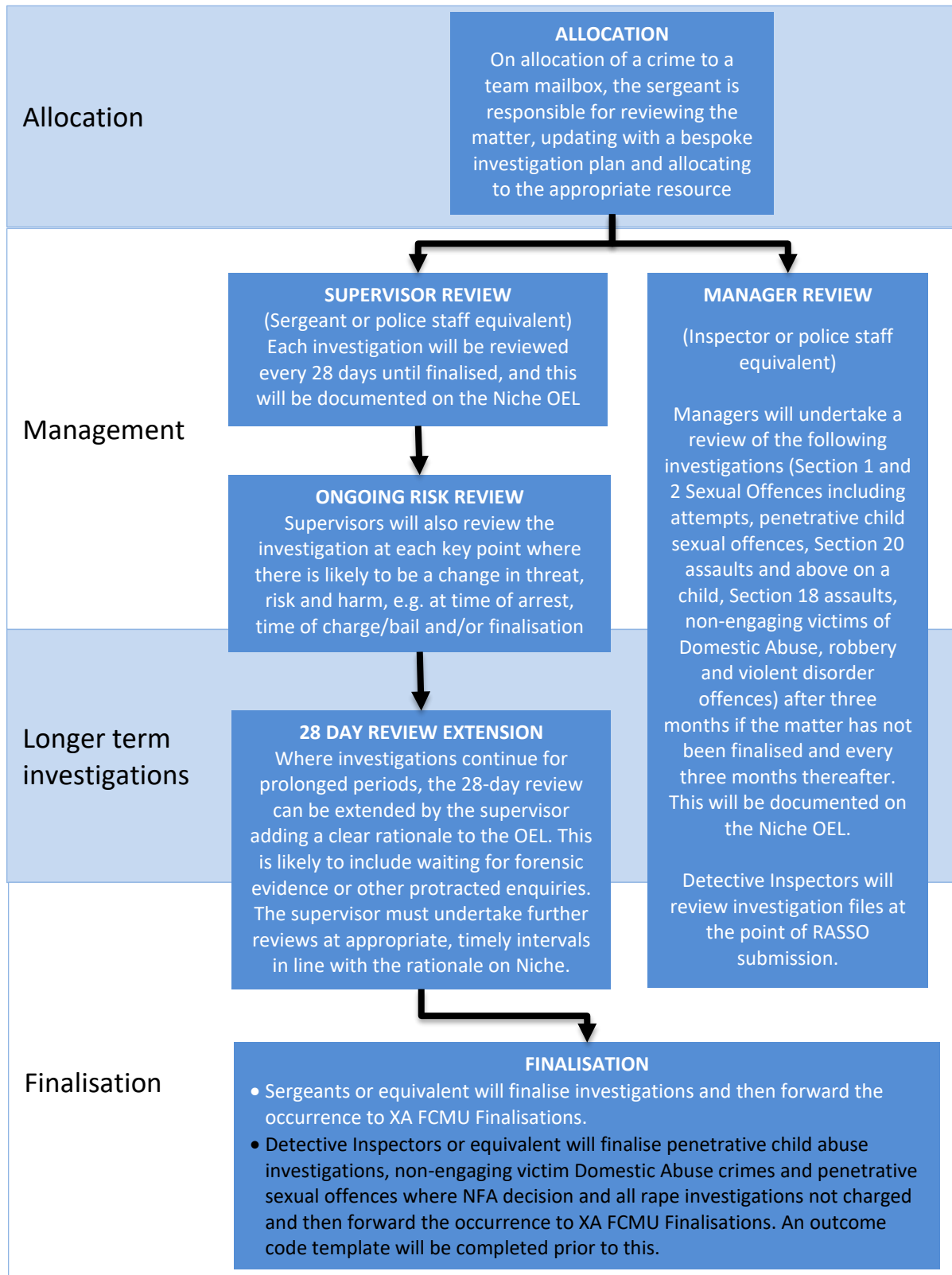


Investigations

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Flowchart



Policy Statement

Summary

This policy enables the Chief Officer Team (COT) and the West Yorkshire Combined Authority to be confident that all investigations have a consistent approach that prioritises the needs of the victim, considers the wider communities of West Yorkshire and focusses on achieving the best possible outcome for all.

