPC he was disappointed with his lack of action, and could only surmise that he may have been responding to other incidents at the time, or that the email did not stand out as an incident that required action due to the closed status of the CAD.
Analysis of the evidence

518. The Sussex Police Domestic Abuse Policy stated it complied with relevant College of Policing APP. The APP stated police staff should be aware of the contribution they can make to victim safety by taking positive action in situations of domestic abuse. The APP stated every victim must be listened to and made to feel believed. It said victims may mistrust the police if officers have been unsupportive or disbelieved them in any way, and this can become a barrier to them seeking assistance in the future.

519. The National Decision Model stressed officers should have regard to several factors when making decisions, including the consequences of any action or inaction.

520. The evidence showed PC E was aware that Ms Grice was a victim of domestic abuse, as he had responded to an incident on 9 July 2016 and completed associated risk assessments. However, the evidence also showed PC E was no longer the OIC of any investigation regarding Mr Lane or Ms Grice, and his contact details had been sourced from a database entry that was no longer current. Ms Grice did not receive any further contact from Sussex Police in response to the concerns she raised on 10 July 2016, yet PC E was the only officer who had been alerted to her call.

Ms Grice’s phone call to Sussex Police on 12 July 2016 at 8.01 am

521. On 12 July 2016 at 8.01am, call records showed, Ms Grice telephoned Sussex Police and spoke to call handler, Mr M. Ms Grice informed Mr M she had been driving to work and had noticed Mr Lane following her in his car. Ms Grice told Mr M she believed there was a caution in place that would prohibit Mr Lane from contacting her, after incidents of trespass, stalking and harassment.

522. Ms Grice explained Mr Lane had followed her for approximately five minutes, and she had tried to drive a different way, but he had persisted in following her. Ms Grice said Mr Lane had mouthed “sorry” towards her, but she had ignored him and looked away. Ms Grice provided Mr M with locations of where she had seen Mr Lane, including a local bus garage and road names.

523. The call recording showed Mr M asked Ms Grice what her relationship had been with Mr Lane, and she informed Mr M they had recently been in an intimate relationship. Mr M told Ms Grice he could see details of a previous report involving Mr Lane and Ms Grice, and he would check what stage the investigation regarding that matter had reached.
524. Mr M finalised the call by stating he would make the officer in charge of the previous investigation aware of Ms Grice’s further complaint. He asked Ms Grice if she knew who the officer was who had issued Mr Lane’s caution, and Ms Grice said she did not know, but PC E had taken her statement. Mr M said he could also see PC E referenced, and said he would make him aware of the situation.

> Police Staff Mr M

525. Mr M was served with a notice of investigation as detailed above. He provided a written response to the notice, which was deemed to be sufficient.

526. On 12 July 2016 at 8.02am, the evidence showed, Mr M created a CAD to document Ms Grice’s call. The CAD showed he classified the call as “followed by Michael Lane”, and that the history marker regarding Ms Grice being at risk of stalking was immediately generated by the Webstorm system.

527. The CAD showed Mr M documented Ms Grice’s complaint, as heard in the call recording. He then noted that the call was linked to previous incidents, including the complaint made on 9 July 2016, which had resulted in Mr Lane receiving a caution.

528. On 12 July 2016 at 8.18am, the CAD showed Mr M commented;

“I will make inv.officer\textsuperscript{42} aware of this in case this might be regarded as related to the caution. Caller happy with this”

529. Mr M did not create a new “crime” for Ms Grice’s complaint by generating an OEL. The IOPC took a statement from a Communications Tutor at Sussex Police, XXXXX, who provided evidence about the training and expectations of staff within the contact centre. [The Communications Tutor] told the IOPC there were strict guidelines in place within the contact centre, which stated a new OEL/crime report must be created for every new allegation of crime.

530. In his response to notice Mr M said that, given the time that had passed since Ms Grice’s call, he was unable to remember the incident. However, having viewed the call transcript, he stated;

“…I would say… that based on the information available to me at the time and, perhaps most significantly, my understanding of the prevailing legislation, the incident described (an encounter on a busy through-route) did not, of itself, seem to constitute a clear new crime. However, it certainly appeared to be related to an ongoing investigation (with a possible breach of Caution…) and was certainly a matter for concern, hence my referral of the issue to an officer better placed to assess… certainly had there not already been an ongoing investigation or the

\textsuperscript{42} “Inv. Officer” means Investigating Officer.
data viewed, legislation or guidance suggested a firm ground for a different course of action, I think it highly likely I would have sought… advice”.

531. Mr M added;

“With… hindsight…not “criming” looks like an error of judgement on my part, since in retrospect this incident may have been deemed sufficient to merit a Course of Conduct assessment…”

532. Mr M’s training record showed that, at the time of speaking to Ms Grice, he had not received any training from Sussex Police regarding stalking.

533. The CAD showed Mr M marked the call as a domestic incident. Mr M did not complete the risk assessment question set which would be automatically generated by marking the CAD as such, but provided an email as evidence to the IOPC, to show he had been advised by supervisors to use the THRIVE\textsuperscript{43} decision making framework instead.

534. The CAD showed Mr M recorded a THRIVE rationale. In summary, it stated the risk of harm appeared to be low, as no threatening behaviour, words or gestures had been reported by Ms Grice. In his response to the notice, Mr M identified that the “harm” appeared to be psychological, and it was Ms Grice’s demeanour within the call that influenced his decision to mark this as “low” risk. The rationale documented Mr M’s intention to inform an officer of the incident, and that engagement could be “slow time”, as no evidence would be lost.

535. Mr M told the IOPC he had noted the history marker concerning Ms Grice being at medium risk of stalking by Mr Lane, and he used this to inform his THRIVE rationale. Mr M commented that this history marker did not, however, contain any instructions for call handlers to treat the call as urgent, which would be common in such circumstances.

536. On 12 July 2016 at 8.39am, the CAD showed, Mr M emailed a copy of the CAD to PC E, including details of the incident he believed it related to, the caution, and Mr Lane’s name. The CAD was then closed with the comment;

“closing based on THRIVE and the situation of an ongoing investigation/caution, for inv.officer assessment at this stage (breach of caution?)”

537. Mr M told the IOPC he sent PC E the email, as he was named on NICHE as the investigating officer for the incident of 9 July 2016. Mr M commented this status was unchanged on NICHE until 13 July 2016. Mr M said he is certain he checked that PC E would be on duty later that day, using the MINT system

538. The CAD showed Ms Grice’s call was closed as a Grade 4 response. The Sussex Police Call Grades and Deployment policy defined a Grade 4 response as

\textsuperscript{43} See Appendix 3
suitable for issues that have been resolved without the need to deploy policing resources. Mr M told the IOPC he believed a Grade 4 response was suitable, as the incident did not justify an urgent response, and he could see on the NICHE system that there was an ongoing investigation with an allocated officer who would be aware of background information. He said if there had not been an ongoing investigation, the call may have been suitable for a Grade 3 response, which would have prompted further contact from Sussex Police, within 24–48 hours.

> Analysis of the evidence

539. The Protection from Harassment Act 1997 (PHA) defined harassment as repeated and unwanted behaviour towards a victim. The Protection of Freedoms Act 2012 added section 2A to the PHA to create the offence of stalking. Section 2A(3) of the PHA provided examples of acts which are associated with stalking, including following a person, contacting a person and watching or spying on a person. It was highlighted that, when taken in isolation, these activities may appear harmless, but when carried out repeatedly they may amount to stalking.

540. The Sussex Police Protection from Harassment policy stated there was a collective responsibility among staff to ensure allegations of harassment or stalking were correctly identified and appropriately investigated. In line with the PHA, it said behaviour on at least two occasions could constitute a course of conduct that would be necessary to prove a case of harassment or stalking.

541. The evidence showed that, from the outset, Ms Grice told Mr M there was a caution in place regarding Mr Lane, and this was linked to incidents of trespass, stalking and harassment. Ms Grice then told Mr M Mr Lane had been following her for approximately five minutes, and named locations that could constitute a line of enquiry for investigation. [The Communications Tutor] told the IOPC a new OEL/crime report must be generated for every new allegation of crime.

542. The evidence showed Mr M was aware of a history marker warning that Ms Grice was at risk of stalking by Mr Lane. Further, Mr M linked previous reports to the CAD. However, Mr M provided evidence to show he did not consider the report to be a new crime, and did not generate a new OEL. In hindsight, Mr M said, this had been a mistake as the report could have been relevant to a course of conduct. However, Mr M’s training record showed he had not received training from Sussex Police regarding stalking.

543. Despite not identifying Ms Grice’s call as a report of a new crime, Mr M did recognise that it could be linked to a previous incident. Mr M gathered information from Ms Grice and appropriately labelled the incident as one with a domestic context. He then forwarded the new information to an officer who he believed would be able to more accurately assess whether Mr Lane’s behaviour had
breached the conditions of the caution. The evidence showed PC E was still named on the Webstorm and NICHE system as the officer in charge of the case.

