

Miss Alice Ruggles

Investigation into Northumbria
Police's response to reports made
on 1 October and 7 October 2016
by Miss Alice Ruggles prior to her
death

> Independent investigation report

Investigation information

Investigation name:	Alice Ruggles
IOPC ¹ reference:	2017/091096
Investigation type:	Conduct
IOPC office:	Wakefield
Lead investigator:	Jessica Kenyon
Case supervisor:	Gareth Jones
Director General delegate (Decision maker):	Ian Tolan
Status of report:	Final
Date finalised:	6 June 2018

¹ On 8 January 2018, the Independent Police Complaints Commission (IPCC) became the Independent Office for Police Conduct (IOPC). We have referred to ourselves as the IOPC within this report.

Contents

> Introduction	4
> The investigation	6
> Subjects of the investigation	6
> Policies, procedures and legislation considered	8
> Summary and analysis of the evidence.....	15
> Next steps	38
Appendix 1: The role of the IOPC	41

> Introduction

> The purpose of this report

1. I was appointed by the IOPC to carry out an independent investigation into Northumbria Police's response to telephone calls made to them by Miss Ruggles on 1 October and 7 October 2016. On 12 October 2016, Mr Trimaan Dhillon killed Miss Ruggles at her home in Gateshead and was convicted of her murder on 26 April 2017.
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 based 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 based 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 based on 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, Operations Manager, Ian Tolan.
4. On receipt of the report, the decision maker will form an opinion² 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 Northumbria Police. Northumbria Police must advise the decision maker what action, if any, it will take in response to it. If the decision maker does not agree

² The legislation that sets out what information needs to be included in an investigation report has changed. There is no longer a requirement for the investigator to give their opinion on whether any subject of the investigation has a case to answer for misconduct or gross misconduct or no case to answer within the report. Instead, the delegated decision maker will give their opinion on a separate opinion document.

with Northumbria Police, he 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.

> Background

7. Miss Alice Ruggles was murdered on 12 October 2016 at her home in Gateshead by her ex-partner, Mr Trimaan Dhillon, known as Harry Dhillon.
8. Miss Ruggles had telephoned Northumbria Police twice prior to her death, once on 1 October and again on 7 October, to report unwanted contact from Mr Dhillon. As such, Northumbria Police referred Miss Ruggles' death to the IOPC on 13 October 2016 as a Death or Serious Injury (DSI) following police contact.
9. On 14 October 2016, the IOPC returned the DSI investigation to Northumbria Police to conduct a local investigation. Northumbria Police completed their investigation and sent the final report to the IOPC on 23 January 2017.
10. The IOPC reviewed the report and decided there was an indication that a person serving with the police may have behaved in a manner that could justify the bringing of disciplinary proceedings. The IOPC requested Northumbria Police record the matter as recordable conduct and undertake a further investigation.
11. Northumbria Police completed their further investigation and sent their final report to the IOPC on 26 May 2017.
12. Northumbria Police also conducted an Internal Management Review (IMR), for the ongoing Domestic Homicide Review (DHR), which considered the circumstances surrounding Miss Ruggles' death.
13. The IMR looked in detail at Northumbria Police's contact with Miss Ruggles and highlighted other potential conduct matters in relation to police officers and staff. Northumbria Police Professional Standards Department (PSD) therefore made a conduct referral to the IOPC outlining potential conduct highlighted in the IMR on 30 August 2017.
14. The IOPC decided to conduct an independent investigation on 1 September 2017.

> The investigation

> Terms of reference

15. Ian Tolan approved the terms of reference for this investigation on 22 September 2017. In brief they are:
16. To investigate Northumbria Police's response to reports made by Miss Ruggles on 1 October 2016 and 7 October 2016. In particular:
 - a) Whether Miss Ruggles' call to police on 1 October 2016 was handled in line with local and national policy.
 - b) Whether the investigation conducted into Miss Ruggles' report on 1 October 2016 was in line with local and national policy.
 - c) Whether the investigation conducted into Miss Ruggles' report on 7 October 2016 was in line with local and national policy.

> Subjects of the investigation

17. There was an indication that the police officers listed below may have:
 - (a) committed a criminal offence, or
 - (b) behaved in a manner which would justify the bringing of disciplinary proceedings
18. 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.
19. They are also to be informed of the severity of the allegations. In other words, whether, if proven, the allegations would amount to misconduct or gross misconduct, and the form that any disciplinary proceedings would take.
20. The following have been categorised as subjects of this investigation:

Name	Role	Severity	Date notified	Interviewed
Officer B	[REDACTED]	Misconduct	2/11/17	14/12/17
Officer C	[REDACTED]	Misconduct	2/11/17	13/12/17
Officer D	[REDACTED]	Misconduct	2/11/17	19/12/17
Contact Handler A	Call handler (Civilian)	Misconduct	17/11/17 (initial notice) 19/12/17 (revised notice)	Not interviewed

21. **Officer B**

Officer B was served with a notice of investigation outlining the following allegations:

1. He failed to recognise the offence of stalking (S2A, Protection from Harassment Act 1997) and as such breached the standard of professional behaviour relating to 'duties and responsibilities'.
2. Northumbria Police procedure states that 'it is not intended that a Police Information Notice (PIN) will be served once a course of conduct had been established under the Protection from Harassment Act 1997'. Officer B failed to comply with this procedure by deciding to issue Mr Dhillon with a PIN, breaching the standard of professional behaviour relating to 'duties and responsibilities'.
3. Having recorded the incident as a crime, 'harassment without fear of violence', Officer B failed to conduct an appropriate investigation, breaching the standard of professional behaviour relating to 'duties and responsibilities'.

22. **Officer C**

Officer C was served with a notice of investigation outlining the following allegations:

1. He failed to supervise Officer B appropriately whilst he investigated the report made by Miss Ruggles on 1 October 2016 and as such breached the standard of professional behaviour relating to 'duties and responsibilities'.

23. **Officer D**

Officer D was served with a notice of investigation outlining the following allegations:

1. She dealt with Miss Ruggles in a discourteous manner and as such, she breached the standard of professional behaviour of 'authority, respect and courtesy'.
2. She failed to appropriately investigate Miss Ruggles' report and failed to take positive action in line with relevant policies and, as such, she breached the standard of professional behaviour of 'duties and responsibilities'.

24. **Contact Handler A**

Northumbria Police informed the IOPC that Contact Handler A was no longer an employee of the force and, as such, disciplinary action could not be brought against him.

A notice of investigation, for a person no longer serving with the police, was sent to Contact Handler A's address, on 17 November 2017, outlining the following allegations:

1. It was inappropriate of him to ask Miss Ruggles to decide how her report of harassment was to be progressed by Northumbria Police.
2. He failed to elicit sufficient information from Miss Ruggles to grade her call in line with Northumbria Police's call handling procedure.

An updated notice of investigation was sent to Contact Handler A's address, on 19 December 2017, with an additional allegation included:

3. He failed to record all relevant information provided by Miss Ruggles on the incident log.

I sent the notices of investigation to Contact Handler A along with a letter, inviting him to provide a response. Contact Handler A has not contacted me and has not provided a response to either of the notices of investigation. As Contact Handler A is no longer a serving member of staff for Northumbria Police, the IOPC has no powers to compel him to attend an interview or provide any response where the allegations are considered conduct only and criminal offences are not suspected.

> Policies, procedures and legislation considered

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

> Protection from Harassment Act 1997

26. The Protection from Harassment Act (PHA) outlines the offence of harassment and the offence of stalking.

27. While the Act does not specifically define harassment, the term covers behaviour that causes a person to feel alarmed or distressed. The act does not give examples of such behaviour, however the elements of the offence are:
- a course of conduct
 - which amounts to harassment of another; and
 - which the defendant knows, or ought to know amounts to harassment of another
28. The Act defines a course of conduct as being at least two occasions, however it does not specify what period of time should have elapsed between occasions.
29. The Act does not define stalking but lists a number of examples of behaviours associated with stalking:
- following a person
 - contacting, or attempting to contact, a person by any means
 - publishing any statement or other material relating or purporting to relate to a person, or purporting to originate from a person,
 - monitoring the use by a person of the internet, email or any other form of electronic communication
 - loitering in any place (whether public or private)
 - Interfering with any property in the possession of a person
 - watching or spying on a person

The elements of the offence of stalking are:

- a course of conduct
- which is in breach of section 1(1) of the Protection from Harassment Act 1997 (i.e. there has to be a course of conduct that amounts to harassment)
- the course of conduct amounts to stalking

> Northumbria Police procedure: investigation of stalking and harassment offences

30. This procedure outlines individual responsibilities in the investigation of stalking and harassment incidents.
31. The procedure outlines what stalking is and details that, “*A course of conduct amounts to stalking of another person if:*
- *It amounts to harassment of that person, including alarming the person or causing the person distress;*
 - *The acts or omissions involved are ones associated with stalking; and*