West Yorkshire Police (WYP) conducts a variety of investigations at all levels. These range from volume offences, that may have minimal police investigation that is proportionate to the victim's need, crime type and circumstances surrounding it, to the most serious and complex offences where many officers work together to achieve a common objective.

This policy explains how an investigation commences and is allocated, how they are managed and explains who, why and when investigations will be reviewed and finalised.

Scope

This policy applies to all investigators and investigation managers within districts and is of relevance to police officers and police staff undertaking all types of investigations using the Niche management system.

Principles

General

This policy **does not** cover those investigations which are being managed on more developed systems, e.g. Holmes and/or Clio. However, it is expected that, where this is the case, the Niche record will contain a detailed rationale as to why the matter is being managed using an alternative computer system.

West Yorkshire Police will:

- Maintain a consistent approach to all safeguarding crime investigations, including those involving vulnerable or intimidated witnesses, whilst ensuring the investigation is tailored to the victim's needs.
 - Embed the Operational Policing Strategy 2020-2025 for West Yorkshire Police into investigations so that they are underpinned by the three policing purposes of:
 - Reducing crime;
 - Protecting the vulnerable; and
 - Providing reassurance.
-

Responsibilities

Stage 1 – Report and Response to a Crime

Information	<ul style="list-style-type: none"> ● The phased rollout of s28 is detailed on the Criminal Justice intranet site.
<hr/>	
Call taker	<p>Call takers are responsible for:</p> <ul style="list-style-type: none"> ● Identifying any vulnerabilities of the victim/caller, providing reassurance and ensuring any immediate lines of enquiry are identified and steps are taken to secure and preserve evidence; ● Allocation of the most appropriate resource to the reported incident; and ● Bringing all reports involving vulnerable or intimidated witnesses to the attention of the Hub Commander/Duty Inspector for consideration of their eligibility for Section 28 of the Youth Justice and Criminal Evidence Act 1999. See s28 flowchart.
<hr/>	
Hub Commander/ Duty Inspector	<p>Hub Commanders/Duty Inspectors are responsible for:</p> <ul style="list-style-type: none"> ● Ensuring resources are allocated to the report of an investigation in a timely manner in line with the victim’s need, taking cognisance of opportunities to maximise the preservation of evidence and to minimise any further risk to the victim and community; and ● Considering the eligibility of vulnerable or intimidated witnesses for Section 28 of the Youth Justice and Criminal Evidence Act 1999.
<hr/>	
Attending police officer or police staff	<ul style="list-style-type: none"> ● Attending police officers and police staff are responsible for the initial attendance and assessment of a crime, considering: <ul style="list-style-type: none"> ○ Safeguarding and vulnerability considerations; ○ Completion of the Needs Assessment for every victim, even if the crime is to be filed; ○ Investigative opportunities; ○ Victim contact; and ○ Prevention advice. ● Initial investigative priorities must focus on the following factors and early completion of fast track actions in order to: <ul style="list-style-type: none"> ○ Preserve life; ○ Preserve scenes; ○ Secure evidence; ○ Identify victims; and ○ Identify suspects. ● Fast track actions are defined as: ‘Any investigative actions which, if pursued immediately, are likely to establish important facts, preserve evidence or lead to the early resolution of the investigation.’

- Material in the form of witnesses, forensic evidence and articles associated with the crime may be readily available if prompt action is taken to gather them. Whether the crime has been recently committed or not, it is important that every chance to gather material is taken at the first opportunity.
 - Attending police officers and police staff are responsible for, for all reports involving vulnerable or intimidated witnesses, liaising with Safeguarding/ CID regarding their suitability for Section 28 of the Youth Justice and Criminal Evidence Act 1999 and following the process in the attached flowchart. See s28 flowchart.
-

Stage 2 – Allocation

Officer in case (OIC)

Investigation allocation: to ensure a clear victim focus, the identification of those perpetrators who are causing harm through repeat offending and to ensure investigative opportunities are not missed, any crime where a suspect is identified and there is an existing outstanding investigation with the same suspect will, on allocation, be assigned to the first investigating officer providing the crime type is of the nature that would be expected to be investigated by that department.