544. The Sussex Police Domestic Abuse policy, and Protection from Harassment policy both stated that call centre staff had a responsibility to risk assess calls. The Protection from Harassment policy stated that a question set should be completed, however, Mr M provided evidence to show he had been told to use the THRIVE decision making framework instead. Mr M documented his THRIVE rationale on the CAD, in line with guidance.

545. The Sussex Police Domestic Abuse policy stated a call with domestic circumstances should not be graded with a Grade 3 response or lower, unless it could be unequivocally established that the victim or children are not at any risk. The policy described psychological abuse as being a factor of domestic abuse that must be considered in risk assessment, and said the demeanour of a victim must be considered. However, the policy also described how coercive behaviour, such as intimidation or acts that cause fear to the victim, must be considered during risk assessment.

546. The evidence showed Mr M assessed the call to be “low” risk of harm, based on the lack of threatening behaviour from Mr Lane, and the demeanour of Ms Grice while making the call.

547. However, Ms Grice informed Mr M about a recent incident of trespass, stalking and harassment by Mr Lane, and concern that she was then being followed by him. A history marker and details of previous incidents were available to Mr M on the Webstorm system.

548. Risk assessment is a subjective test. However, the decision maker may wish to make an observation about whether all factors were appropriately considered during Mr M’s risk assessment, and subsequent call grading rationale.

> Ms Grice’s phone call to Sussex Police on 12 July 2016 at 6.50pm

549. On 12 July 2016 at 6.50pm, call records showed, Ms Grice made her final call to Sussex Police, and spoke to call handler, Mr Y.

550. The call recording showed Ms Grice requested an update on the “crime” she had reported earlier that day. Mr Y asked Ms Grice for the relevant reference number, and asked Ms Grice what had been said to her during her initial call. Ms Grice replied;

“Nothing really… to be honest they weren’t that helpful. They kind of just said that they’re going to speak to the officer dealing with the case and get back to me, and no one got back to me”.
551. Mr Y told Ms Grice he could see from the CAD that was linked to the reference number she had provided that PC E had been emailed. Mr Y told Ms Grice that, although he was certain that PC E would respond at some stage, he might not be on duty. Ms Grice said she was scared that Mr Lane would follow her again.

552. Mr Y explained he would check to see if there would be anybody else available to respond to Ms Grice’s phone call, and call her back with further information.

553. On 12 July 2016 at 7.32pm, call records showed, Mr Y telephoned Ms Grice. Mr Y told Ms Grice he had emailed another officer who was dealing with a previous incident, who he believed would be in a better position to contact her that evening. He said the officer would be on duty at 8pm.

554. On 12 July 2016 at 7.31pm, the CAD showed, Mr Y updated the record that Mr M had created earlier that day, and emailed it to PC O. He asked PC O to contact Ms Grice.

555. [Deleted], a Communications Tutor from Sussex Police, told the IOPC that it was acceptable to add new information to an existing CAD if it was a message to an officer about an existing report, but not when a new allegation was being made. [The Communications Tutor] advised that the contact handler should check the OIC’s duty status on MINT, and advise the caller when they are likely to receive a call back.

556. The evidence showed Ms Grice informed Mr Y that she would like an update about her earlier call, and she did not report further allegations. For these reasons, a decision was made by the Lead Investigator that Mr Y would not be considered a subject in the IOPC investigation. Mr Y did, however, provide witness evidence to assist the investigation.

557. Mr Y told the IOPC he could not recall his conversation with Ms Grice. However, after reviewing the CAD and NICHE file, he believed he had contacted PC O as he was named as the assisting officer on the NICHE file that Mr M had linked to the call earlier that day. Further, he added that after identifying PC O as the assisting officer, he would have checked his duty status using the MINT system.

558. Mr Y said he used the Webstorm system to send an email to PC O, to ensure that all the details from the CAD were available. The CAD showed Mr Y documented Ms Grice’s fear to leave her house.

> The response to Ms Grice’s calls from 12 July 2016

559. The CAD for both calls Ms Grice made on 12 July 2016, showed that two police officers were emailed to advise them Ms Grice required contact, after her report of being followed by Mr Lane. Mr M emailed PC E, and Mr Y emailed PC O.
> Police Constable (PC) E

560. IOPC interrogation of PC E’s Sussex Police email account showed receipt of Mr M’s message on 12 July 2016 at 8.39am. PC E’s timesheet showed he was next on duty at 11pm on 12 July 2016.

561. On 13 July 2016 at 1.10am, PC E’s email account showed he forwarded Mr M’s email to PC Mills, adding the comment “Just FYI mate”.

562. At IOPC interview, PC E stated he could recall receiving the email from Mr M. He explained he had closed the CAD of 9 July 2016 under his name on the Webstorm system, as he knew the incident was a crime, and the live incident management record could then be progressed with an investigation, which would be recorded on an OEL. PC E said he believed that the inaccurate use of systems by call centre staff had identified him as the officer who was still in charge of the incident. He said that, if the NICHE system had been appropriately used instead, this would have provided a more accurate reflection of the circumstances, as PC Mills would be named as the OIC.

563. PC E told the IOPC he forwarded Ms Grice’s email to PC Mills because he knew he was the OIC, and because he believed PC Mills would need sight of the new information. PC E said that as a response officer, his role had ended after he had handed the management of the 9 July 2016 investigation to the secondary investigation team.

> Police Constable (PC) Mills

564. On 13 July 2016 at 1.10am, interrogation of PC E’s email account showed that he forwarded Mr M’s email on to PC Mills. PC Mills’ timesheet showed he was next on duty at 7am on 15 July 2016.

565. In his written response to the notice of investigation, PC Mills told the IOPC that, upon receipt of the email, he telephoned Mr Lane and asked him about the allegation he had followed Ms Grice. PC Mills stated he could recall Mr Lane telling him he had been driving to work, and suddenly realised Ms Grice had been driving the vehicle in front of him. PC Mills said Mr Lane informed him he had then taken the next available turning to ensure he was no longer following Ms Grice.

566. PC Mills told the IOPC he had felt satisfied with this response, and although he warned Mr Lane that such conduct could have breached the conditions of Mr
Lane’s PIN, PC Mills did not feel the incident had been a deliberate act. PC Mills said he did not deem the incident to warrant further investigation.

567. Telephone records showed there were no phone calls made from Sussex Police mainlines to Mr Lane on 15 July 2016, or any other date thereafter. However, the records showed Mr Lane had attempted to telephone PC Mills twice on 12 July 2016, once on 13 July 2016, and at 8.12am on 15 July 2016.

568. Mr Lane provided witness evidence to the IOPC. He said he had been unable to get through to PC Mills on 12 July and 13 July 2016. However, he said he did get through to PC Mills on 15 July 2016. Mr Lane said the telephone conversation concerned how he could contact Ms Grice about money he believed she owed, and PC Mills advised Mr Lane to send her a posted letter. Mr Lane said this was all that was discussed during the telephone call.

569. At IOPC interview, PC Mills said he believed he had telephoned Mr Lane, but accepted he may have been mistaken. PC Mills was certain, however, he had spoken to Mr Lane on one occasion to discuss the allegation Ms Grice had made.

570. Telephone records showed there were no phone calls made to Ms Grice from Sussex Police after Mr Y had called her on 12 July 2016.

571. At IOPC interview, PC Mills acknowledged there was evidence to suggest that he did not telephone Ms Grice. He further acknowledged he may have missed an opportunity to have gained more details about the complaint that Ms Grice had made, and to reassure her that her complaints were being taken seriously by Sussex Police. PC Mills expressed regret for this “oversight” and said he suspected that he had been busy with another investigation at the time that had been unusually resource intensive.

572. PC Mills added that all police officers have a duty of care, and he could not comment on when this responsibility would finish in a particular instance. For this reason, he said, PC E could also have made a phone call to Ms Grice, as he had been familiar with both her and Mr Lane.

> Police Constable (PC) O

573. On 12 July 2016 at 7.31pm, the CAD showed, Mr Y emailed PC O, asking him if he could make contact with Ms Grice.

574. PC O was served with a notice of investigation as detailed above. He provided a written response to the notice which was deemed to be sufficient.

575. Prior to 12 July 2016, PC O had taken a statement from Ms Grice in March 2016 following the alleged assault by Mr Lane, and later arrested Mr Lane regarding this offence. He had also been responsible for transporting Mr Lane to custody,
following the arrest by PC E on 9 July 2016. However, PC O had no further role in either case by 12 July 2016.

576. PC O told the IOPC he started work at 8pm on 12 July 2016. He explained that this shift required him to leave the police station immediately, and this prevented him from performing administrative tasks, including checking emails. He said he was next on duty on 13 July 2016, before being absent from work until a night shift on 22 July 2016.

577. PC O said he could not recall ever seeing or reading the email he had been sent about Ms Grice. He told the IOPC that, if he had received the email, he would have made efforts to speak to Ms Grice to let her know he had received her message. PC O stated;

“I do not believe I would ever ignore a victim, I believe I would take action to protect them and help however I could, or at the least direct them to another person I knew could try and help”.

578. The IOPC interrogation of both PC O’s and Mr Y’s email account found no trace of the email being sent or received. The limitations of the database search could mean this was because the email had been deleted before the IOPC requested the search. Only the CAD showed evidence the email was sent to PC O via the Webstorm system.