- *The person whose course of conduct it is, knows or ought to know that the course of conduct amounts to harassment of the other person.*
32. The procedure highlights the role of the first response officer and their duty to take positive action.
- “The Human Rights Act 1998 places positive obligations on police officers to take reasonable action, which is within their powers, to safeguard the following rights of victims and children:*
- *Right to life (Article 2, ECHR)*
 - *Right not to be subjected to torture or inhuman or degrading treatment (Article 3, ECHR)*
 - *Right to and respect for private and family life (Article 8, ECHR).”*
33. *“Failure to make an arrest when there are grounds to do so may leave a victim at risk from further offences.”*
34. *“The requirement for positive action in stalking cases incurs obligations at every stage of the police response. These obligations extend from initial deployment to the response of the first officer on scene, through the whole process of investigation and the protection and care of victims and children. Action taken at all stages of the police response should ensure the effective protection of victims and children, while allowing the criminal justice system to hold the offender to account.”*
35. The procedure states that officers attending stalking incidents must ask and record the 11 additional stalking questions on the Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH) risk assessment form.
36. The procedure has a section that explains the use of PINs in harassment and stalking incidents. It explains that the purpose of PINs is to provide officers with a consistent approach to notifying a person when their behaviour is alarming or distressing and may constitute an offence under the PHA 1997. The procedure states: *“It is not intended that a PIN will be served once a course of conduct has been established under the PHA 1997.”* It highlights that a course of conduct may have already taken place and, as such, a crime should be recorded and positive action taken against the suspect.
37. The procedure states officers should explain the PIN process to the victim, in particular that the notice is not a court order. Officers should seek the victim’s views on issuing a PIN. In instances where the victim does not support the issuing of a PIN, the officer records this and then discusses it with their supervisor, who is required to authorise the decision to issue a PIN.
38. The procedure states the officer should print the PIN. As the PIN can be used as evidence, the officer should serve it in person to ensure there is clarity on the suspect’s identity and that they have in fact been given the notice.
39. The procedure states early and positive steps to arrest and prosecute is the primary method of reducing risk of further harm, enhancing confidence and

improving the life of the victim. It states, “every effort should be made to secure this.” A non-exhaustive list of evidential considerations include:

- “There are a wide range of telecommunication techniques which can be used to acquire evidence - consult the Telecommunications and Internet Unit, who will be able to advise. Prioritise telecommunications enquiries as certain evidence (e.g. texts) can be lost if not requested immediately.”
- “Ensure a Victim Personal Statement is taken.”
- “Often suspects will install spyware onto a victim’s computer, seize and examine computers if appropriate.”

40. The procedure highlights officers investigating a stalking incident “should acquire evidence from the outset on the basis that the victim may not co-operate and should attempt to gather sufficient evidence to enable the CPS to initiate a victimless prosecution.”

> Northumbria Police procedure: investigation of domestic abuse

41. This procedure outlines individual responsibilities in the investigation of domestic abuse incidents.
42. The procedure highlights that call handlers must risk assess and grade incidents of domestic abuse in accordance with Northumbria Police call grading instructions.
43. The procedure reiterates the duty of first response officers to take positive action.
44. Officers must complete a DASH form and the computerised record for this, on the force’s MU15 screen. While completing the DASH, “officers must encourage the victim to give explicit consent for referral to support services and sign the form as appropriate.” The computerised record will create a risk level of high, medium or standard, based on the DASH matrix. However, officers or staff may use their own professional judgement if they believe the victim is at higher risk.
45. Duty supervisors must allow officers sufficient time to complete all the necessary enquiries, including evidence gathering, safety planning, and to complete the DASH. The supervisor must ensure officers complete the DASH and domestic abuse screens before they go off duty.
46. “The duty supervisor must be confident that the first attending officer has dealt with the domestic incident appropriately.”
“If a criminal offence has been disclosed the duty supervisor should ensure a specific investigative plan is formulated and enquiries are expedited in relation to the suspected perpetrator. They should ensure that the investigation is robustly supervised.”

> Northumbria Police procedure: incident grading and deployment criteria

47. Call takers, known as contact handlers, are to assess and create incidents within the Incident Logging System and allocate the incident one of five call grades. The responsibility for 'initial data' capture lies with the contact handler.
48. The five incident grades are:
 - Grade 1 Emergency – An incident that is ongoing and there is or likely to be life in danger, use or immediate threat of violence, serious injury or serious damage to property. Response time ten minutes in an urban setting.
 - Grade 2 Priority – Circumstances in which the police contact handler acknowledges that there is a degree of importance or urgency associated with the initial police action, however, an emergency response is not required. For example, where there is a genuine concern for somebody's safety or a witness/evidence is likely to be lost. Attendance within one hour.
 - Grade 3 Non-Emergency – Circumstances where the contact handler acknowledges that police attendance is required, but a priority response is not needed and an appointment is not suitable. For example a minor crime with no forensic evidence. Attendance within four hours.
 - Grade 4 Scheduled – In circumstances where the caller's needs can be met through an appointment. For example, the response time is not critical in apprehending the offender. Appointment within 48 hours.
 - Grade 5 resolution without deployment – Circumstances that require telephone advice or service from another more appropriate agency. Call back within two hours.
49. Contact handlers are responsible for assessing a caller's vulnerability, "*using the 'THRIVE' principles to assess Threat, Harm, Risk, Investigation, Engagement and grading appropriately.*"

> Authorised Professional Practice (APP) Domestic Abuse (2015)

50. APP on domestic abuse sets the national standards expected of police officers and staff at every stage of the police response to domestic abuse incidents. The guidance highlights that stalking and harassment offences are common in the context of domestic abuse.
51. APP highlights the importance of contact handlers gathering relevant information from the victim. A checklist of information to ascertain includes:
 - location of incident

- identity of all parties involved
 - whether there is a history of domestic abuse or other relevant offending
 - if the suspect is believed to have left the area and, if so, where they are believed to have gone
52. APP states that it is not normally appropriate to make an appointment for a victim of domestic abuse, as delays increase the likelihood of the victim changing their mind or being intimidated in the meantime.
53. APP states first response officers need to play a dual role by recognising signs of abuse and the need for safety planning, but also identify criminal offences so that offender can be brought to justice. First responder must progress the investigation as much as possible at the first opportunity and should look to gather corroborating evidence immediately.
54. APP states police officers have a duty to take positive action when dealing with domestic abuse incidents. This will often mean making an arrest, providing the grounds exist and it is a necessary and proportionate response. The guidance states that in some situations, other positive approaches may be more appropriate; however, officers must be able to justify not making an arrest.
55. The guidance states that, where an offence has been committed in a domestic abuse case, arrest will normally be 'necessary' within the terms of the Police and Criminal Evidence Act 1984 (PACE). The arrest will be 'necessary' to protect a vulnerable person, prevent the suspect causing injury or damage or to allow the prompt and effective investigation of the offence. APP highlights that the decision whether or not to arrest a suspect rests with the police officer, and officers should not ask victims if they require a suspect to be arrested.

> **ACPO (Association of Chief Police Officers) Practice Advice on Investigating Stalking and Harassment**

56. ACPO (now known as National Police Chiefs' Council, NPCC) introduced this advice in 2009. In 2013, following the introduction of stalking legislation, the College of Policing released supplementary guidance on stalking to accompany the practice advice. This advice was current at the time Miss Ruggles contacted Northumbria Police.
57. Much of the advice echoes the advice given in APP on domestic abuse, including the requirement for the contact handler to gather initial information including history of domestic abuse and harassment and the requirement for the first responder to identify and assess risk to the victim.
58. The advice outlines the need for the officer to obtain a victim's first account and a victim personal statement, to state how the harassment has affected them physically, emotionally and psychologically. It also lists a number of lines of enquiry and evidential considerations officers should make. These include CCTV enquiries, automatic number plate recognition (ANPR) checks on the

suspect's car and analysis of electronic equipment. The advice states that evidence held on electronic equipment can easily be lost.

59. The advice highlights that "*officers have the power to arrest for any offence on the grounds of reasonable suspicion and must demonstrate that they have reasonable grounds for believing that the arrest is necessary*" under PACE.
60. The advice outlines the role of a supervisor in the investigation of harassment. It states the supervisor should make an early appraisal of the investigation and work in collaboration with the investigating officer to develop an investigation strategy. The advice states the following should be set out in the strategy:
 - lines of enquiry
 - identified risk and how these will be addressed
 - strategies relating to scenes, forensics, search, victim and witness and suspect

The advice highlights that the strategy should be a signed and timed record of all considerations.

61. The advice states that the use of a PIN will "*generally not be appropriate when an investigation has established a course of conduct.*" It states police would usually issue a PIN 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 proven. The suspect may appear to be genuinely unaware that their actions could constitute a criminal offence. The advice states that using a PIN as an early intervention may prevent the behaviour escalating into harassment. Police could use evidence that a PIN had been served as evidence in later criminal proceedings to show that an individual knew that their behaviour could amount to harassment. As such, the advice suggests the officers should serve the PIN on the suspect personally, so there is clarity they received the notice. The guidance given is that, in exceptional circumstances, an officer may consider giving the PIN using a personal delivery service or recorded delivery. The advice states any decision to issue a PIN should be authorised by a supervising officer.

> College of Policing Code of Ethics

62. The Code of Ethics defines the standards of professional behaviour to which all police officers are expected to adhere. It defines ten standards of behaviour. The following standards are relevant to this report:
 - duties and responsibilities
 - authority, respect and courtesy
63. The standard of professional behaviour of duties and responsibilities states police officers must:
 - "*Carry out your duties and obligations to the best of your ability.*"
 - "*Use all information, training, equipment and management support you are provided with to keep yourself up to date on your role and responsibilities.*"

“Ensure that accurate records of your actions are kept – both as good practice and as required by legislation, policies and procedures.”

64. The standard of professional behaviour of authority, respect and courtesy states police officers must:

“Carry out your role and responsibilities in an efficient, diligent and professional manner.”

> Summary and analysis of the evidence

65. 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. However, the methodology of the investigation, including key decisions that were made, strategies that were set, and details of people referred to in this report, are included in the attached appendices.
66. 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.

> Miss Ruggles’ first call to Northumbria Police, 1 October 2016.

