



DOMESTIC VIOLENCE PROTECTION NOTICE

SUPERINTENDENT'S AUTHORISATION

Name of alleged perpetrator:	GARY BARRETT
Address:	NFA
Date of birth:	06/02/1982

Name of person to be protected:	TANYA LEWIS
Address:	23 DAN-Y-GRAIG, PONTLOTTYN, CAERPHILLY COUNTY BOROUGH UK CF81 9RT
Date of birth and Age:	01/12/1993 (26 years)

BRIEF CIRCUMSTANCES

This case is one of domestic violence, involving the victim, Tanya LEWIS and the defendant, Gary BARRETT who is her ex partner.

The alleged incident, one of S47 assault, occurred at 14 TAN-Y-BRYN, RHYMNEY on Monday 13th July 2020. DV HISTORY – Gary BARRETT+ Tanya LEWIS

On Sunday 12th July 2020, LEWIS and BARRETT were at BARRETT's Mother's address of 51 DUFFRYN STREET, PONTLOTTYN. This was prior to 19:00 hours.

At the property, BARRETT consumed alcohol and LEWIS will describe him as being highly intoxicated. A verbal argument ensued due to the fact that BARRETT was drinking cans of alcohol that did not belong to him.

During the argument, BARRETT called LEWIS "A SCRUFF" while shouting and screaming at her.

At 19:12 hours, a 999 call was made to Police from 01685 841685, the landline number of 27 DUFFRYN STREET. Initially there did not appear to be a direct request for Police, but upon reviewing the 999 recording, a female could be heard to say;

"YOU HAVE SECONDS TO GET HERE, I AM PREGNANT AND WILL SLICE MY THROAT"

RESTRICTED (when completed)

Officers were dispatched to the address but no female was present. Officers were met with a very uncooperative Gary BARRETT who informed Officers that LEWIS maybe in a property nearby. However officers did not locate her at this address and due to the nature of the call the incident was then treated as a HIGH RISK MISSING PERSON, as no allegation of assault had been alleged at that time.

At 21:45 hours the same day, TANYA LEWIS called 999 from 14 TAN Y BRYN, RHYMNEY stating that BARRETT had turned up and assaulted her. This is the home address of Nick THOMPSON, a friend of both LEWIS and BARRETT. Officers arrived at the location and spoke with LEWIS where she stated that BARRETT had followed her to THOMPSONS' house and tried strangling her numerous times.

BARRETT was located inside 14 TAN Y BRYN and was arrested at 22:30 hours by PC 1939 EVANS on suspicion of ASSAULT UPON TANYA LEWIS. Cautioned he made no reply.

LEWIS gave a statement of complaint to Officers whereby she stated that whilst at her friend's address of 14 TAN Y BRYN, BARRETT attended and became angry with her. He left the property for a short time, only to return. LEWIS will state that BARRETT was drunk.

BARRETT began to shout and scream at her before placing his hands around her throat, pinning her down on the sofa. LEWIS could feel BARRETT squeezing her throat to the point that she struggled to breath. BARRETT's face was up against LEWIS, where he continued to shout at her.

BARRETT soon let go of LEWIS'S throat and she managed to move herself onto a different sofa, situated in the same room (Living room). BARRETT stepped towards LEWIS then spat at her; the spit from BARRETT's mouth landing on LEWIS's leg.

Once again, BARRETT grabbed her around the throat, pinning her down. He then continued the assault by pushing his fist into LEWIS's face, whilst continuing to shout at her.

BARRETT again let go of LEWIS, whereby she managed to get up and move towards the window of the living room but BARRETT approached once again, grabbed her around the throat.

LEWIS will state that this act was;

"THE WORST TIME".

BARRETT gripped LEWIS's throat "REALLY HARD" and continued to shout at her. Although being strangled, LEWIS managed to shout;

"I'M PREGNANT, WHAT ARE YOU DOING"?

BARRETT then released his grip and threw a cigarette lighter at LEWIS, missing her in the process. LEWIS then managed to leave the flat and called Police.

LEWIS has one visible injury, this has been noted as a RED MARK to the left side of her jaw.

Previous restraining order

RESTRICTED (when completed)

A previous restraining order was issued against BARRETT on 12th February 2018 due to conviction for violence against LEWIS, however it was subsequently discharged on 2nd May 2018 at the request of the complainant. LEWIS has also confirmed that the order has been discharged.