> Analysis of the evidence

579. The Sussex Police Domestic Abuse Policy stated that it complied with relevant College of Policing APP. The APP stated police staff should be aware of the contribution they can make to victim safety by taking positive action in situations of domestic abuse. The APP stated every victim must be listened to and made to feel believed. It said victims may mistrust the police if officers have been unsupportive or disbelieved them in any way, and this can become a barrier to them seeking assistance in the future.

580. The evidence showed PC E forwarded the email he had received from Mr M on to PC Mills. He provided a rationale to say he did this as he knew PC Mills was the OIC of the recent investigation, and as he believed PC Mills should have sight of the new information. PC Mills said PC E also had a duty of care to Ms Grice, and highlighted that anybody could have made a phone call to her. PC Mills was not on duty and could not therefore realistically react or respond for a further two days.

581. The Sussex Police Protection from Harassment policy mirrored legislation by stating that a course of conduct must be evident to prove a case of harassment or
stalking. This must consist of two or more instances of behaviour that have caused the victim to feel fear, alarm or distress.

582. The evidence showed PC Mills was notified that Ms Grice had been followed by Mr Lane for approximately five minutes. PC Mills had prior knowledge of the history between Mr Lane and Ms Grice, and the PIN that Mr Lane had recently been served. However, PC Mills did not consider the new allegation to be an incident relating to harassment.

583. The evidence showed that no phone calls were made from Sussex Police to Mr Lane in the relevant timeframe. However, Mr Lane was trying to contact PC Mills, and said that he spoke to PC Mills only about monies he believed Ms Grice owed to him.

584. PC Mills accepted he may have been mistaken by saying he called Mr Lane, but was certain he discussed the new allegation Ms Grice had made and asked Mr Lane for an explanation of his behaviour. PC Mills said he delivered a reminder about the conditions of the PIN, and concluded Mr Lane’s behaviour had been unintentional. There is, therefore, contradictory evidence concerning whether PC Mills took positive action to safeguard a victim of domestic abuse.

585. However, PC Mills did not make contact with Ms Grice to ascertain further information, or to reassure her that her concerns had been noted.

586. The evidence showed that PC O was sent an email by Mr Y containing the full CAD, and advising that Ms Grice had phoned twice. The email included information to say Ms Grice was scared to leave her house. PC O was on duty sooner than PC E and PC Mills, but said he did not have an opportunity to check his emails, and could not recall ever seeing the email. PC O did not respond to Ms Grice by any means, and told the IOPC he would have taken action if he had known of her call. However, unlike other emails that could be found during the IOPC interrogation of systems, the relevant email could not be found in PC O’s account.

> The IOPC has made a number of learning recommendations in relation to this incident.
587. The evidence showed Ms Grice did not receive any response from Sussex Police to the four calls she made between 10 July 2016 and 12 July 2016. Ms Grice did not make any further calls to Sussex Police.

588. The IOPC retrieved evidence of a text conversation Ms Grice had with Ms W on 12 July 2016, shortly after Ms Grice had reported Mr Lane following her to work. Ms Grice said that she was “shaky and upset” and stated;

“Just [want to] curl up in a ball in bed and cry, just completely knocked my confidence again”.

589. At 3.28pm on the same day, Ms W asked Ms Grice if she had heard back from her earlier call to the police. Ms Grice said she had not, and she would call them back after finishing work. She stated;

“Yes, it’s so annoying, thought they would of done something about it”.

590. Ms Z shared a house with Ms Grice, and provided a statement to the IOPC. Ms Z said she could recall Ms Grice telling her she had telephoned the police several times in the week that followed Mr Lane entering her bedroom, but she had received no response. Ms Z believed that Mr Lane followed Ms Grice more than once in that week, and Ms Grice became frustrated with the situation. Ms Z said that, shortly after the trespass, Ms Grice received a letter from Sussex notifying her that her case had been closed. Ms Z stated;

“I think we were all confused why the police had left the investigation like that. The police hadn’t responded to [Ms Grice’s] calls and then she received the letter, it was though [sic] they were not aware that [Ms Grice] called them that week”.

591. Ms W, who also shared a home with Ms Grice, said the letter of discontinuance from Sussex Police had made Ms Grice angry, and Ms Grice had struggled to understand why it had been sent, given her recent report that Mr Lane had followed her.

592. The IOPC retrieved a copy of a letter sent by Sussex Police to Ms Grice on 12 July 2016. This was an automatically generated letter advising that a recent crime Ms Grice had reported was now closed due to lack of information/evidence. The letter concerned Ms Grice’s report to Ms L on 10 July 2016, of repeat silent phone calls. However, the only identifier that informed Ms Grice which incident the letter referred to was a crime reference number, rather than a description of the incident.

593. It is unfortunate that this letter was received, given the circumstances. The letter accurately reflected the circumstances, in that Ms L had recorded a crime of malicious communications, but had concluded there were no lines of enquiry to
pursue. The process of recording a crime, and then subsequently closing the investigation would have automatically generated the letter. However, the evidence showed that by the time Ms Grice received the letter, she had received no response to four further calls that she had made. Ms Grice’s housemates said Ms Grice was angry and confused by the letter, and so may have been unaware it referred solely to the malicious phone calls.

594. [REDACTED] was a close friend of Ms Grice, and also provided a statement to the IOPC. [REDACTED] stated, Mr Lane continued to pursue Ms Grice after his arrest for trespass on 9 July 2016. [REDACTED] described an incident on 4 August 2016 where Ms Grice said she felt she was being watched by Mr Lane from a road nearby to her home. [REDACTED] said she drove Ms Grice around the area in an attempt to reassure her, but they saw Mr Lane once at the end of Ms Grice’s road, and then later coming out the front of Ms Grice’s home. [REDACTED] said she asked Ms Grice to call the police, but Ms Grice had refused, and said the police would not believe her.
Crime recording

595. The Home Office Counting Rules (HOCR) and National Crime Recording Standard (NCRS) are a set of standards and principles that direct how police forces should record crime. Together, the HOCR and NCRS promote consistency in the accurate recording of crime, which is pivotal in ensuring that police forces allocate resources appropriately and commission victims’ services according to need.

596. The Crime Management Unit (CMU) is a compliance unit within Sussex Police. The role of the CMU is to ensure the force records crime accurately and in accordance with the Home Office protocols. The recording of crime is entirely autonomous from the investigation and prosecution of offences.

597. The evidence gathered during this investigation found that Sussex Police received complaints about five separate incidents concerning Ms Grice and Mr Lane. The IOPC found evidence of CMU input in two of these incidents, these being the assault allegation on 24 March 2016 and the theft/trespass allegation on 9 July 2016. Mr N was involved in the recording of both of these incidents.

598. The OEL for the incident of assault on 24 March 2016 showed the case was sent to the CMU by PC Godfrey on 10 June 2016. The file was returned to PC Godfrey due to administrative errors, which were rectified by Police Staff member, Mr U, on 11 July 2016. Mr U sent the file back to the CMU with the comment “please consider for no criming”.

599. On 12 July 2016, the OEL showed, Mr N recorded that the file had been referred to him because of a “no crime submission”. He then made a detailed entry on the OEL challenging this decision. Mr N recorded;

“…[Ms Grice] has made an allegation of assault whereby she has alleged that the suspect grabbed her mobile phone from her hand and in the process pulled some of her hair hence the common assault. The suspect has admitted taking the phone away from the victim’s ear… and so it seems that the incident that she has alleged has occurred even if she has not been truthful about her relationship with the suspect… it rather seems that the common assault will have to be filed undetected rather than No Crimed…”

600. The OEL showed Mr U agreed with these comments on 14 July 2016, and Mr N recorded an undetected crime on 18 July 2016.

601. On 14 July 2016, the OEL for the theft/trespass incident on 9 July 2016, showed the case had been received by Ms [redacted] in the CMU. [redacted] worked in the Validation Team of the CMU, and her role was to check if a crime had been
correctly classified. [REDACTED] had retired from service prior to the IOPC attempting to contact her.

602. On 14 July 2016 at 2.32pm, the OEL showed [REDACTED] reclassified the crime from Theft from dwelling, to Stalking involving serious alarm/distress. Her rationale stated;

“The suspect has taken the opportunity to take the key from the back door and used this to gain entry to watch the victim sleeping. He has taken the key in order to access the property. The victim has also received further silent calls the next day, these she believes to be from the suspect.”

> Police Staff Mr N

603. Mr N was served with a notice of investigation as detailed above. He provided a written response to the notice, which was deemed to be sufficient.

604. Mr N worked as a Crime Recording and Investigation Assessor (CRIA) in the CMU. A case would be referred to a CRIA in the event of a disparity between how an offence was recorded, and how the offence was charged or cautioned. The CRIA would then review the crime record and establish the reason for the disparity and attempt to reconcile it. Using their knowledge of criminal law and after reviewing the content of an incident, a CRIA would then ensure that the correct offence was recorded.