67. At 12.40am on 1 October 2016, Miss Alice Ruggles telephoned 101 and spoke with Northumbria Police. Contact Handler A answered the telephone call and opened an incident log on the Northumbria Police Integrated Computer and Communication System (NPICCS). I obtained and analysed a copy of the incident log, as well as the recording and transcript of this telephone call.
68. Miss Ruggles began by explaining she needed *“a bit of advice really more than anything”*. Miss Ruggles said her ex-partner, Mr Dhillon, had hacked into her Facebook account and her mobile phone. She stated that he had been sending her *“a lot of messages”*, despite her having asked him not to contact her.
69. Miss Ruggles then explained Mr Dhillon had sent her a text message saying he had been in her garden since 5pm that evening. She described hearing knocks at her front door on several occasions that evening, but when she had answered the door, there had been nobody there. She then explained Mr Dhillon had gone to the back of her ground floor flat and knocked on her bedroom window, where she saw him leave flowers and chocolates and walk off. Miss Ruggles said this had left her feeling *“shaken up”*. Miss Ruggles did not say how soon prior to calling 101 the incident had happened.

70. Contact Handler A informed Miss Ruggles that what she had described could be considered harassment. He told her she could instruct a solicitor to take an injunction out against Mr Dhillon or she could make a report with the police. He explained that ,by making a report, the police could issue Mr Dhillon with a PIN notice and would arrest him if he contacted her again.
71. Contact Handler A asked Miss Ruggles which she would prefer. Miss Ruggles requested to make a police report.
72. Contact Handler A asked for Mr Dhillon’s full name, his age and where he lived. Miss Ruggles explained Mr Dhillon lived in Edinburgh and had travelled from there that evening.
73. Contact Handler A asked Miss Ruggles how Mr Dhillon had been contacting her. She explained that she had blocked his telephone numbers, but he had been sending emails and had created a “*fake Snapchat account*” to try to make contact.
74. Contact Handler A informed Miss Ruggles he had made an appointment for a police officer to visit her on Sunday 2 October. Contact Handler A graded the incident as a grade 4, meaning he considered the issues reported were suitable for a scheduled appointment.
75. Contact Handler A recorded the following information on the incident log:
“Harassment by ex. Harry Dhillon 25yrs resides in Edinburgh area. Cllr Split up 3 months ago but male is constantly contacting caller by Gmail phone and text. Tonight he has left flowers and chocolates in her garden. She wants him to stop and be given a PIN notice. Caller requests to be seen.”
76. Contact Handler A did not record details on the log Miss Ruggles had passed about the knocks on her door or the message she had received from Mr Dhillon to say he had been outside her address since 5pm.

> **Officer B’s visit to Miss Ruggles, 2 October 2016**

77. Officer B visited Miss Ruggles at her home on 2 October 2016 and took a witness statement from her.
78. Miss Ruggles stated Mr Dhillon had hacked into her Facebook and Gmail account, which had made her feel “*harassed, alarmed and distressed.*” She stated Mr Dhillon had admitted to changing her details on Facebook and Gmail when she had spoken with him about it.
79. Miss Ruggles said she had told Mr Dhillon several times that she “*wanted nothing to do with him.*” Mr Dhillon had, however, sent a message containing explicit photos he had of her and alluded that he “*could disclose the photos if needs be, but that he was a nice guy so wouldn’t.*”
80. Miss Ruggles explained that on 20 September 2016 she sent a message to Mr Dhillon telling him she wanted no further contact from him. She outlined that she

did not know how he was hacking into her phone and that she was scared and wanted *“it to stop”*.

81. Miss Ruggles described the incident on 30 September in her statement. She said that, after seeing Mr Dhillon outside her address, she received a voicemail from him explaining he did not want to *“kill her”*. She explained that this scared her, as she believed he sounded *“crazy”* and *“obsessed”* with her on the voicemail. She added, *“I’m scared and terrified of his actions. I’m being stalked and want it to stop.”*
82. I obtained a recording of the voicemail Miss Ruggles referred to in her statement. On the voicemail, Mr Dhillon stated that he left the flowers and chocolates for Miss Ruggles to *“prove that no I don’t want to kill you”*. Mr Dhillon repeated this several times.
83. Miss Ruggles added a Victim Personal Statement to the end of her witness statement. The purpose of this is to give victims of crime an opportunity to state how the crime has affected them. Miss Ruggles described how Mr Dhillon’s actions had left her feeling tense, uneasy and unsafe in her own home. She agreed she was happy for her thoughts to be read out in court.
84. Officer B provided a written response to the IOPC on 10 November 2017 and IOPC investigators interviewed Officer B on 14 December 2017, under the misconduct caution. Officer B stated he completed the 27 questions on the DASH risk assessment with Miss Ruggles, along with the additional 11 stalking and harassment questions. She answered yes to six of the questions on the stalking and harassment questions, including *“is the victim frightened?”*, *“has the suspect loitered near the victims home, workplace, etc, more than 3 times per week?”* and *“has any third party been harassed since the harassment began e.g. family, friends, colleagues?”* Officer B also ticked to say he had Miss Ruggles’ consent to make a referral to victim support services.
85. Officer B explained he spent approximately two hours talking to Miss Ruggles at her home. He stated he was initially allotted only an hour to deal with Miss Ruggles’ report, but contacted his supervisor, Officer C, over the radio to request more time.
86. Officer C provided a written response to the IOPC on 9 November 2017 and IOPC investigators interviewed Officer C, under the misconduct caution, on 13 December 2017. Officer C explained he spoke to Officer B over the radio while he was at Miss Ruggles’ home. Officer C said this was a point-to-point conversation, a private conversation not transmitted over the open radio channels, and therefore not recorded. He stated the conversation was brief and Officer B told him that *“there was a bit more to this than we first thought”* and he needed more time to take a detailed statement. Officer C explained that he had no hesitation in giving Officer B more time with Miss Ruggles, as he *“was keen to give our victim the best possible service.”*
87. Officer B recalled that Miss Ruggles informed him she had split up with Mr Dhillon three months ago, but had still been *“willingly communicating”* with him on and off since. He recalled Miss Ruggles was *“clearly upset at the fact Dhillon had attended her address the previous evening”* and was *“extremely concerned*

at the fact Dhillon was allegedly in possession of some explicit photographs of her.”

88. Officer B provided a statement to Northumbria Police on 20 October 2016 outlining his contact with Miss Ruggles. He said Miss Ruggles stated *“Dhillon was so controlling with her, he would pester her so excessively she was on the brink of getting back with him over the past few months however she stated that she had resisted his advances however he had become more persistent recently.”* He also recalled Miss Ruggles *“stated that the explicit photographs he was in possession of were often discussed by him as a method of control [sic] her and that he had alluded to disclose the photographs to other people including her family members.”*
89. Officer B stated Miss Ruggles played him a voicemail Mr Dhillon had left on 30 September. He recalled they both agreed that Mr Dhillon repeatedly saying *“he would never kill her”* was odd behaviour.
90. Officer B said he discussed with Miss Ruggles how best to proceed with the investigation. He recalled Miss Ruggles *“categorically stated that she did not want Dhillon to be arrested or get into trouble at that time”*, however, she did acknowledge that the incident required *“positive action”* to be taken.
91. Officer B recalled that Miss Ruggles informed him she had taken advice from her sister’s partner, a serving police officer, prior to contacting Northumbria Police and she had decided that a PIN would be the best way to deal with the matter and stop Mr Dhillon contacting her.
92. Miss Ruggles’ sister, Emma Ruggles, informed the IOPC that Miss Ruggles did not have direct contact with her partner about PINs. She explained that she passed information from her partner to her sister via text message.
93. IOPC investigators obtained a copy of this text message, which stated that Mr Dhillon *“may get issued a PIN which is a Police Information Notice. This is informal and effectively says leave her alone. If he doesn’t, formal legal charges may be brought against him.”*
94. IOPC investigators asked Officer B if Miss Ruggles understood what a PIN was. Officer B replied that she was aware that it was *“a warning not to contact or communicate with her.”*
95. Officer B explained that he discussed with Miss Ruggles how he intended to deal with her report. His intention was to contact Mr Dhillon’s supervisors at Glencorse Barracks to ask them to issue Mr Dhillon with a warning not to contact her further, lest he be arrested, and to attempt to have the photographs destroyed. Officer B stated *“Alice was fully aware of the next stages of the investigation and what would happen if Dhillon were to breach the warning. I repeated the fact that he would be liable to be arrested should the warning be breached by Dhillon contacting her further. She was more than happy with this.”*
96. Officer B told the IOPC that the warning was not an official PIN, however he accepted that his intentions behind the warning were the same as the intentions of a PIN.