- 1900402330 – 31/10/19. At around 10:55 hours on 31/10/19, LEWIS has been in the living room of the above address. There has been a tapping at the window. LEWIS states that she knows that it will be BARRETT and has therefore remained quiet. LEWIS has tried to inform PHIL (the occupant) to stay quiet, but PHIL has not and he has made his way to the front door. With this, BARRETT has started to kick and hit the front door, the front windows and the back windows, shouting for LEWIS to let him in. BARRETT has become even more aggressive and has punched the front window with his fist causing damage. BARRETT has then made threats to kill both LEWIS and PHIL. BARRETT has then left the area on foot. BARRETT was located in PONTLOTTYN by PC 1608 THOMAS and arrested for Criminal Damage and threats to kill. BARRETT had blood on his hands. BARRETT did not make any significant comments at the time of arrest. DASH has been completed and consent given. Graded as HIGH. 27 YES answers. Charged with Criminal damage and NFA other offences.
- 2000052490 - 11/02/20 Tanya LEWIS contacted police and was sobbing down the phone stating that she was at an address with her ex-partner Gary BARRETT and two other persons. She stated that Gary was misbehaving and was being aggressive towards her, and kicking off at the address. She has stated on the phone that she does not want Gary to go to prison and then has cleared the line saying Gary would be coming into the bedroom soon. When the call was played back, it can be heard that Tanya said he had spat on her however, she did not want it noted down. Officers attended six DAN-Y-GRAIG, which is the address Tanya was currently at. Tanya answered the door and said that everything was now ok. She was told that officers would still need to check the address. In addition, present at the address was the occupier and Gary. Tanya was spoken to separately who stated that he had not been physically abusive towards her just verbal calling her a 'WHORE' and telling her how much of a horrible person she was. She stated that she has called the police as she is in the process of leaving him and did not want the situation to escalate and him become more abusive towards her like he has done previously. Tanya was questioned in relation to her saying she had been spat on. She stated that that was not what she meant and that he had not spat on her. She confirmed that he had not assaulted her in any way and she just wanted him taken from the address. She stated that she is hoping to be placed in refuge on Monday and is seeking support from agencies. Gary was removed from the address, Tanya was provided with safety advice to keep her phone on her and charged, and call 999 should Gary return. She stated that she would only be staying at the address or another 10 minutes before she returns to her brother's address 23 DAN-Y-Graig. She was advised to keep the windows and doors locked when she returns there and contact police should she have any further issues. Medium Grading dash.
- 2000059065 – 17/02/20 SMITH, GARY BARRETT has contacted Police stating that his partner LEWIS, TANYA has said to him that she will tell Police that he has Raped her, hit her and bullies and picks on her. Officers have attended the RP address numerous times and have not been able to speak with the RP in person. Following numerous telephone calls, the RP was contacted over the phone and he stated that he had no issues and that he did not want to take things further. He was advised that officers would need to speak to him regarding the matter and he then stated he did not know when he would be available; she had not bothered him in a few days and then hung up the phone. Further efforts have been made to contact the RP since, with negative results. The partner mentioned in the initial call, LEWIS, TANYA, has been spoken to. She stated that she and the RP are no longer together. She was asked if she was ok and if there was anything she wished to discuss with Police and she stated she was fine
No further Police Action.

RESTRICTED (when completed)

Standard Dash.

- 2000127152 – 14/04/20 Initial contact to Police is from Maria O'Sullivan who works for Women's Aid in Swansea. She has been risk assessing and attempting to get a female - LEWIS, TANYA into refuge. Whilst speaking to LEWIS, it appears O'SULLIVAN has overheard an argument in the background with a male - BARRETT, GARY JOHN. Officers attended to discover LEWIS alone, and BARRETT having already left the address. LEWIS all in order, and stated they had argued as they normally do, which has been more frequent due to the lockdown measures. BARRETT has slammed a door in anger

No injuries noted, and room in order, no signs of disturbance. LEWIS had been taken to her brother's house in Pontllotyn. This is at her request, despite both Police and Women's Aid requesting she go into refuge. DASHRA refused, and I will complete one, despite LEWIS already being heavily involved with Women's Aid. There does not appear to be any further support that can be provided. This incident is of standard grading, however overall this will have to be treated a Medium risk. No further Police action.

- 2000247635 – Current incident.

BARRETT has been interviewed and denied the offences.

SUPPORTING DOCUMENTS & INFORMATION (list reference numbers, dates, location if not attached)

MG3

Statement from Tanya LEWIS

Statement from PC 19393 EVANS

DASH - High risk grading

Attached? Yes

Add Documents



Consideration must be given to:

NB: The AO must take reasonable steps to discover the opinions mentioned in sub sections 1, 2 and 3.

1.	Welfare of any person under 18 years of age whose interests the officer considers relevant to the issuing of a DVPN: N/A.
	If not known, what reasonable steps have been taken to discover this:

2.	Opinion of the person (including their willingness to support the application) for whose protection the DVPN would be issued: LEWIS has provided a statement and is supportive of positive police action. There is concern that if BARRETT is NFA'd by the CPS then a DVPN should be considered to secure the safety of the victim who is 25 weeks pregnant.
----	---

RESTRICTED (when completed)

	Victim is willing to attend court, she is frightened of the suspect and is extremely vulnerable due to her current stage of pregnancy.
	If not known, what reasonable steps have been taken to discover this:

3.	Any representations made by the alleged perpetrator about the issuing of a DVPN: The suspect says that he is not interested in going back to the IP regardless so does not have any objection to this.
	If not known, what reasonable steps have been taken to discover this:

4.	Opinion of any other associated person (AP):
	Definition of AP under S62 of the Family Law Act 1996 – married or were married, cohabitants or former cohabitants, live/lived in the same house (not as tenant, lodger, employee, etc), relatives, agreed to marry, have a child (parent or parental responsibility) who lives in the premises to which the DVPN would relate. This will also include civil partners, people who have entered into a civil partnership agreement and people who have had an intimate personal relationship with each other which is or was of a significant duration.