605. On 18 July 2016 at 11.14am, the OEL for the incident of 9 July 2016 showed Mr N made the following entry:

“The offender tasking has been received in CMU and referred to the CRIAS on account of the offence has been recorded as a Stalking but the suspect has been cautioned for the offence of Theft From Dwelling.

I have read what is recorded on the OEL and also the victim’s statement. I note that the victim had previously reported what might have amounted to stalking but then a subsequent assault. The victim has confirmed in her statement that the stalking and the ABH were reported separately… As such we are left with this incident but which doesn’t appear to amount to a stalking which requires a course of conduct. This seems to be a one off incident and therefore a Theft from Dwelling seems reasonable even if the theft was to facilitate something else. As such I will reclassify the offence back to a Theft from Dwelling.

Incidentally the victim has stated on the OEL that she received 5 missed calls from withheld numbers and one from a landline to her mobile. The landline number is quoted as being [REDACTED]. I note comments on the OEL that system checks were done but there were no results. A check on Command and Control finds this number on a CAD… and originating from an address… this is the suspect LANE’s home address as recorded on this NICHE report.”
606. Mr N told the IOPC that, at the time of this incident, he had not received any training concerning domestic abuse or stalking. He said that, in making his decision to reclassify the offence back to theft from dwelling, he would have reviewed the relevant OEL, Ms Grice’s statement and any other relevant documents that had been scanned to the NICHE record. As seen previously in this investigation report, Ms Grice’s statement regarding this incident had revealed a history of unwanted behaviour from Mr Lane. Mr N stated;

“To the best of my knowledge, I disagreed with the offence being recorded as a Stalking because my understanding of a Course of Conduct was that it was behaviour on at least two separate occasions, but that the closer together or further apart the incident then the less likely that they would be viewed as a course of conduct”.

607. Mr N explained, a course of conduct can be open to interpretation. He said he did not consider the theft of the key and subsequent trespass as two separate acts, as in his opinion, they were component parts of a continuing incident.

608. Mr N acknowledged, in addition to the continuing incident, he also had knowledge of further calls that had not previously been directly linked to Mr Lane. After establishing the calls had originated from Mr Lane’s address, he stated;

“Again, evidentially we would have had difficulty in proving that it was actually Lane who made the call… however with hindsight the identification of the landline telephone number being linked to the suspect’s address, which would have been a more tangible link… would have amounted to a course of conduct and the crime record should have remained recorded as Stalking. In that respect my colleague… was correct to reclassify the offence to a Stalking and I made an error in reclassifying it to a Theft From Dwelling.”

609. Mr N stressed that, by the time of his involvement with this incident, the investigation had been concluded and any reclassification he performed would have had no impact upon the outcome for Mr Lane.

> Analysis of the evidence

610. The Home Office Counting Rules (HOCR) and National Crime Recording Standard (NCRS) are a set of standards and principles that direct how police forces should record crime. Together, the HOCR and NCRS promote consistency in the accurate recording of crime, which is pivotal in ensuring that police forces allocate resources appropriately and commission victims’ services according to need. These standards governed the policies for which the Crime Management Unit (CMU) worked within Sussex Police.

611. The College of Policing’s Code of Ethics explicitly stated that accurate crime recording in line with the HOCR, is linked to the standards of professional
behaviour expected of police officers and police staff. Sussex Police staff were expected to have regard for the principles of the Code of Ethics as employees of the force.

612. The evidence showed Mr N's first input regarding Ms Grice and Mr Lane was on 12 July 2016. Mr N challenged the decision made by officers on 25 March 2016 not to record the incident of assault as a crime, after identifying that Mr Lane had admitted the assault as described by Ms Grice.

613. However, the evidence showed that, on 18 July 2016, Mr N reversed the decision to record the incident of 9 July 2016 as one of stalking, back to one of theft. Mr N provided evidence to say that he had considered the theft of key and subsequent trespass as one continuing incident. He said the time that had passed between Ms Grice’s previous reports was relevant when considering whether they would constitute a course of conduct.

614. The Protection from Harassment Act 1997 (PHA) did not specify a period of time in which incidents should occur to form a course of conduct. The Crown Prosecution Service (CPS) said any unwanted contact can form a course of conduct, and that each case should be determined on its own facts. There is evidence, therefore, to suggest that Mr N may have been mistaken to overlook previous occurrences, based on the time that had passed.

615. Mr N provided evidence to show that, in hindsight, he was incorrect to have reclassified the incident of 9 July 2016 from stalking to theft, given he had identified that the nuisance calls Ms Grice had received were likely to have originated from Mr Lane.

> The IOPC has made a learning recommendation in relation to this matter.
The risk assessment and risk management of Ms Grice’s complaints

616. This investigation report has highlighted that there were two Sussex Police policies that largely governed the issues concerning Ms Grice and Mr Lane. These were the Sussex Police Domestic Abuse policy and the Sussex Police Protection from Harassment policy.

617. The Sussex Police Protection from Harassment policy stated that, in cases of domestic harassment, a DASH risk assessment form must be completed on the SCARF. It stated that, in circumstances where there is harassment or stalking without domestic inference, the S-DASH risk assessment must be completed.

618. This advice is at odds with the guidance⁴⁴ provided by the DASH and S-DASH creator, Ms Laura Richards, who confirmed to the IOPC that in both domestic and non-domestic cases of stalking, the S-DASH should be completed. Further, the findings of the 2017 HMIC and HMCPSI inspection of the police and CPS response to harassment and stalking, stated the S-DASH alone does not demonstrate the full effect of stalking behaviour and the subsequent needs of the victim. The inspection advised that both the DASH and S-DASH should be completed in all instances of stalking or harassment.

619. The Sussex Police Domestic Abuse policy stated all incidents of domestic abuse must be subject to a DASH risk assessment. The policy did not mention the S-DASH questions.

620. The domestic abuse policy stated that, after the DASH had been completed, it must be sent to a supervisor and also to the Adult Protection Team (APT), which is encompassed by the Safeguarding Investigations Unit (SIU). The policy said;

“All risk assessments will be sent to the [APT] where every high and medium risk will be subject to a secondary risk assessment”.

621. The policy stated it was compliant with relevant College of Policing APP. The APP concerning domestic abuse said;

“Secondary risk assessment in particular should consider all relevant information, including intelligence, the results of the initial investigation, and information from partner agencies”.

622. The evidence discussed previously in this report showed Ms A completed the DASH and S-DASH risk assessment for Ms Grice’s report of stalking on 8 February 2016. Ms Q from the SIU then performed the secondary risk assessment, and telephoned Ms Grice to offer further safety planning and advice.

⁴⁴ See Appendix 2.
as part of the risk management strategy. No risk assessment forms were completed after Ms Grice’s report of assault in March 2016.

623. The evidence showed PC E completed a SCARF risk assessment including a DASH, after Mr Lane entered Ms Grice’s home on 9 July 2016. As per the above policy, PC E then forwarded this to Police Sergeant (PS) PS H for supervisory review, who then forwarded it to the SIU, where it received secondary risk assessment from Ms Ms J.

624. However, PC E had not completed the S-DASH risk assessment questions, despite providing a positive response to Question 8 of the DASH\(^{45}\). The SCARF showed both PS H and Ms J agreed with PC E’s risk assessment, without flagging the missing S-DASH risk assessment.

625. The SCARF showed the following information was provided within the summary:

- Mr Lane had stolen a key to Ms Grice’s home to gain entry.
- Ms Grice and Mr Lane had a two-year history. They had met as work colleagues, but Mr Lane would then be outside Ms Grice’s home and workplace on most days.
- This came to the attention of the police and a history marker was placed on Ms Grice’s address.
- Ms Grice reported an assault, where no police action was taken, and Ms Grice received a penalty for failing to disclose the nature of her relationship with Mr Lane.
- Despite this, Ms Grice and Mr Lane entered into a relationship approximately one month ago, and Ms Grice said this was because Mr Lane was very persistent.
- The relationship ended one week ago because Mr Lane’s behaviour had concerned Ms Grice.
- Mr Lane had attended Ms Grice’s home to collect some belongings on 8 July 2016, and Ms Grice later noticed her back door key had gone missing.
- In the early hours of 9 July 2016, Ms Grice was woken by noises outside her bedroom, and she hid underneath her bed covers. She heard her door open, and the sound of a male breathing. The intruder left the room after approximately one minute, and Ms Grice later established the male was Mr Lane.

626. PC E recorded in the summary that he had considered stalking as an offence, but could not identify a course of conduct.

\(^{45}\) See Appendix 2
627. The DASH that was incorporated within the SCARF included the following information:

- Ms Grice responded positively to Question 2, “are you very frightened?”
- Ms Grice responded positively to Question 8, “do they constantly text, call, contact, follow, stalk or harass you?”. Further context was added in response to this question, with Ms Grice stating Mr Lane had previously attended her address “all the time”, and she suspected Mr Lane was responsible for damage to her car.
- Ms Grice responded positively to Question 14, “is the abuse getting worse?”.
- Ms Grice responded positively to Question 15, “do they try to control everything you do and/or are they excessively jealous?”.