97. It is important to clarify at this point that, although the evidence suggests Officer B did not go on to issue Mr Dhillon with official PIN documentation, the steps Officer B took in contacting supervisors at Glencorse Barracks appear to be wholly in the spirit of a PIN. On this basis, I will apply local and national policy and procedure relating to PINs when analysing the evidence in the remainder of this report.
98. Officer B recalled he advised Miss Ruggles to telephone 999 if Mr Dhillon returned, and that she should consider installing CCTV cameras. He stated that Miss Ruggles *“felt relieved that something was going to be done”* and *“felt reassured with the advice that I had given.”*
99. Miss Ruggles’ mother, Dr Susan Hills, provided a statement to the IOPC on 17 October 2017. She recalled speaking to Miss Ruggles after her contact with Officer B. She stated, *“Alice was very upbeat after the visit of [Officer B], she felt empowered and that the activities of Harry would stop.”*
100. Dr Hills explained that she became aware Mr Dhillon was going to be served with a PIN in an effort to stop his behaviour. She stated, *“both Alice and me and the rest of my family believed that once served on Harry, this meant he could subsequently be arrested and dealt with by the courts.”*
101. Officer B explained that after visiting Miss Ruggles he was unable to update Northumbria Police systems, as they were not working on 2 October 2016.
102. Officer C confirmed Northumbria Police computer systems were not working on 2 October. He explained that part of his role is to ensure that officers complete DASH forms correctly, put a domestic violence update on the force system and have dealt with incidents appropriately. He explained that, as the computer systems were not working, he was unable to complete these checks, meaning he had to have direct contact with his officers to fulfil his duty. He recalled that, as such, he had a second point-to-point conversation with Officer B after he had left Miss Ruggles’ home.
103. Officer C explained that the reason for this conversation was to get a better overview of the incident, what the issues were, and to allow him to make some initial decisions around how to progress the investigation. In his written response, he explained Officer B informed him that Miss Ruggles was alleging her ex-partner had been harassing her and her family via email and telephone. However, he said she had been *“willingly engaging in dialogue with him”*. Officer B made him aware that Mr Dhillon had been in her garden *“on a single occasion”* and that she believed he had been monitoring her social media accounts. Officer C recalled that Miss Ruggles’ request to Officer B was for Mr Dhillon to be warned to leave her alone and issued with a PIN at his army address.
104. Officer C explained he had to assess the incident. His understanding was that there were evidential difficulties proving a harassment course of conduct, as Miss Ruggles and her family had been conversing with Mr Dhillon. However, he explained that *“it appeared straightforward”* and *“there were no obvious or immediate safeguarding issues, our offender... lived 120 miles away. There had been no violence offered or threatened and my initial assessment was that there*

was no need for us to make an arrest or to pass the incident on to the shift that were about to start.” He expanded on this saying that, if a victim was at high risk of domestic violence, he would have passed the incident to the next sergeant on duty to fast track enquiries and to arrest the offender. He stated, *“there were no obvious or immediate safeguarding issues”* with regards to Miss Ruggles. Officer C said he wanted to discuss the incident in depth with Officer B and arranged to discuss it face to face the next day.

105. Officer B did not refer to a second point-to-point conversation with Officer C in his written response or during his interview. Northumbria Police does not record point-to-point radio conversations.

> Meeting between Officer B and Officer C, 3 October 2016

106. Officer B recalled having a discussion with Officer C about the investigation on 3 October. He began work at 7am and believed the conversation would have been soon after this. Officer B stated that he *“discussed how best to progress the investigation”* with Officer C and suggested to him that it *“would be appropriate to warn Mr Dhillon regarding his conduct as per the victim’s wishes”*.
107. Officer B said he suggested to Officer C he could contact the army base to ask them to issue a warning. He stated, *“We both came to the conclusion it was the most common sense approach to deal with the situation, based on the facts and the evidence presented to us.”* Officer B explained his rationale for proposing a warning to be served was based on the THRIVE risk assessment model. He believed the threat involved was the *“mental anguish”* Mr Dhillon caused Miss Ruggles. He believed that there had been no violence or threats of violence from Mr Dhillon, he lived 120 miles away, *“posed no overt threat”* and had no previous convictions. He explained that having Mr Dhillon issued with a warning bore in mind Miss Ruggles wishes, was *“victim led”* and would provide *“good, clear evidence”* of a course of conduct of harassment for any subsequent prosecution.
108. IOPC investigators asked Officer B if he believed a course of conduct had been established at the point he spoke to Miss Ruggles. Officer B replied that he did not believe it had.
109. Officer B said he considered asking Police Scotland to issue Mr Dhillon with a PIN; however, he believed they would not have dealt with this *“routine enquiry”* as a priority. Officer B explained he did consider arresting Mr Dhillon; however, he deemed there was insufficient necessity to arrest Mr Dhillon as he had no previous convictions and no previous domestic incidents with Miss Ruggles. Officer B said that gaining an account from Mr Dhillon under caution *“would have gained nothing.”*
110. Officer B explained that he knew Miss Ruggles and Mr Dhillon had had no previous domestic incidents within the force area, as he had to create both parties on the force’s systems. He informed the IOPC that he did not check for any previous convictions on the Police National Computer (PNC) himself, but believed that Officer C had.

111. Officer C stated that a check on both local and national computer systems confirmed that there had been no previous domestic incidents between Miss Ruggles and Mr Dhillon and that Mr Dhillon was of “*good character*”.
112. I obtained a copy of Mr Dhillon’s police records and confirmed there was no record of Mr Dhillon on Northumbria Police systems prior to Miss Ruggles’ report and no previously reported domestic incidents between them. Mr Dhillon had no previous convictions on PNC; however, he had a restraining order not to contact a previous partner.
113. IOPC investigators asked Officer C about the discussion that took place between him and Officer B on 3 October. He recalled that Officer B told him he had taken a detailed statement from Miss Ruggles, had submitted a crime report for the offence of harassment without fear of violence, completed a DASH form and had enough information to complete the computerised domestic violence update. He recalled Officer B told him he had taken photographs of the flowers and chocolates left by Mr Dhillon, offered Miss Ruggles safety advice and passed on contact numbers of victim support agencies. He said he had considered all the actions Officer B had performed and concluded he was happy with them.
114. Officer C said that, during their discussion, Officer B proposed to have superiors at the Glencorse Barracks issue Mr Dhillon with a warning not to contact Miss Ruggles. Officer C said, “*I judged that being issued with a warning by the army was likely to be more impactful and far more timely than having a PIN notice issued by local police. Upon being issued with the warning, Dhillon was also to be given robust advice about the potential consequences (both from the army and from the police) of continuing behaviour.*” Officer C expanded, saying the warning was to make Mr Dhillon aware that his behaviour was causing Miss Ruggles distress and to inform him he might be liable to arrest if he continued. Officer C explained the intention behind the warning was the same as a PIN, but given verbally rather than “*on an official piece of paper*”. Officer C said the idea was for a figure of authority in the army to give the warning, “*somebody who had the power to withdraw privileges or impose sanctions on him if he failed to heed the advice*”. Officer C stated that, having considered the facts that Officer B presented, he agreed with the proposed course of action. Officer C acknowledged that “*the buck stopped*” with him and the course of action was ultimately his decision.
115. Officer C described other factors he considered when deciding on this course of action. He stated that it was “*wholly in accordance with Miss Ruggles’ wishes*” for Mr Dhillon to be issued with a warning. He explained that Officer B had informed him that Miss Ruggles had “*feared that any other course of action would risk inflaming the situation.*” Officer C expanded on this during his interview and explained that Northumbria Police was a ‘victim-led’ organisation and so he tried to respect the wishes of victims.
116. Officer C explained PINs “*were commonly in use at the time for exactly this kind of incident*”. However he was “*considerate of all the different options*” and did not have “*tunnel vision*” that a PIN would have been the only option. He stated that he did consider arresting Mr Dhillon, however, his view was this was

“neither proportionate nor appropriate”. He explained this was because there was no domestic violence history between Miss Ruggles and Mr Dhillon, there had been no violence offered or threatened, Mr Dhillon was *“of previous good character”* and that he perceived there to be issues surrounding proving a course of conduct as he understood Miss Ruggles had been *“actively engaging”* with Mr Dhillon

117. Officer C explained that, to have arrested Mr Dhillon, he would have had to provide the custody sergeant with a reason for the arrest or explain the *“necessity of the arrest”*. He said that the usual reason would be *“to prevent harm to a vulnerable person.”* He considered a custody sergeant might have refused Mr Dhillon’s detention, as he *“had no evidence that he posed any threat to Alice at all”*.
118. Officer C stated his decision not to arrest Mr Dhillon would have been the same wherever Mr Dhillon lived. IOPC investigators asked Officer C whether he would have chosen to issue Mr Dhillon with a warning, had he not been in the army. Officer C confirmed his decision would have been the same.
119. Officer C stated that Officer B did not make him aware of the voicemail message Mr Dhillon had left. Officer C explained that, had he been aware of the content of the voicemail, it would have *“sounded alarm bells”* for him. IOPC investigators asked if this would have changed his decision on how to progress the investigation. Officer C answered that he would have considered a different course of action and would have considered arresting Mr Dhillon, as there would have been a risk identified to Miss Ruggles’ welfare.
120. Officer C also stated that Officer B did not inform him about Mr Dhillon’s possession of explicit images of Miss Ruggles or about his comments surrounding these. Officer C stated he did not read Miss Ruggles’ statement nor did he read the DASH. He explained he would have considered this as *“concerning behaviour”* and that it suggested Mr Dhillon was *“trying to exert some kind of control over”* Miss Ruggles. However, he said he did not think that this increased the concerns around her physical safety.
121. IOPC investigators asked Officer B if he told Officer C about the voicemail, its content and about the explicit photos. Officer B believed he had discussed the voicemail with Officer C, but could not recall if he discussed the photographs with him. He stated that he put details about the voicemail and the photographs on the domestic violence record about the incident and he attached these details to the incident log itself.
122. At 11.21am on 3 October, Officer B updated the incident log with a ‘Domestic Abuse Record’ number. This related to the computerised record of the DASH assessment questions. Officer B added a brief summary of the incident and the answers to the risk assessment questions he had previously taken from Miss Ruggles.
123. Based on the DASH risk assessment, Miss Ruggles was assessed as at ‘medium’ risk of domestic violence. Medium risk meant there were *“identifiable factors 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 of circumstances.”*