NOTE: The AO may issue a DVPN in circumstances where the person for whose protection it is issued does not consent to the issuing of the DVPN.

OFFICER/STAFF REQUESTING SUPERINTENDENT'S AUTHORISATION FOR A DOMESTIC VIOLENCE PREVENTION NOTICE	
I confirm that the information contained within this form is accurate to the best of my knowledge and belief.	
Signature:	 #GWP1296 MCSHERRY, AIME
Date/Time:	13/07/2020 14:23

Does the AO have reasonable grounds for believing that:	
a) GARY BARRETT has been violent or threatened violence towards TANYA LEWIS AND	Yes
b) the issue of the DVPN is necessary to protect that person from violence or a threat of violence by GARY BARRETT	
If 'No' record reasons and rationale:	

RESTRICTED (when completed)

GROUNDS ON WHICH THE AUTHORISATION IS GIVEN

It is appropriate to issue this notice because the authorising officer, not below the rank of Superintendent, , has reasonable grounds for believing that GARY SMITH:

- is over 18; and
- has used violence or threatened towards an associated person, namely TANYA LEWIS; AND
- that the issuing of the DVPN is necessary to protect the associated person, namely TANYA LEWIS from violence or threats of violence by GARY BARRETT.

Detail grounds for decision:

1. Escalating violence between the parties;
2. The suspect is considered a high risk offender against the IP;
3. The 999 call recording adds credence to the IP's initial account;
4. A DVPN is the only way police can seek to prevent recurrence and escalation.
- 5.

Decision to issue a DVPN and apply the following prohibitions:

Yes

Justification

There is history between these individuals which appears to be escalating in seriousness. The suspect has been subject of a previous restraining order.

Proportionality

A DVPN enables positive action to be taken to protect the victim in this case at the lowest end of the continuum of police intervention.

Necessity

We have a duty to protect the IP from continuing violence from the suspect. This will also prevent the suspect from being accused of any further offences.

Human Rights

I have considered my obligations to ECHR for both the suspect and the IP. I have also discussed with the OIC the issue of housing for the suspect. I am happy that this fits the JPLAN criteria and that this interference of a right to a private life is necessary in order to further protect the rights of the IP as noted above.

GUIDANCE NOTES

Consideration should be given to the following:

- Article 2 ECHR – Right to life;

RESTRICTED (when completed)

- Article 3 ECHR – Torture, no one shall be subjected to torture or to inhuman or degrading treatment or punishment;
- Article 8 ECHR – Right to respect for private and family life;
- Protocol 1, Article 1 – Right to peaceful enjoyment of possessions, which includes property;
- Statutory obligation to protect children (see Working Together to Safeguard Children 2010).

PROHIBITIONS (indicate ☒ as appropriate)	
1. ☐	To prohibit GARY BARRETT from molesting the associated person for whose protection it is issued TANYA LEWIS. This includes molestation in general [Choose] particular acts of molestation. Specify: If the alleged perpetrator also lives in the same premises as the associated person to be protected.
2. ☐	To prohibit GARY BARRETT from evicting or excluding from 23 DAN-Y-GRAIG, PONTLOTTYN, CAERPHILLY COUNTY BOROUGH UK CF81 9RT the associated person for whose protection the DVPN is issued TANYA LEWIS.
3. ☐	To prohibit GARY BARRETT from entering 23 DAN-Y-GRAIG, PONTLOTTYN, CAERPHILLY COUNTY BOROUGH UK CF81 9RT.
4. ☐	To require GARY BARRETT to leave 23 DAN-Y-GRAIG, PONTLOTTYN, CAERPHILLY COUNTY BOROUGH UK CF81 9RT.
5. ☐	To prohibit GARY BARRETT from coming within 500m (distance) of TANYA LEWIS.

NOTICE AUTHORISATION	
Rank:	 #GWP403982 WILLIAMS, CARL
Date/Time:	13/07/2020 16:14

Once the DVPN and Notice of the Hearing have been served upon the perpetrator, you must (at the soonest opportunity) provide copies of each to the victim, including the prohibitions and the court date/time.

VICTIM INFORMED OF DVPN BY			
Name:			
Rank:		Collar No:	
Date:		Time:	

VICTIM REFERRED TO SUPPORT AGENCY			
Name:			
Rank:		Collar No:	
Date:		Time:	

PERPETRATOR REFERRED TO SUPPORT AGENCY			
Name:			
Rank:		Collar No:	
Date:		Time:	

RESTRICTED (when completed)