> Police Sergeant (PS) H

628. PS H was served with a notice of investigation as detailed above. He provided two written responses to the notice, which were deemed to be sufficient and did not require him to attend interview at the IOPC.

629. On 10 July 2016 at 6.33pm, the SCARF containing the DASH created by PC E, showed an entry by PS H under the heading “Supervisor Comments”. PS H recorded;

“Medium risk DV matter for which the suspect has been arrested and issued with a caution. No further actions for NRT\(^\text{46}\). The matter has been passed to SIU for review”.

630. At the time of this incident, PS H was working as an Acting Sergeant in the Neighbourhood Response Team (NRT) within Brighton and Hove.

631. PS H told the IOPC that SCARF forms would be sent for supervisory review to an “inbox” on the NICHE system. He explained that all supervisors had access to the inbox, but it was the responsibility of the supervisors of different teams to review the tasks allocated by that specific team. PS H said it was not only his responsibility to review the SCARF, and there had been another Sergeant on duty who had liaised with PC E. Also, PS H said the matter should have been reviewed by the end of the shift. However, PS H said, he noticed that the SCARF had not been reviewed as expected, and so completed the task the following day.

\(^{46}\text{NRT means Neighbourhood Response Team.}\)
632. PS H said that, after performing the supervisory review, the SCARF would then be forwarded to the appropriate safeguarding hub. PS H stated;

“My expectation is that the DASH and S-DASH is completed as fully as possible by the attending officer to make my assessment of the risk...as accurate as possible”.

633. PS H said that anybody who identified an error or omission on the SCARF could be responsible for correcting the issue, either themselves or by referring it to the person with the most knowledge about the incident.

634. PS H said, at the time of reviewing the SCARF relating to the 9 July 2016 incident, he had received no training relating to the DASH or S-DASH form. He said he had been unaware that the S-DASH questions existed, or that Question 8 on the DASH would be a trigger question for the S-DASH to be completed.

635. The Sussex Police Training team confirmed that, up until July 2016, PS H had not received DASH specific training, and he had also not completed any domestic abuse training courses.

> Police Staff Ms J

636. Ms J was served with a notice of investigation as detailed above. Ms J provided two written responses to the notice, which were deemed sufficient and did not require her to attend interview at the IOPC.

637. The IOPC retrieved a copy of Ms J’s job description as a Domestic Abuse Case Worker in the SIU. Within this document, it stated Ms J was responsible for identifying repeat victimisation, and disseminating information to partnership agencies to enable them to take appropriate action to reduce domestic abuse. The document said the caseworker should provide secondary risk assessment of High and Medium risk assessments, by reviewing DASH submissions, and then liaising with an OIC and/or appropriate agency to provide a relevant service and appropriate support to the victim.

638. On 15 July 2016 at 1.30pm, the SCARF linked to the incident of 9 July 2016 showed Ms J performed her role as a DASH Specialist Officer. She noted;

“Agree medium, particularly due to escalation in behaviour and [Mr Lane] entering the property in the early hours of the morning. Referred to RISE”.

No further entries were made on the SCARF after this. RISE were the domestic abuse partnership agency that Sussex Police would refer victims of domestic abuse to for safeguarding advice and support.
639. Ms J told the IOPC, she had been a caseworker with Sussex Police since 2014. She said she had never received a formal introduction into the role, stating; “it was very much a ‘learn as you go’ approach”.

640. Ms J said she had never received any specific training from Sussex Police in terms of completing and reviewing a DASH form. However, she stated she did have experience of these tasks from a previous role, which had then been developed through peer support of other caseworkers within the SIU.

641. Ms J acknowledged there was no evidence to suggest that she had questioned the rationale of either PC E or PS H for missing the S-DASH questions from the SCARF.

642. Ms J explained that, in her role as a caseworker, there was an expectation that she would have read the DASH, read and understood the OEL, and checked for any flags and warning markers. Given the time that had passed between her review of this incident and the IOPC approaching Ms J for a statement, she said she could not recall her exact decision making, but was able to give her opinion based upon the allegation and evidence provided by the IOPC.

643. Ms J told the IOPC that, when a positive response to Question 8 of the DASH was received, a prompt would appear on the system to ask the practitioner to consider if it is relevant to also consider the additional stalking questions. She said this would mean that the S-DASH questions were not always completed.

644. Ms J said PC E had concluded on the DASH that there was not a course of conduct. Combined with the caution for theft from dwelling, and PIN for harassment that followed, Ms J said, these facts did not suggest that stalking was an offence that was being considered by others.

645. Ms J explained she would have reviewed the domestic abuse “flags” on the NICHE system, of which there was only one at the time, linked to an incident of “theft from motor vehicle/harassment”, that had been reported on 8 February 2016. Ms J said this would not have raised concerns due to the five-month period that had passed. In addition, the domestic abuse “flag” that had been added to the incident she was reviewing stated “theft of key, breaking and entering”. Ms J said there was a reliance on these flags to accurately reflect the incident that had been reported.

646. Ms J added it was not routine to interrogate all previous incidents that had been recorded on NICHE, due to the high workload in the SIU, and the potential that she would be reading information that was not relevant to her role. It was noted by the IOPC that the history marker that Ms A had added in February 2016, highlighting that Ms Grice was at risk of stalking, was evident in the Webstorm system rather than the NICHE system.
647. Ms J told the IOPC, she was unable to account for why she had not noted that the incident she was reviewing had been reclassified by CMU staff on 14 July 2016, to an offence of Stalking involving serious alarm/distress. She said this could have happened because of the nature of the domestic abuse flag she had read, and the assumption this would have represented the report. Further, Ms J stated that the response, “he used to turn up outside my house all the time”, Ms Grice had provided to Question 8 of the DASH, should have been sufficient for the S-DASH questions to be asked. However, Ms J said she was unable to comment further about her decision making concerning this.

648. Ms J told the IOPC that, if she had decided the S-DASH questions needed to be asked, she could have requested that PC E do this or completed the questions herself. If she were to perform the task herself, she could have called Ms Grice or used background information available on NICHE.

649. The IOPC asked Ms J why her review had not been completed until 15 July 2016, when it is known to have been sent to the SIU on 10 July 2016, which was a Saturday. Ms J explained that SIU caseworkers only work Monday to Friday, and that police officers are expected to monitor the “inbox” over the weekend. Ms J explained she was not in work until Wednesday 13 July 2016 and she had then attended a training event on the morning of 14 July 2016. Ms J said she was one of three case workers who were responsible for reviewing DASH submissions, and could not account for why another individual had not reviewed the DASH earlier.

650. Acting Detective Inspector (A/DI) provided a statement to the IOPC concerning the role of a caseworker within the SIU. A/DI said that, at the time of Ms Grice’s SCARF being assessed, there was no specific S-DASH training for caseworkers, and stalking training was, in her opinion, inadequate. A/DI said that, since Ms Grice’s death, there had been a “huge learning curve” concerning collaborative working and S-DASH training.

651. A/DI explained that, typically, a score of 14 or more positive responses on a DASH would be a High risk case. She said, a High risk case would take priority for review within the SIU, and although Medium risk cases should ideally be read and reviewed the day after submission, the delay in Ms J’s assessment was likely due to the high volume of work that only three caseworkers within the SIU were expected to deal with.

652. A/DI said that Medium risk DASH forms must be thoroughly checked by SIU staff, and given the information within Ms Grice’s DASH, the absence of completed S-DASH questions was “a concern”. She stated;

“These should have been completed by either the officer attending the scene or the DASH specialist officer. The DASH specialist officer has the ability to complete an S-DASH form… if they believe that it is required. The fact that there
is no S-DASH… would appear to be an oversight or reflect that this wasn’t treated as a stalking report. It is required for specialist officers to go through all the DASH questions, and make sure all information is covered”.

653. A/DI [redacted] added;

“In my opinion… from looking at this DASH form there is a lot of detailed information in there, however I believe there is not enough information from the questions. It would be the responsibility of the specialist officer or reviewing officer to highlight this with a view to it being amended”.

654. A/DI [redacted] said, in this instance, she would have considered escalating the risk assessment from a Medium risk, to a High risk. However, she wished to stress, in accordance with DASH guidance47, that risk assessment is subjective, and every individual will have their own perception of the level of risk posed.

> Analysis of the evidence

> PS H

655. The evidence showed that Ms Laura Richards, who created the DASH and S-DASH risk assessments, said the S-DASH should be completed in all instances of stalking. The expectation was that the S-DASH questions would be answered after a positive response was received to Question 8.

656. Neither the Sussex Police Domestic Abuse policy nor Sussex Police Protection from Harassment policy provided this direction. The S-DASH was only noted as necessary in the Protection from Harassment policy, in non-domestic instances of harassment. It is relevant that Ms Grice had clearly stated during her contact with police on this occasion that she had recently been in a relationship with Mr Lane, and the incident had been recorded from the outset as an issue of domestic abuse.

657. As an Acting Sergeant, PS H had a responsibility to review the SCARF that PC E had completed, and to ensure the risk assessment was as accurate as possible. The evidence showed PS H had not received any training that was relevant to this role, and he did not know that the S-DASH questions existed. Therefore, the possibility he would notice the missing S-DASH risk assessment in this instance was neither supported by training or policy.