124. Officer B wrote in the summary that Mr Dhillon was a soldier in Edinburgh, who had “*turned up*” at Miss Ruggles’ home unannounced, sent her and her family unwanted messages and had left her a voicemail message “*which stated that he ‘would never kill her’ on at least 5 occasions.*” Officer B also noted that Mr Dhillon was in possession of explicit images of Miss Ruggles. Officer B added this summary to the incident log at 11.28am on 3 October.
125. At 1.18pm, Officer B added a crime number to the incident log. He had submitted the incident as the offence of harassment without fear of violence.
126. Officer B stated that he did consider the offence of stalking, but he deemed that harassment was the more appropriate offence and that he had identified the correct offence based on the evidence presented to him. He explained how the crime recorded could have been, but was not, changed by staff in the crime recoding department at any time.
127. He stated that there was no legal definition for the term stalking and instead, a list of behaviours which could amount to stalking. He did not believe there was a clear distinction or separation between the offence of stalking and the offence of harassment, and stated the offences were very similar in wording. Officer B stated that, irrespective of which offence he identified, his investigation would have always been based on the facts presented.
128. Officer B said Miss Ruggles did not tell him Mr Dhillon had been outside her address for several hours between 30 September and 1 October. He stated he was unaware that Miss Ruggles had said this on her initial call to Northumbria Police. IOPC investigators asked Officer B whether, had he known this, it would have altered his chosen course of action. Officer B responded that he would have tried to establish if it was true, but the comment would have raised his concerns.
129. Officer C said he was also not aware of this information. He stated he would have considered the offence of stalking without fear of violence, as opposed to harassment, had he been aware.
130. As Officer B had recorded the incident as a crime, a computerised crime record was generated for the incident. The crime record consisted of several screens relating to different aspects of the crime. The investigating officer and their supervisor were responsible for the completion of the crime record to show their investigative considerations and provide progress updates.
131. There were a number of ‘Crime Investigation’ screens on the crime record. These related to potential evidential opportunities, including CCTV, telecommunication and electronic devices, house-to-house enquiries, suspect vehicle details and forensic submissions. The screens required Officer B to record what action, if any, he had taken. Officer B updated these screens at 3.35pm on 3 October to say there was no CCTV, no linked crimes or intelligence reports and that house-to-house enquiries, suspect vehicle enquiries and any forensic submissions were ‘N/A’.
132. IOPC investigators asked Officer B about the evidence he secured while dealing with Miss Ruggles’ report. Officer B explained he took a statement from Miss

Ruggles and he took photographs of the flowers and the chocolates Mr Dhillon had left. Officer B explained he dealt with similar matters regularly and as such recovered what evidence he believed he needed as “*a warning was only going to be administered*” at that point. Officer B explained that he did not exhibit the flowers and chocolates as he thought the photographs and Miss Ruggles’ statement would be sufficient evidence. He said he did ask Miss Ruggles to retain the items.

133. Officer B stated he did not inspect Miss Ruggles’ mobile phone, other than to listen to the voicemail message. He said he did not consider seizing Miss Ruggles’ mobile phone or taking a copy of the voicemail recording and saw no necessity to secure this evidence as he had asked Miss Ruggles to keep any messages and the voicemail from Mr Dhillon on her phone.
134. IOPC investigators asked Officer B about evidence gathering in relation to Mr Dhillon hacking into Miss Ruggles’ social media accounts. Officer B stated that there was no evidence to substantiate this allegation. IOPC investigators asked Officer B what actions he took to try to substantiate this allegation and if he sought any advice on this. Officer B replied he did not take advice on this and believed that, if anything digital needed to be downloaded or recorded, this could have been done later.
135. IOPC investigators asked Officer B if he made any enquiries concerning Mr Dhillon’s car. Officer B stated that he did ask Miss Ruggles about this but she could not provide any details. IOPC investigators asked Officer B if he took advice or discussed evidential opportunities with Officer C while he was at Miss Ruggles’ home. Officer B replied that he did not. He stated he did not receive any further investigative instructions from Officer C in terms of the voicemail message, the flowers and chocolates or the hacking allegation.
136. IOPC investigators asked Officer B if he had concentrated on and prioritised having a warning issued on Mr Dhillon over the investigative enquiries. Officer B agreed that is what he did at that stage.
137. IOPC investigators asked Officer C whether he was aware of any evidence secured by Officer B. Officer C explained that he knew Officer B had obtained a detailed statement from Miss Ruggles and had taken photographs of the flowers and chocolates. He stated that he did not question why Officer B had not seized these items as he also felt that photographing them was sufficient, as ‘it was a straightforward report of harassment at that point. In my assessment we weren’t going to be looking at forensics or anything else.’
138. Officer C said he knew Officer B had not viewed any messages or emails between Miss Ruggles and Mr Dhillon. Officer C said Officer B told him there was no evidence to substantiate Miss Ruggles’ allegation that Mr Dhillon was monitoring her social media. Officer C described how the force had the ability to examine electronic equipment, but stated it would not have been proportionate to have seized and examined such equipment in this case.
139. Officer C said he was content with the actions Officer B had taken. IOPC investigators asked Officer C if he would check whether evidence had been gathered correctly on investigations he was supervising. He explained that he

worked in one of the busiest areas in the country, with oversight of around 45 incidents per shift and, as such, he could not be involved in each incident to that degree.

140. A further 'Crime Investigation' screen was for a 'Supervisory investigation plan' to be recorded. There was no update added to this screen.

> Officer B's contact with army personnel at Glencorse Barracks, 3 October 2016

141. Officer B said that, following the discussion with Officer C, he telephoned Glencorse Barracks, where Mr Dhillon was based. He stated he initially spoke to a welfare officer and then to an orderly officer. He stated he outlined the circumstances of the incident and the allegations to both officers. He explained to the officers that Mr Dhillon's superiors needed to address his behaviour as soon as possible to prevent escalation. He stated that one of the officers asked him to email the adjutant at the barracks, as they were responsible for discipline matters.
142. Captain Keir Robinson was the orderly officer at Glencorse Barracks on 3 October 2016. He provided a statement to the IOPC detailing his contact with Officer B on that date. Captain Robinson explained that his role, as the orderly officer, was to deal with any discipline matters that arose. He recalled receiving a telephone call from Officer B on 3 October 2016 and speaking to him for around ten minutes. He said the conversation with Officer B revolved around complaints Northumbria Police had received from Mr Dhillon's girlfriend. He said Officer B raised concern about a specific phrase Mr Dhillon had used in his correspondence with his girlfriend. Captain Robinson believed the phrase was either that Mr Dhillon "*would kill himself or that he had used the words murder, death or kill.*" Captain Robinson recalled that he was in agreement with Officer B, that someone should talk to Mr Dhillon to "*ask him to stop causing problems for this female*". Captain Robinson did not believe the army could take formal action against Mr Dhillon at that point. He commented that Officer B was "*diligent in conveying the information to us and was very clear and coherent in his request that Dhillon be spoken with.*"
143. At 10.45am on 3 October, Officer B sent an email to Captain Matthew Alder (now Major Alder), the adjutant at Glencorse Barracks. In the email, Officer B asked Major Alder to tell Mr Dhillon not to contact Miss Ruggles again "*by any means either directly or indirectly and that includes him contacting her family and friends via Facebook*". Officer B attached a copy of Miss Ruggles' statement and stipulated "*should Dhillon contact Ruggles again then this statement will be used to prosecute him for the offence of harassment.*" Officer B added that Mr Dhillon had explicit photographs of Miss Ruggles and asked that they be destroyed. He ended the email by asking the adjutant to inform him when his request had been completed and by whom. Officer B copied Officer C into this email. Officer B explained he "*trusted that my instructions would be carried out by the adjutant who had a potential array of measures and procedures at his disposal*".

144. IOPC Investigators asked Officer B if he had considered filling out an official PIN notice and sending this to Major Alder. Officer B replied that he had not considered this, as he believed he had been clear about the warning in his email. He believed his email was better than an official PIN notice, in that he warned Mr Dhillon to not contact Miss Ruggles by any means and also asked for the army to destroy the photographs Mr Dhillon had of Miss Ruggles.
145. At 3.35pm on 3 October 2016, Officer B added an update to the crime record, which stated he had sent an email to the army barracks and that the adjutant was aware of his email, and “*will be interviewing the suspect to get his account*”. He added he had made Miss Ruggles aware of the action he had taken and she was happy with this.
146. Officer C also added an update on the crime record, stating he was aware of Officer B’s updates on the ‘Crime Investigation’ screens and the incident was “*being dealt with internally by armed services who will contact OIC [Officer B] once they have interviewed/disciplined suspect*”. Officer C stated that his intention was to keep the crime record open at that stage and await an update from the army.
147. Major Alder provided a statement to the IOPC. He confirmed he received an email from Officer B on 3 October 2016. He explained that at the time he was unaware that Officer B had spoken to other officers at the barracks and receiving the email had been the first contact he had had about Mr Dhillon. Major Alder stated that “[Officer B’s] *contact was certainly irregular*” and he had not previously received a request of this nature from the police. Major Alder stated it was not immediately clear to him what Officer B was requesting him to do about the situation, other than to speak to Mr Dhillon. Major Alder explained that the army had no powers to order Mr Dhillon to destroy the explicit photographs on his mobile telephone and, in the same vein; they had no powers to order Mr Dhillon not to contact Miss Ruggles. He believed that Officer B was “*not unreasonable*” in his assumptions that the army had these powers, but was “*ill informed*” on what they could do. He believed that army personnel who had spoken to Officer B on 3 October might have not made it clear to Officer B what the army could do in this situation.
148. Despite these concerns, Major Alder explained that he “*endeavoured to meet the intent of the email*” and did arrange for Mr Dhillon’s chain of command to speak to him and “*tell him to stop getting himself in trouble*”. He stated the army involved themselves in the matter in order to “*protect the interests and welfare of one of our soldiers in the face of an allegation against him that could lead to formal action, and to ensure he knew where he stood.*” Major Alder believed he had met the intent of Officer B’s request and confirmed that army officers spoke to Mr Dhillon on three occasions, within two days of receiving Officer B’s email, to tell him to stop contacting Miss Ruggles.
149. Officer B recalled that, during his telephone conversations with army personnel, he was informed the army could speak to Mr Dhillon and give him the warning he was suggesting. Officer B could not confirm who informed him of this. IOPC investigators asked Officer B if he had confirmed with army personnel whether they could have the explicit photographs destroyed. Officer B explained that he

did discuss the photographs on the telephone and was not directly told that the army could have the photographs destroyed, but was equally not told this was something they could not do. Officer B highlighted that he put his contact details on his email to Major Alder, but did not receive any further questions about his request.