> Police Staff Ms J

47 See Appendix 2.
658. The Sussex Police Domestic Abuse policy said that all risk assessments should be sent to the SIU, where every High and Medium risk case would be subject to secondary risk assessment. The evidence showed Ms J’s role was to ensure that risk assessments were accurate, and to ensure that a relevant service was provided to victims with a risk management strategy.

659. The Protection from Harassment Act 1997 (PHA) defined harassment as repeated and unwanted behaviour towards a victim. The Protection of Freedoms Act 2012 added section 2A into the PHA to create the offence of stalking. Section 2A(3) of the PHA gave examples of acts which are associated with stalking, including following a person, contacting a person, interfering with the property of a person, and watching or spying on a person. It highlighted that, when taken in isolation, these activities may appear harmless, but when they are carried out repeatedly, they may amount to stalking.

660. The evidence showed that, by the time Ms J performed the secondary risk assessment of Ms Grice’s SCARF, all of the above activities were described within the document. Further, the offence had been reclassified by the CMU from an offence of theft, to one of stalking involving serious alarm or distress – although Ms J said she had not noticed this change.

661. Ms J provided evidence to say that, when performing her assessment, she would have considered the content of the SCARF, and also the warning markers and flags that were evident on the NICHE system. She said the content of these did not suggest that stalking was an offence that was being considered by others.

662. The evidence showed that the only previous incident to be marked with a domestic abuse “flag” included a descriptor of harassment. Ms J stated this would not have raised concerns regarding frequency of events, due to the five-month period of time that had elapsed. However, the PHA did not specify a period of time during which incidents should occur in order to form a course of conduct. Further, the CPS stated, incidents can be some distance apart, but might still constitute a course of conduct.

663. Neither the Sussex Police Domestic Abuse policy, nor the Sussex Police Protection from Harassment policy specifically stated that practitioners must complete the S-DASH questions in instances of domestic harassment or stalking. However, Ms J told the IOPC, the information Ms Grice had provided in response to Question 8 of the DASH should have been sufficient for the S-DASH risk assessment questions to have been completed. Further, as a secondary risk assessor it was her role to ensure all relevant information was considered and accurately recorded.
The IOPC has made a number of learning recommendations in relation to this incident.
Next steps

664. The decision maker is now required to set out their views about the investigation outcomes. The decision maker will record these on a separate opinion document.

665. The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

Criminal offences

666. On receipt of my report, the decision maker must decide if there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related.

667. If they decide that there is such an indication they must decide whether it is appropriate to refer the matter to the CPS.

668. I have not identified any offences for the decision maker to consider.

Summary for publication

669. The following summaries are of the incident and our investigation. If the decision is made to publish the case on the IOPC website, this text will be used for that purpose. This text is included in the investigation report so the AA can provide their representations regarding redactions.

<table>
<thead>
<tr>
<th>Section of summary</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary of incident</td>
<td>The evidence obtained by the investigation showed that from her first point of contact with Sussex Police, Ms Shana Grice reported that she believed Mr Michael Lane was stalking her. Over the course of approximately five months, Ms Grice reported five separate incidents regarding Mr Lane. However, Mr Lane was never arrested on suspicion of stalking. Our investigation revealed police officers and staff reported to feel ill prepared to deal with allegations of stalking, and training was not provided by Sussex Police to deal specifically with this issue.</td>
</tr>
<tr>
<td>Summary of investigation</td>
<td>During the investigation, 14 police staff and officers were named as subjects. They all provided helpful evidence for the IOPC. Further, the IOPC interviewed multiple witnesses, some from within Sussex Police, and others who were personally known to Ms Grice. The IOPC carefully analysed the response of Sussex Police to Ms Grice and Mr Lane, against local policies, College of Policing guidance, and legislation.</td>
</tr>
</tbody>
</table>
Shana Grice

Investigation into Sussex Police contact with Shana Grice prior to her murder on 25 August 2016

> Independent investigation report
> Appendices
Appendix 1: The role of the IOPC

The IOPC carries out its own independent investigations into complaints and incidents involving the police, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff.

We are completely independent of the police and the government. All cases are overseen by the DG, who has the power to delegate their decisions to other members of staff in the organisation. These individuals are referred to as DG delegates, or decision makers, and they provide strategic direction and scrutinise the investigation.

The investigation

At the outset of an investigation a lead investigator will be appointed who will be responsible for the day to day running of the investigation on behalf of the DG. This may involve taking witness statements, interviewing subjects to the investigation, analysing CCTV footage, reviewing documents, obtaining forensic and other expert evidence, as well as liaison with the coroner, the CPS and other agencies.

They are supported by a team including other investigators, lawyers, press officers and other specialist staff.

Throughout the investigation, meaningful updates are provided to interested persons and may be provided to other stakeholders at regular intervals. Each investigation also passes through a series of reviews and quality checks.

The IOPC investigator often makes early contact with the CPS and is sometimes provided with investigative advice during the course of the investigation. However any such advice will usually be considered to be confidential.

Investigation reports

Once the investigator has gathered the evidence they must prepare a report. The report must summarise and analyse the evidence, and refer to or attach any relevant documents.

The report must then be given to the decision maker who will decide if a criminal offence may have been committed by any person to whose conduct the investigation related and whether it is appropriate to refer the case to the CPS for a charging decision.

The decision maker will also reach an opinion about whether any person to whose conduct the investigation related has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person’s performance was
unsatisfactory. The decision maker will also decide whether to make individual or wider learning recommendations for the police.

> Missconduct proceedings

The report and decision maker’s opinion must be given to the appropriate authority (normally the police force) responsible for the individuals to whose conduct the investigation related. The appropriate authority must then inform the decision maker whether any person to whose conduct the investigation related has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person’s performance was unsatisfactory what action they propose to take, if any. The decision maker must consider whether the appropriate authority’s response is appropriate, and has powers to recommend or ultimately direct it to bring misconduct proceedings or unsatisfactory performance procedures (UPP).

Unsatisfactory performance will be dealt with through the police force’s unsatisfactory performance procedure (UPP). UPP is generally handled by the person’s line manager and is intended to improve the performance of both the individual and police force.

> Criminal proceedings

If there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related the IOPC may refer that person to the CPS. The CPS will then decide whether to bring a prosecution against any person. If they decide to prosecute, and there is a not guilty plea, there may be a trial. Relevant witnesses identified during our investigation may be asked to attend the court. The criminal proceedings will determine whether the defendant is guilty beyond reasonable doubt.

> Inquests

Following investigations into deaths, the IOPC’s investigation report and supporting documents are usually provided to the coroner. The coroner may then hold an inquest, either alone or with a jury. This hearing is unlike a trial. It is a fact finding forum and will not determine criminal or civil liability. A coroner might ask a selection of witnesses to give evidence at the inquest. At the end of the inquest the coroner and/or jury will decide how they think the death occurred on the basis of the evidence they have heard and seen.

> Publishing the report

After all criminal proceedings relating to the investigation have concluded, and at a time when the IOPC is satisfied that any other misconduct or inquest proceedings
will not be prejudiced by publication, the IOPC may publish its investigation report, or a summary of this.

Redactions might be made to the report at this stage to ensure, for example, that individuals' personal data is sufficiently protected.
Appendix 2: Risk assessment

The College of Policing (COP) provide Approved Professional Practice (APP) guidance to police forces, to which officers and staff are expected to have regard when discharging their responsibilities. The Sussex Police Domestic Abuse and Protection from Harassment policies stated that they were compliant with the relevant APP guidance.

The APP regarding risk and vulnerability in domestic abuse can be found at:


This APP stated:

“Risk assessment is the process of estimating and regularly reviewing the likelihood and nature of a risk posed by a perpetrator to a particular victim, children or others”.

The APP identified that the most commonly used approach to risk assessment is structured professional judgement. The APP stated:

“Responsibility for grading risk sits ultimately with the assessor, but their judgement may be guided by a structured tool that includes relevant risk factors. This approach combines a degree of accountability with the flexibility to consider the wider context of specific cases.”

Structured professional judgement is subjective and, therefore, individuals may have different opinions about the level of risk that is presented. To complete the structured risk assessment tools, a risk identification interview with the victim must be conducted. The assessor then uses the information from the interview to help them grade the level of risk. The risk levels are standard, medium, or high.

The APP stated:

“Officers and/or staff using standard tools to carry out risk assessments that result in the grading of risk should be trained in their use. This includes first responders. Senior management is responsible for ensuring that appropriate training is provided to those carrying out risk assessments, and that the overall process is monitored by police domestic abuse supervisors.”