150. At 2.30am on 8 October 2016, Officer B sent a further email to Major Alder to ask if there was any update to give on his request. Officer B updated the crime records at 2.53am stating he had sent an email and would await a reply before updating Miss Ruggles and finalising the crime report.
151. In his statement, Major Alder confirmed he had received the follow up email from Officer B on 8 October. He explained that he felt there was no indication of urgency in Officer B's initial email request and as such, he had not replied immediately.
152. Major Alder sent an email in reply to Officer B at 8.01pm on 10 October 2016. He stated, "*The chain of command has spoken to the soldier advising him that further contact with the complainant is inadvisable and that if he is charged he could be subject to administrative action. This remains a civil matter – simply because he is a soldier doesn't mean we as his employer have any role to play.*" Major Alder explained in his statement that in sending this email he wanted to make it clear to Officer B that it was not the army's responsibility to serve warnings for the police.
153. Officer B explained he had not been at work on 10 October and first saw this response on 13 October, after Miss Ruggles' death.

> Officer B's evidence-giving at Newcastle Crown Court, 18 April 2017

154. Officer B gave evidence during the criminal trial of Mr Dhillon. He talked about his contact with Miss Ruggles on 2 October 2016 and the subsequent actions he took. The prosecution QC specifically asked Officer B, "*Did you discuss with Alice Ruggles how the warning would be administered to Mr Dhillon?*"
155. Officer B replied, "*I did your honour. I fully discussed... I was there at least two hours at the address. I discussed the various options with Alice and I did mention the consequences of him receiving a PIN notice and she was more than happy for the notice to be served on Mr Dhillon at the base.*"
156. The QC then asked, "*Did you tell her that he would therefore know that she'd made a complaint to the police and that he would be warned to keep away from her?*"
157. Officer B replied, "*Yes, she fully understood what the PIN notice entailed.*"

> Analysis

> **TOR 1. Whether Miss Ruggles' call to police on 1 October 2016 was handled in line with local and national policy**

158. Northumbria Police's procedure for incident grading and deployment required contact handlers to use the THRIVE principles to grade an incident appropriately. Miss Ruggles reported that her ex-partner had been waiting outside her address for several hours and had been in her rear garden. Contact Handler A did not ask any further question about this incident. He did not appear to ask questions to establish the threat, risk or harm to Miss Ruggles as per the trained model. For example, he did not ask when the incident had occurred, whether Mr Dhillon had left the area and if Miss Ruggles knew where he was. The report was regarding a domestic incident, however, Contact Handler A did not appear to establish if Mr Dhillon had previously threatened or acted violently towards Miss Ruggles during the conversation. The decision maker may wish to consider whether Contact Handler A gathered sufficient information to grade the incident, in line with Northumbria Police's procedure.
159. Contact Handler A graded the incident as a grade 4 and suitable for a scheduled appointment. He made an appointment for an officer to visit Miss Ruggles 36 hours after her report. Northumbria Police's procedure for grading and deployment states scheduled appointments should be made in circumstances where, for example, response time is not critical in apprehending the offender. Miss Ruggles had informed Contact Handler A that she had been receiving lots of unwanted contact from Mr Dhillon and had contacted police because she wanted this to stop. Contact Handler A himself identified that this contact could be classed as a crime, however, in grading the incident as suitable for an appointment, Northumbria Police did not take any positive action for at least 36 hours. APP for domestic incidents states it is "*not normally appropriate*" to make an appointment for victims of domestic abuse. The reason provided in the guidance for this is that delays in officers attending increases the risk of the victim changing their mind about reporting the abuse. While Northumbria Police's grading procedure states incidents where a witness's support is likely to be lost are to be graded as a priority, there is nothing specifically which states a domestic incident cannot be dealt with by appointment.
160. Contact Handler A recorded that Miss Ruggles wanted Mr Dhillon to be "*warned to stop and be given a PIN.*" This suggested Miss Ruggles had made this direct request; however, the transcript of the call showed it was Contact Handler A who introduced the notion of the PIN to the conversation. Contact Handler A told Miss Ruggles that police would issue Mr Dhillon with a PIN and that, if Mr Dhillon were to contact her again, they would arrest him. While Miss Ruggles did state that she wanted advice, the decision maker may wish to consider whether it was appropriate for Contact Handler A to suggest how her issues with Mr Dhillon would be resolved based on the information he had obtained.
161. Northumbria Police's procedure on incident grading and deployment stated the responsibility of initial data capture lay with the contact handler. Contact Handler A's updates on the incident log do not appear to have accurately represented what Miss Ruggles reported to him. Contact Handler A did record that Mr Dhillon

had left flowers and chocolates at Miss Ruggles' address. However, he did not record that Miss Ruggles believed Mr Dhillon had knocked on her door several times that evening. He also did not record that Miss Ruggles said she had received a message from Mr Dhillon to say he had been outside her address since 5pm. Officer B stated Miss Ruggles did not tell him this later, when he spoke to her. Officer C was also not aware of this information and stated that, had he been, he would have considered a different course of action concerning Mr Dhillon. The decision maker may wish to consider if it was reasonable for Contact Handler A to have omitted this information.

> TOR 2. Whether the investigation conducted into Miss Ruggles' report on 1 October 2016 was in line with local and national policy

> Identification of the offence

162. The evidence suggests Officer B spent an extended period of time with Miss Ruggles, listening to her concerns and taking a witness statement. Indeed, her mother indicated that Miss Ruggles' contact with Officer B was positive; she had valued Officer B's support and felt empowered. Officer B completed a DASH risk assessment, referred Miss Ruggles to support services and completed system updates as required by both local and national policies.
163. Officer B explained he considered the circumstances that Miss Ruggles reported to be harassment as opposed to stalking. Miss Ruggles reported to him that Mr Dhillon had been accessing her social media, had been contacting her on various platforms and she documented in her statement she was "*being stalked*".
164. While the PHA does not legally define stalking, it does provide examples of behaviours associated with stalking. The PHA lists monitoring a person's use of electronic communication and contacting a person by any means as behaviour associated with stalking. However, harassment that includes behaviours on the list is not automatically stalking. CPS guidance states the course of conduct must fit the generally received interpretation of the word stalking.
165. The list of behaviours also includes loitering in any place. Officer B and Officer C both stated they were unaware that Miss Ruggles had reported Mr Dhillon had been outside her address for several hours. Officer C confirmed this would have changed his view on the incident from harassment to stalking.
166. The decision maker may wish to consider whether Officer B was justified in treating Miss Ruggles' report as harassment as opposed to stalking.

> The decision to issue a PIN

167. Officer B decided to progress Miss Ruggles' report by issuing Mr Dhillon with a warning. Despite Officer B telling the IOPC that this was not an official PIN, while giving evidence at Mr Dhillon's trial, Officer B did refer to the warning as a

PIN. He also stated, during interview, that the purpose of the warning was to warn Mr Dhillon not to contact Miss Ruggles, to inform him that if he did make further contact he could be arrested and to serve as evidence that he knew his conduct constituted harassment. Officer B's intentions were therefore in line with the defined objectives of a PIN, as set out in both local and national guidance.

168. Although Officer B did not send an official Northumbria Police PIN document to Glencorse Barracks or ask them to deliver such a document, arguably the officer arranging for the army to deliver a verbal warning was a de facto PIN. As such, for the purpose of this report I have applied both local and national policy and procedure on issuing PINs to the circumstances.
169. Local and national guidance on PINs stated it was not appropriate to issue a PIN once a course of conduct had been established. Officer B explained he did not believe a course of conduct had been established. A course of conduct under the PHA is simply behaviour that causes alarm or distress on at least two occasions. Miss Ruggles' statement indicated Mr Dhillon had behaved in such a way more than once. The decision maker may wish to consider whether the decision to issue Mr Dhillon with a warning was an appropriate course of action.
170. Part of Officer B's rationale to issue Mr Dhillon with a warning was that Miss Ruggles did not want police to arrest Mr Dhillon. While Miss Ruggles did not record this in her statement, her sister confirmed Miss Ruggles had not wanted Mr Dhillon to get into trouble or for police to arrest him. Both Officer B and Officer C stated they bore in mind Miss Ruggles' wishes, as they were 'victim led'. However, APP on domestic abuse stated the decision to arrest a suspect lay with the police officer. Officer B and Officer C both provided additional rationale, noted below, as to why they decided to issue a warning to Mr Dhillon, rather than to arrest him. This indicates the decision was not purely based on Miss Ruggles' view.
171. Officer B and Officer C did not believe there was any necessity to arrest Mr Dhillon. Their rationales for issuing Mr Dhillon with a warning, rather than arresting him, were based upon the following:
 - Having made no direct threats towards her.
 - No previous reported violence between them.
 - Mr Dhillon lived a significant distance away from Miss Ruggles.
 - Officer B said interviewing Mr Dhillon under caution would have "*gained nothing*".

While Miss Ruggles may not have reported any direct threats, she did play Officer B a voicemail from Mr Dhillon, in which he stated he would not "*kill her*", several times. Miss Ruggles said in her statement she was "*scared and terrified*" of Mr Dhillon's actions. The DASH Officer B completed assessed Miss Ruggles as being at medium risk of domestic violence, which meant there were "*identifiable factors 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 of circumstances.*" Mr Dhillon did live some distance from Miss Ruggles; however, this had not prevented him from travelling to her house on 30 September 2016.

172. Officers must have reasonable grounds for believing it is necessary to arrest a suspect. One criterion for an arrest to be necessary is to prevent the person in question causing injury to another. However, this is not the only criterion; for example, it may be necessary to arrest a suspect to allow a prompt and affective investigation.
173. Northumbria Police's procedure on investigating stalking and harassment stated that a failure to make an arrest when there are grounds to do so may leave the victim at risk of further offences. APP for domestic abuse highlighted the duty placed on officers to take positive action. While it does state this will often mean the officer making an arrest, it also states that, in some situations, other approaches may be more appropriate. The decision maker may wish to consider whether Officer B and Officer C's rationales for the actions they took were proportionate, accurate and in line with policies and procedures.
174. Officer C pointed out that the decision to serve a warning on Mr Dhillon was ultimately his decision. The ACPO guidance on stalking and harassment stated a supervisor must authorise the issuing of a PIN. The evidence suggests Officer B did seek this authorisation and kept Officer C updated during the investigation. As such, the decision maker may wish to consider if Officer B is responsible for the decision to serve a warning on Mr Dhillon rather than to arrest him.

> Method of issuing a PIN

175. Local procedure and ACPO guidance on issuing PINs stated officers should print out the PIN and issue it in person. However, ACPO guidance also stated that in exceptional circumstances an officer might consider giving the PIN using a personal delivery service or recorded delivery. The evidence suggests Officer B, along with Officer C, decided instead to issue a warning to Mr Dhillon via his supervisors in the army. Officer B and Officer C both explained that they believed this would be timelier than requesting Police Scotland to issue an official PIN. Officer B believed it would be timelier as he thought Police Scotland would not have been able to service a routine request such as this. Officer C also explained he believed this option would be more impactful on Mr Dhillon.
176. The reason given in ACPO guidance for an officer issuing the PIN in person is to ensure the recipient of the notice fully understood that their behaviour could constitute harassment and police could take further action, if the behaviour continued. In asking the army to issue the warning, and not sending an official PIN form, there was a potential that the information would not be explained appropriately or properly to Mr Dhillon and an audit trail lost. Indeed, Major Alder stated it was not immediately clear to him what was required of the army. However, he did ultimately believe the army issued a warning to Mr Dhillon, as Officer B had intended. Officer B did contact at least two other army personnel to outline what he wanted and does not appear to have been informed that the army were unhappy or unclear about carrying out the request. The decision maker may wish to consider if the decision to request Mr Dhillon's employer to issue him with a warning was proportionate and in line with policy and procedure for the circumstances.

> Evidence gathering and investigation

177. Miss Ruggles reported Mr Dhillon had contacted her via telephone, text message and various other social media platforms. Officer B stated he did not look at Miss Ruggles' phone and did not seize this as evidence. His rationale was that asking Miss Ruggles to retain examples of contact from Mr Dhillon was sufficient to secure this evidence. He gave the same rationale as to why he did not seize the flowers or chocolates and explained he took a photograph of these instead and asked Miss Ruggles to retain them. He did not believe he needed to seize any of these items, as he was only going to be issuing a warning at that stage. He stated that he prioritised the issuing of the warning over these investigative enquiries.
178. Northumbria Police's procedure on investigating stalking and harassment stated officers should acquire evidence from the outset, in case it is necessary to pursue a victimless prosecution. APP on domestic abuse also stated officers should look to gather evidence to corroborate a victim's report immediately. While Officer B took a statement from Miss Ruggles detailing her allegations against Mr Dhillon, by not looking at or seizing evidence from her mobile phone, he did not secure all possible, relevant evidence to substantiate those allegations.
179. Miss Ruggles alleged Mr Dhillon had hacked into her social media accounts and changed details on her Facebook account. Officer B explained the only evidence she could offer was that Mr Dhillon had admitted this during a conversation. While this may appear to suggest Officer B put the onus on Miss Ruggles to know what evidence could have been available, it also appears to demonstrate that Officer B did explore this line of enquiry with Miss Ruggles. Officer B did not seek further advice on this and stated he believed any electronic data could be seized later, if Mr Dhillon breached the warning issued to him.
180. Northumbria Police's procedure on stalking and harassment highlighted the necessity to prioritise any telecommunication enquiries, as evidence on electronic equipment can be lost if not requested immediately. It also advised officers to contact the Telecommunications and Internet Unit to seek further advice on what digital evidence may be available.
181. The decision maker may wish to consider whether all lines of enquiry were followed appropriately.

> Supervision of the investigation

182. Northumbria Police's procedure for domestic incidents and ACPO guidance on stalking and harassment indicated it is the role of the supervising officer to ensure they formulate a specific investigation plan in collaboration with the investigating officer. The ACPO guidance suggests this should be a recorded and signed document. While Officer C does not appear to have updated the

crime record with a specific investigation plan, both he and Officer B recalled having an in-depth discussion about the circumstances of the report and how best to progress it. As such, the evidence suggests Officer C did formulate a specific investigation plan with Officer B, albeit not in a formal way.

183. Officer C explained he was happy with the lines of enquiry that Officer B had conducted and did not believe there was necessity to seize electronic equipment or items at that stage.
184. Northumbria Police's procedure on domestic incidents stated duty supervisors must allow officers sufficient time to complete all the necessary enquiries, including evidence gathering, safety planning and to complete the DASH. It stated the role of the supervisor is to ensure enquiries are expedited in relation to the suspected perpetrator and that they ensure the investigation is robustly supervised. The evidence suggests that Officer C allowed Officer B additional time with Miss Ruggles and additional time to make further enquiries with Glencorse Barracks.

> Miss Ruggles' second report to Northumbria Police, 7 October 2016

185. At 5.59pm on 7 October 2016, Miss Ruggles made a telephone call to 101 and spoke with a Northumbria Police contact handler, who opened incident log 950. I obtained and analysed a copy of the incident log, as well as the recording and transcript of the telephone call.
186. Miss Ruggles explained she had previously been in contact with police about her ex-partner, Mr Dhillon, and believed he had been issued with a PIN and had been told not to contact her; however, she had just received a letter from him.
187. The contact handler asked Miss Ruggles if she was reporting a breach of the PIN. Miss Ruggles confirmed she was. The contact handler established Miss Ruggles and Mr Dhillon's details, before he asked about the content and the nature of the letter. He asked if the letter was "*threatening or harassing*".
188. Miss Ruggles explained that the letter came with photographs of the couple and a notebook. She stated that the letter was not threatening, but Mr Dhillon had written to say he knew she had contacted the police and that he would not contact her again. Miss Ruggles told the contact handler that Mr Dhillon had often said this; however, he had continued to contact her.
189. The contact handler asked Miss Ruggles if she would "*like a call back to discuss this.*" Miss Ruggles replied she would, but asked what would usually happen. The contact handler explained that he would get someone to contact Miss Ruggles to discuss "*what could be done*". Miss Ruggles enquired if the officer who had already been dealing with her case would contact her. The contact handler said he could not guarantee that.
190. The contact handler titled the incident log 'Breach of PIN' and accurately recorded the information Miss Ruggles had passed on the incident log. He

graded the incident as a 'non-emergency' grade 3, recorded Miss Ruggles as "vulnerable" as she had been "personally targeted" and noted she required a telephone call to discuss the breach of the PIN.

191. At 6.34pm, on 7 October, Officer D was allocated to return Miss Ruggles' call.
192. Officer D provided a written response to the IOPC on 19 November 2017 and IOPC investigators interviewed her, under misconduct caution, on 19 December 2017. Officer D recalled she was on restricted duties on that date due to an ongoing medical condition and was therefore conducting office-based tasks, such as making telephone enquiries about missing persons. She explained that when asked if she could contact Miss Ruggles about her report, she saw no reason why she would not have been able to do this. Equally, she said she felt no pressure to conduct the task. She said at the time she thought a 'breach of PIN' report was something she was confident to deal with.
193. Officer D recalled she read the incident log prior to making contact with Miss Ruggles, but could not remember if she did any other system checks. She explained she ordinarily would have looked at previous incidents involving both the alleged victim and offender. Officer D explained that as it was a 'breach of PIN' incident she must have been aware of prior police contact. However, she could not remember if she looked back at that incident log or crime record.
194. In her statement, provided to Northumbria Police on 24 October 2016, Officer D recalled telephoning Miss Ruggles on three occasions on 7 October. I was unable to obtain recordings of any contact between Officer D and Miss Ruggles. Officer D was working from an office in [REDACTED] Police Station, not from the force contact centre and, as such, the calls were not recorded.
195. Officer D said Miss Ruggles told her about Mr Dhillon being a soldier in Edinburgh, how he had been texting her and hacking into her Facebook account and had recently been warned by an officer at his barracks about making further contact with her. She stated Miss Ruggles told her that despite this, she had now received a letter and photographs from Mr Dhillon. Officer D recalled Miss Ruggles spoke calmly and did not seem anxious or upset.
196. Officer D assumed that if Mr Dhillon had breached the PIN, then police would need to arrest him. She said she asked Miss Ruggles "do you want to make a statement and have him arrested?" Officer D stated Miss Ruggles replied she did not want Mr Dhillon arrested.
197. IOPC investigators asked Officer D if she directly asked Miss Ruggles if she wanted police to arrest Mr Dhillon. Officer D said she did not believe she would have put it so bluntly. She believed she would have asked if Miss Ruggles wanted to make a statement and proceed with a prosecution, which would have led to him being arrested. IOPC investigators asked Officer D if she had explained to Miss Ruggles the reason for providing a statement. Officer D replied that she had explained to Miss Ruggles that she had options and that if she did not want to provide a statement, then Officer D would submit a new crime report, log Miss Ruggles' comments and then close the report at that.