The most common of these structured risk assessment tools is the Domestic Abuse, Stalking, Harassment and Honour-Based Violence risk identification, assessment and management model (DASH). The Sussex Police Domestic Abuse policy stated all incidents of domestic abuse would be subject to a risk assessment, adding that a DASH was the most appropriate tool to use for this.
The DASH risk assessment tool was developed by Ms Laura Richards. Ms Richards’ guidance can be found at [https://www.dashriskchecklist.co.uk/](https://www.dashriskchecklist.co.uk/)

Ms Richards describes that the DASH aims to:

- save and change lives through early identification, intervention and prevention
- identify risk and needs
- ensure an effective investigation
- create a common language across agencies to refer a case to risk management meetings such as MARAC
- enable information sharing
- inform decision making

The Sussex Police Domestic Abuse policy provided various guidance documents to staff. The documents stated that risk assessment and identification is based on structured professional judgement. As a result of this, the questions on the DASH are only a guide to structure and inform decisions. The documents stress that the DASH model is only effective when undertaken by officers who have been fully trained in its use.

Within the Sussex Police Domestic Abuse policy, a template for the DASH was provided, which consisted of 27 checklist questions. Within the various appendices of the policy, information was provided for the assessor regarding how to discuss the risk with the victim and how to ask the questions to gain the most relevant information. Additionally, explanatory notes were provided about why the questions were relevant to the risk assessment, and why it was important to gather as much information as possible.

After an officer or member of staff had completed all the DASH questions, the practitioner was asked to make a professional judgement about the likelihood of serious harm. The levels of risk grading were;

**Risk Assessment Guide**

Please use your professional judgement to categorise the risk level:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Current evidence does not indicate likelihood of causing serious harm.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medium</td>
<td>There are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown, and drug or alcohol misuse.</td>
</tr>
<tr>
<td>High</td>
<td>There are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.</td>
</tr>
</tbody>
</table>

Definition of serious harm:

‘A risk which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible’

Further to the completion of the risk assessment, the Sussex Domestic Abuse policy then directed officers to consider safety planning and risk management. The policy
asked that the safety plan was recorded using the RARA risk management framework. This asked practitioners to consider what measures they could take to:

- **Remove the risk**
- **Avoid the risk**
- **Reduce the risk**
- **Avoid the risk.**

Examples of suitable measures could include arresting a suspect, placing a victim in a refuge, and setting bail conditions.

**THE S-DASH**

Following the implementation of the DASH in 2009, a further subset of questions were added, to be asked in incidents involving stalking. These questions were known as the S-DASH, and were to be asked when a positive response was received to Question 8.

On Ms Richards’ website ([https://www.dashriskchecklist.co.uk/stalking/](https://www.dashriskchecklist.co.uk/stalking/)) she notes that stalking is about fixation and obsession, and is a high risk factor for serious harm and homicide.

The IOPC liaised with Ms Richards, who confirmed that the S-DASH should be used in all cases of stalking, whether in the domestic or non-domestic context.

The IOPC noted that the wording of Question 8 in the Sussex DASH form was different to that provided on Ms Richards’ website. The evidence retrieved during this investigation found that 2 DASH forms were completed. Both of these showed the following;

1. *Do they constantly text, call, contact, follow, stalk or harass you?*
   *Comment*

By contrast, the template produced by Ms Richards shows;

8. *Does (…..) constantly text, call, contact, stalk or harass you? (Please expand to identify what and whether you believe that this is done deliberately to intimidate you? Consider the context and behaviour of what is being done. Ask 11 additional stalking questions)*

Ms J provided evidence to the IOPC to say that when a positive response to Question 8 was received, the Sussex Police system would generate a prompt to ask the practitioner to consider “if it is relevant” to ask the additional S-DASH questions. The IOPC made a Learning Recommendation to Sussex Police on 8 December
2017, requesting that practitioners were prompted to ask the S-DASH questions, in line with Ms Richards’ guidance.

The 2017 HMIC and HMCPSI inspection of the police and CPS response to harassment and stalking is referred to in the IOPC report. This is available at https://www.justiceinspectorates.gov.uk/hmicfrs/publications/living-in-fear-the-police-and-cps-response-to-harassment-and-stalking/.
Appendix 3: Decision making tools

National Decision Model

Gather Information and Intelligence

Take action and review what happened

Assess threat & risk and develop a working strategy

Identify options and contingencies

Consider powers and policy

Code of Ethics

Gather Information & Intelligence

Who

• Victim

• Offender

• Witnesses

• Scene

What

How

Where

Why

When
Appendix 4: Investigations Framework

Investigations Framework Decision & Review Guide

[Diagram showing the decision-making process for investigations, including steps such as "Victims' views," "VOWSIO," "Are there significant threat/risks/harm factors?" and decision points for "Is the victim vulnerable?" "Is the offender public or dangerous?" "Is the crime part of a series of local problem profiles?" "Is it a serious offence?" and "Is it readily solvable?" followed by further investigation or non-criminal justice disposal.]
## Appendix 5: Transcript of phone call between Ms Grice and Mr Lane on 9 July 2016

<table>
<thead>
<tr>
<th>Audio</th>
<th>Speaker</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>00:00</td>
<td>Michael Lane (ML)</td>
<td>I might as well pick up the hoody as well [inaudible].</td>
</tr>
<tr>
<td></td>
<td>Shana Grice (SG)</td>
<td>Yeah well the hoody as well and you’ve got my dressing gown I think but don’t worry about it just throw it away.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>Well it’s fine you can have it back.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>No it’s I don’t really care. So one question that’s really bugging me. Why did you take the key in the first place?</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>I wanted to see you.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Yes but that-</td>
</tr>
<tr>
<td>00:30</td>
<td>ML</td>
<td>[Inaudible] I wanted to see you and [inaudible] talk to you about and I knew you wouldn’t let me in otherwise.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Yeah but that’s not good because it’s putting us in danger. You could have flipped at any point. What about if-</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>No I wouldn’t have flipped.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>What about if I took what about if I took someone home or something and then you came in and saw that I was with someone else.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>I [inaudible] I would have just left.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Well you but you left anyway.</td>
</tr>
<tr>
<td>Time</td>
<td>ML</td>
<td>SG</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------</td>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>01:00</td>
<td>Yeah I know I did.</td>
<td>But it’s just it’s just yeah you.</td>
</tr>
<tr>
<td></td>
<td>[Inaudible].</td>
<td>(Inaudible)</td>
</tr>
<tr>
<td></td>
<td>You had no right at all to.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>I know I didn’t I know I’ve got no right or nothing. I know that.</td>
<td></td>
</tr>
<tr>
<td>01:00</td>
<td>Well I I still I you need to apologise to the girls ‘cause it is it’s out of order.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yeah I know. I just don’t want to get in trouble the last thing I want is to [inaudible]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yeah well just as long you just, just don’t do it again</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[Inaudible]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>And if you come near the house again I-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No I won’t. I won’t come near the house again. I won’t contact you again. OK?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>I just I think I think that’s best ‘cause it’s just going to keep going round this vicious circle isn’t it?</td>
<td></td>
</tr>
<tr>
<td>01:30</td>
<td>Yeah I know. I’m just sorry that’s all. I know I know you don’t believe and you won’t accept it and that but I am sorry. OK.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yep well I I just really don’t know what else to say to you. I just think it’s just so wrong and so out of order that you could’ve</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[Inaudible]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>You could have done anything. You could have done anything else. You could have stood outside my mum’s</td>
<td></td>
</tr>
<tr>
<td>Time</td>
<td>ML</td>
<td>SG</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>00:15</td>
<td>Are you sitting with them?</td>
<td>No.</td>
</tr>
<tr>
<td>02:00</td>
<td>Well I didn’t know</td>
<td>I’m in my room.</td>
</tr>
<tr>
<td>02:30</td>
<td>OK. Well I just [inaudible] I’ll sort out transfer the money over when and that and then I won’t contact you again.</td>
<td>Yeah I think that’s for the best.</td>
</tr>
<tr>
<td></td>
<td>OK I’d like I’d like to let you know what the results and that are blood test and that.</td>
<td>But to be honest Michael I don’t even think I’ll be able to believe you. Even if you told me anything I can’t believe a word you say. Even when you’re saying sorry I can’t believe you.</td>
</tr>
<tr>
<td></td>
<td>OK.</td>
<td>But.</td>
</tr>
<tr>
<td>Time</td>
<td>Name</td>
<td>Dialogue</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>03:00</td>
<td>ML</td>
<td>I just know I’m not right in the head and I’m sorry well I’m just not right in head. If I was I wouldn’t do it. Wouldn’t have done that would I?</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Well maybe you need to get help then. Maybe you need to something about it and stop crying and getting all upset about it.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>Yeah I know. I just don’t know what to do though.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Well.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>I just don’t want to be told [inaudible] I just don’t want to be told that I’m mad and that.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>Well then don’t do mad things then.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>Yeah I know.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>To make people think you’re mad.</td>
</tr>
<tr>
<td>03:30</td>
<td>ML</td>
<td>Yeah I know. I’m sorry.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>You can’t steal someone’s property and expect just just for us to be all alright with it.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>I’m not saying for you to be alright about it.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>OK.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>I’m not asking that at all know you wouldn’t be. I’m not asking you to be.</td>
</tr>
<tr>
<td></td>
<td>SG</td>
<td>OK.</td>
</tr>
<tr>
<td></td>
<td>ML</td>
<td>Obviously something’s not right in my head. [Inaudible] I don’t know what it is but I know I need to find out or locked up or something. Mental blokes I don’t know.</td>
</tr>
<tr>
<td>04:00</td>
<td>SG</td>
<td>Well I’ll you at half past one then.</td>
</tr>
</tbody>
</table>
ML: OK can you just not tell anyone please?