198. Officer D said in her written response, as Northumbria Police was 'victim led', she complied with Miss Ruggles' wish not to have police arrest Mr Dhillon. Officer D explained, in interview, that she understood 'victim led' meant she had to consider Miss Ruggles' wishes. IOPC Investigators asked Officer D if she was working on the apprehension that what the victim wanted was the correct course of action. Officer D replied that, in this instance, she was. She stated she followed Miss Ruggles' wishes on this occasion and could not remember if she considered any other options, such as an evidence-led prosecution.
199. Officer D said she explained to Miss Ruggles that she would be submitting a new crime report for the crime of harassment and would link Mr Dhillon to this crime. She said she ended the telephone conversation at this point.
200. Officer D said she realised she needed further details from Miss Ruggles before she could complete a crime report. She wanted to know if the letter was threatening and if the letter had been posted or hand delivered. She explained that she was thinking about this in terms of safeguarding. If Mr Dhillon had been to Miss Ruggles' address with the letter, this would have raised safeguarding concerns with her. Officer D telephoned Miss Ruggles for a second time and asked her to read out the letter. She said that, from this, she deemed that it was not threatening.
201. Officer D recalled telephoning Miss Ruggles for a third time. She explained that this time it was to tell Miss Ruggles to retain the letter, in case she changed her mind about progressing the investigation.
202. At 7.19pm, Officer D updated the incident log, to say she had spoken to Miss Ruggles and that she did not want to make a statement or for Mr Dhillon to be arrested, but wanted the incident to be noted by police. Officer D attached a domestic abuse record number to the log and completed the DASH section.
203. Officer D stated she completed the DASH "*using the previous risk assessment that was already on the system*". IOPC investigators asked Officer D why she did this. Officer D explained that, while on the call to Miss Ruggles, she did not directly ask her any of the DASH form questions and had forgotten to do this. She explained that she would not normally just use another officer's previous risk assessment. She said she looked at the previous DASH and compared it to notes she had made during the call. She decided that circumstances had not changed. Officer D also explained that she did not ask Miss Ruggles' consent to refer her case to the victim support service, Victims First, and as such did not make this referral. Officer D stated that she now realised this was a 'safeguarding avenue' she missed.
204. At 9.42pm, Officer D attached a crime number to the incident log, to show she had recorded the incident as a crime, with the offence being harassment without fear of violence. A computerised crime record was created, with the same investigation screens as previously described.
205. At 9.54pm, Officer D updated the screen designated for the summary of the investigation. Officer D noted "*please could this be referenced off as undetected*

as the IP does not wish to make a statement. She wanted this logged with police”.

206. Officer D stated she must have been aware that a previous crime had been recorded in relation to Miss Ruggles’ report of harassment. However, she stated she recorded this incident as a further crime of harassment, as she believed a new crime had occurred. IOPC investigators asked Officer D if she had considered that Miss Ruggles’ report to her was a continuation of the original crime she had reported. Officer D replied that she had not considered that the report was part of the same incident. She stated from there she did not link the two crimes together and did not inform the original investigating officer, Officer B. Officer D explained that she now realised that she should have updated Officer B and, by not doing so, she missed another ‘safeguarding avenue.’
207. Ms Emma Ruggles, Miss Ruggles’ sister, provided a statement to Northumbria Police on 2 November 2016, in which she described how Miss Ruggles had contacted her after speaking to Officer D. Ms Emma Ruggles recalled her sister had described her contact with police on 7 October as “*awful*”. She stated her sister recalled Officer D had asked what she wanted the police to do, before she asked, “*do you want him locked up*”. Ms Emma Ruggles recalled this had made her sister feel bad, as she did not want him to be arrested, but just wanted Mr Dhillon to leave her alone. She stated her sister recalled Officer D had “*said she could take a statement but that it would take ages, in a tone that made Alice feel like she was being a burden and making stuff up.*”
208. Officer D stated she did not believe she used the phrase “*locked up*”, as that “*sounds really nasty*”. In relation to taking a statement, Officer D stated that she did not discuss timescales with Miss Ruggles. Officer D explained that, as she was on restricted duties, she would not have taken the statement, but she would have arranged this for Miss Ruggles.
209. Dr Hills also recalled speaking to her daughter after her contact with Officer D. Dr Hills stated Officer D had made her daughter feel like she was wasting police time and “*was being ridiculous*”. She stated Miss Ruggles recalled how Officer D had asked “*what do you want us to do, arrest him?*” and had put the emphasis on ‘arrest’. Miss Ruggles believed this emphasis indicated it was a ridiculous thing to expect. Dr Hills also commented that, “*Alice thought she was on her own again. I do know that Alice was desperate to contact [Officer B] as he understood the gravity of the situation... I believe that Alice thought nothing was going to be done to help her*”.
210. Officer D said she did not recall putting any emphasis on the word ‘arrest’ and did not believe she had said anything that would have made Miss Ruggles believe her report was ridiculous or wasting police time. In her written response, Officer D stated, “*I believe that I dealt with Miss Ruggles in a courteous manner by seeking her views on how she would like the crime dealt with. I was polite and non-confrontational at all times.*”
211. On 10 October 2016, Miss Ruggles emailed Officer B to inform him about the letter she had received from Mr Dhillon. She attached a photograph of the letter to the email and stated, “*When I phoned up it wasn’t clear what next steps I should take, but I wanted to be sure I’m logging everything that happens.*”

Officer B was not working when Miss Ruggles sent the email and only read this on 13 October, after Miss Ruggles' death.

212. IOPC investigators asked Officer D if her health at the time had affected the way she dealt with Miss Ruggles' report. Officer D replied that she did not know. I requested access to Officer D's occupational health records to provide further information on Officer D's fitness to work on 7 October. Officer D declined to provide these records, however, she did provide her own report on this.
213. Officer D stated that on 7 October she was within a four-week phased return back to work, after a period of absence from work. She said her doctor had recommended she built her hours up gradually, but remain office-based in a non-confrontational role. Officer D explained her next occupational health assessment was on 11 October, four days after speaking to Miss Ruggles. Officer D stated that during this assessment the doctor recommended she could return to full hours and deal with incidents of low complexity to begin with.

> Analysis

> TOR 3: Whether the investigation conducted into Miss Ruggles' report on 7 October 2016 was in line with local and national policy

214. Officer D appears to have dealt with Miss Ruggles report on 7 October in isolation. She recorded a new crime for harassment, as she explained she believed a new crime had occurred. This indicated she did not recognise the continuing course of conduct by Mr Dhillon. Officer D herself recognised, in interview, she should have made Officer B aware of Miss Ruggles' further report.
215. Officer D said she asked Miss Ruggles if she wanted police to arrest Mr Dhillon. Officer D's view at the time was that what a victim wanted was the correct course of action. Officer D recalled her rationale for doing this was because Northumbria Police was 'victim led.' This appears to be in contradiction to APP guidance on domestic abuse. The guidance stated officers should not ask victims if they require a suspect arrested and the decision to arrest a suspect lies with the officer. I asked Northumbria Police to provide any policy or procedure about 'victim-led' policing and they informed me there was no such policy or procedure.
216. Officer D stated she did not ask Miss Ruggles the questions on the DASH risk assessment and used Officer B's previous answers to complete this. Officer D stated that, in this instance, she forgot to ask Miss Ruggles the questions and she normally would have done this. She used the answers Officer B had completed on the previous DASH assessment and suggested she did this as "*nothing had changed*". The evidence suggests the situation had changed, as Mr Dhillon had made further contact. Miss Ruggles was not given the opportunity to answer these questions. Northumbria Police's procedure on stalking and harassment states that officers must ask victims of stalking and

harassment the additional 11 questions on the form. Northumbria Police's procedure on domestic incidents states that, while completing the DASH, officers must encourage the victim to give explicit consent for referral to support services and sign the form as appropriate. Officer D also did not discuss support services with Miss Ruggles. The decision maker may therefore wish to consider if Officer D followed the relevant policies and procedures regarding the completion of DASH risk assessments.

217. It appears that, after she recorded the incident as harassment and completed the crime record and domestic violence records, Officer D took no further action. As previously mentioned, she did not inform Officer B of the update; she did not update his ongoing crime record or link the two incidents together. Officer D could not remember if she considered any other lines of enquiry but the evidence suggests she did not complete any. APP and local procedure on domestic abuse highlight the duty an officer has to take positive action. The decision maker may wish to consider if Officer D took positive and appropriate action in line with policy and procedure.
218. Dr Hills explained Miss Ruggles had said that Officer D had asked if she wanted Mr Dhillon to be arrested in a way that made it seem a ridiculous notion, or that she was wasting police time. Ms Emma Ruggles also explained that Miss Ruggles said Officer D had asked if she wanted to provide a statement in a manner that made her feel like she was being a burden. Officer D stated she did not speak to Miss Ruggles in a way that would have made her feel she was being ridiculous or wasting police time. She stated she was courteous and non-confrontational with Miss Ruggles at all times. Dr Hills stated Miss Ruggles thought nothing was going to be done to help her and she was on her own again. Miss Ruggles did go on to send an email to Officer B about Mr Dhillon's letter and explained that when she had telephoned the police about it, it had been "*unclear*" what she should do next. While there is no recording of the telephone call between Miss Ruggles and Officer D, the decision maker may wish to consider whether the evidence suggests that Officer D was discourteous to Miss Ruggles.

> Next steps

219. 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.
220. The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

> Criminal offences

221. 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.
222. If they decide that there is such an indication, they must decide whether it is appropriate to refer the matter to the CPS.
223. I have not identified any offences for the decision maker to consider.

Alice Ruggles

Investigation into Northumbria
Police's response to reports made
on 1 October and 7 October 2016
by Miss Alice Ruggles prior to her
death

> 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 Director General (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.

> **Misconduct 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, and 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 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 based on 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.