SG: What tell anyone what? What's happened?

ML: Yeah 'cause I don't want everyone in XXXXX to know.

SG: Well don't you think don't you think right hold on don't you think I would have told them. I live with them and we've been searching the whole house for this key.

ML: No no no no I don't mean XXX and XXX I mean like anyone else.

SG: Who?

ML: I don't anyone like XXX or anyone.

04:30 SG: Oh XXX already knows.

ML: [Inaudible]

SG: She's my XXX I'm going to tell her everything. And she ain't happy with you at all. So.

ML: OK

SG: I know I won't tell anyone because it's no one else's business.

ML: OK.

SG: Alright well I'll speak to you and see you when I see you.

ML: Ok I'll just let you know when I'm outside or whatever. Yeah.

SG: Yeah no worries.

ML: Alright then.

<table>
<thead>
<tr>
<th>ML</th>
<th>Bye.</th>
</tr>
</thead>
<tbody>
<tr>
<td>04:53</td>
<td>RECORDING FINISHES.</td>
</tr>
</tbody>
</table>
> Appendix 6: Transcript of PC Mills’ interview with Mr Lane on 9 July 2016

<table>
<thead>
<tr>
<th>Person Speaking</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>MILLS</td>
<td>This interview is being recorded and we are in an interview room at Brighton Custody in Hollingbury. The time is 1943 and the date is Saturday 9th July 2016. My name is John Mills, my warrant number is [REDACTED] I’m a Police Constable based at the Hollingbury Police Station on Crowhurst Road. What’s your full name please.</td>
</tr>
<tr>
<td>LANE</td>
<td>Michael James Lane.</td>
</tr>
<tr>
<td>MILLS</td>
<td>And what’s your date of birth.</td>
</tr>
<tr>
<td>LANE</td>
<td>[REDACTED]</td>
</tr>
<tr>
<td>MILLS</td>
<td>Thank you. Are you happy to be called Michael.</td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
</tr>
<tr>
<td>MILLS</td>
<td>Also present is.</td>
</tr>
<tr>
<td>[REDACTED]</td>
<td>My name is [REDACTED] I’m from the appropriate adult service and I’m here to support Michael through this detention process, help with communications if necessary and here to make sure this interview is conducted fairly.</td>
</tr>
<tr>
<td>Tape Counter Times</td>
<td>Person Speaking</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>00.44</td>
<td>MILLS</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
</tr>
</tbody>
</table>

Signature(s)
<table>
<thead>
<tr>
<th>Tape Counter times</th>
<th>Person Speaking</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>02.25 MILLS</td>
<td>Also you are entitled to a copy of this, a copy of this recording if the matter was to go to court and you can be given a notice that explains how you can access a copy of this recording OK. So the offence that we're investigating is theft from dwelling. Do you understand the reasons for your arrest and what we're going to be talking about today.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. So you were arrested today on suspicion of theft from dwelling. What can you tell me about that.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>I just did it.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. Can you be, can you expand on that, what did you do.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Took a key.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. What key did you take.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>A back door key.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. Do you know the address that you took the key from.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Shana Grice and [redacted] I think her last name is.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>Shana.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Grice.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>Grice and.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>And how do you know these people.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature(s)
<table>
<thead>
<tr>
<th>Time</th>
<th>Person Speaking</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>04:00</td>
<td>MILLS</td>
<td>With all of them.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yeah.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>So what were you doing in the address in order to get the key.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>I used to go out with, well I used to go out with Shana and I was in there collecting my stuff and I took it stupidly.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. So the key was in the back door yes.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yes.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>So what made you take it.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>I dunno I just wasn't thinking straight.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. What was you intention to do with it.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>To try and speak to Shana.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>So your intention was to speak to Shana.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yeah.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. But you had, have you got a telephone.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yeah.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>She's got a telephone, plus if you turned up and knock on the front door chances are she'll open it yeah, so what.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>I don't know.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. So you took the back door key in order to speak to her.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yeah.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. That key, has it been returned.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>I gave it to the police officer at the property.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK and it was the one that you gave to the police officer yes.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>Yes it was.</td>
</tr>
<tr>
<td></td>
<td>MILLS</td>
<td>OK. OK so how long were you two a couple.</td>
</tr>
<tr>
<td></td>
<td>LANE</td>
<td>We've been on and off for about 10 months. She had a boyfriend at the time and...</td>
</tr>
<tr>
<td>Tape Counter times</td>
<td>Person Speaking</td>
<td>Text</td>
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</tr>
<tr>
<td>MILLS</td>
<td>OK. Right so what caused the break up.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>She was still in love with him.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK so you've gone to the address, what day did you go to collect your stuff.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>I went there yesterday.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>So Friday the 8th yeah.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>Collected, collected your property and then took the key.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>What happened this morning, early hours.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>I went round there to speak to her, went in there, went into her room and then knew I shouldn't have been doing it so left.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. So you let yourself in.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>And you just wanted to talk to her.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>You knew it was wrong so you just left.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. I've got a recording of a phone call that was made between the two of you today where you say to her that you took the key because you wanted to talk to her. I can't play it in the interview because I haven't got it on a disc and we haven't got the facility to play it in here. OK also after arrest 14.36 some comments were recorded which the officer's written in his pocket notebook, number 198594, you've said it happened this morning, you also said I don't need to I know I did it.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>That was to, so that was to the solicitor.</td>
<td></td>
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<tr>
<td>Tape Counter times</td>
<td>Person Speaking</td>
<td>Text</td>
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</tr>
<tr>
<td>MILLS</td>
<td>Yeah so that second one is in response to do you want the solicitor present.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah, yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. Can you confirm they're both your signatures.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK and did you make both of those comments.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yes I did.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>Fine right. OK. So you knew it was wrong going into the property this morning. Did you know it was wrong taking the key in the first place.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah I did.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. There's quite a bit of history between you two isn't there.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. What's going to happen when you get released from here Michael.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Hopefully going to move to China.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>You want to move to China. OK why is that.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Just to get away.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. Are you talking about a holiday or.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Well I'm going out, well I'm meant to be going out there end of September because I've got a friend who lives out there and hopefully I can just extend it.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK fair enough.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>To get away. But in the meantime no contact at all.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. The, so Shana has had the locks changed to a cost of £66. If the outcome involved you paying back that cost are you in a, are you financially able to pay back £66 to cover the cost of the lock change.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>She owes me like three hundred quid so I'll just take if off of that if you know what I mean.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. It wouldn't be that simple, we'll need to show that the money went in.</td>
<td></td>
</tr>
<tr>
<td>Tape Counter times</td>
<td>Person Speaking</td>
<td>Text</td>
</tr>
<tr>
<td>--------------------</td>
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<td>------</td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah I know.</td>
<td></td>
</tr>
<tr>
<td>09.30</td>
<td>MILLS</td>
<td>OK.</td>
</tr>
<tr>
<td>LANE</td>
<td>I get that.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>That's something we can come to, we'll sort that out. So she owes you £300.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>What's that for.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Stuff that, we went to London the other weekend.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>Yeah.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>And she didn't have the money so I paid for everything and she said we'll split it and that's what it just come to.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK. Right OK. Right I don't think, I think we've covered everything. Basically in response to my opening question of tell me what you know about this, you've said I did it. You've elaborated that you took the key from the back door of Your ex-partner Shana Grice lived there or she lives there. You don't know why you took it, your intention was to speak to her. You took it yesterday when you collected your property and you went to the address in the early hours of this morning, let yourself in.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>About 6 o'clock this morning.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>6 o'clock yeah. OK. Are you able to pay back that £65. I know you said that you can take it out the £300 she owes you.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>I won't be able to until I get paid on the 1st.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK right. But as you've said no contact between the two of you, you're going to go to China to see a friend. When are you going, September?</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>September 23rd.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>OK but your plan is to extend your trip out there.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>Yeah.</td>
<td></td>
</tr>
</tbody>
</table>

Signature(s)

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Shana Grice – Final report for publication
<table>
<thead>
<tr>
<th>Tape Counter times</th>
<th>Person Speaking</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>MILLS</td>
<td>Alright. Michael I haven’t got any further questions for you. Is there anything you want to add to what you’ve already said.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>No. Have you got anything that you would like to clarify or you would like me to clarify.</td>
<td></td>
</tr>
<tr>
<td>LANE</td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td>MILLS</td>
<td>No, OK. In that case the time is 19.55 I’m going to stop the recording.</td>
<td></td>
</tr>
</tbody>
</table>

Signature(s)
The IOPC made several learning recommendations to Sussex Police throughout the course of this investigation.

The wording of the learning recommendations included in the report when it was completed in June 2018 has since changed.

At the time of preparing the report for publication (July 2019) the recommendations had not yet been formalised and published. We have therefore removed the text of the learning recommendations originally included, as the final versions may be different.