The OIC is responsible for:

- Conducting the investigation diligently and expeditiously and managing the investigation;
 - Referring to the We are all Investigators - Standard Operating Procedure (SOP) for sexual offences, robbery, residential burglary, business and community burglary, domestic abuse and volume crime;
 - Referring to We are all Investigators - Building Block and Golden Hour principles aide memoire; and
 - Ensuring that the victim's needs are identified, and support given in line with the Victims' Code.
-

Force Crime Management Unit (FCMU)

FCMU is responsible for:

- Assessing and triaging the investigation and conducting the victim's Needs Assessment;
 - Conducting a THRIVE assessment to ensure a proportionate investigative response; and
 - Allocating each crime to the relevant district department mailbox on Niche in line with the force allocation policy.
-

Supervisors and managers

Supervisors and managers are responsible for:

- Reviewing the circumstances of the crime to ensure:

- It has been correctly recorded in line with NCRS and Home Office Counting Rules and that any additional crimes are recorded and investigated where required; and
 - It has the correct 'stats classification';
 - Identifying whether the case involves a child witness under the age of 10. In these cases the Protocol between NPCC, CPS and HMCTS to expedite cases involving witnesses under 10 years must be followed;
 - Identifying reasonable lines of enquiry and proportionate investigative actions that will establish facts, preserve material and lead to the resolution of the case;
 - Ensuring, if required, early consultation with CPS is considered;
 - Ensuring all investigations are allocated to the most appropriate resource considering accreditation and experience of the officer in the case;
 - Monitoring individual investigations and undertaking an investigative review of actions that have been completed to date and ascertaining further actions that are required; and
 - Documenting on the OEL of the Niche crime a bespoke investigation action plan to cover all required actions, including timescales as to when they will be completed, and ensuring where a suspect is responsible for more than one crime, these are linked and investigated by one OIC.
-

Stage 3 – Management

Supervisors (Sergeant Rank and Equivalent)

- 28-day reviews** Police officer and police staff supervisors are responsible for reviewing the crime (unless the case involves a vulnerable or intimidated witness, in which case s28 timescales apply):
- **Every 28 days**, providing a bespoke update on the Niche crime OEL, unless developments in the investigation make it necessary that the review needs to be brought forward, or in the case of longer term investigations see extension of 28 day reviews; and
 - Considering what actions have been completed and what remains outstanding so they have the opportunity to understand the progress of the investigation and the time that may be needed for the officer to complete these actions, with specific consideration and reference to the following:
 - **Safeguarding** - establishing if there are any further needs of the victim that need to be managed.
 - **Investigation** - investigative priorities and reasonable lines of enquiry to be progressed.
 - **Suspect** - assessing the ongoing risk of the perpetrator to the victim(s) and potential future victims. If the suspect has been outstanding for more than 12 weeks, give direction to arrest or voluntary interview if the necessity test for arrest is not met. If arrest or interview is not

appropriate at this time, a clear rationale must be recorded as to why. Consider the BOLO Circulation policy.

- **Due diligence** - are all crimes recorded, linked and being actively investigated and whether the investigation is being progressed diligently and expeditiously.
- **Future review and governance** - updating and documenting any new actions that they identify on the Niche OEL and future review dates.

Ongoing risk review

- In addition to the 28-day reviews, police officer and police staff supervisors are responsible for undertaking a review of ongoing risk in cases involving vulnerability in line with the National Decision Model and Code of Ethics.
- This will always be undertaken when one of the following 'significant events' of the investigation are reached:
 - On allocation or re-allocation of the investigation;
 - At the point of arrest or interview of any suspects;
 - On a decision being made to bail, release not on bail/still under investigation, charge the suspect, deal with by postal requisition or no further action;
 - Any other circumstances through the investigation where risk may change;
 - Re-visiting the THRIVE assessment;
 - Considering Safety Plans in relation to safeguarding investigations; or
 - Considering any children or adults at risk and Social Service referrals and considering welfare in child protection investigations.

Vulnerable or intimidated witnesses

- Police officer and police staff supervisors are responsible for:
- Reviewing the investigation within 24 hours of arrest in line with Section 28 of the Youth Justice and Criminal Evidence Act 1999;
 - Reviewing every 28 days up to charge; and
 - Following criminal justice procedures post-charge in line with Section 28 of the Youth Justice and Criminal Evidence Act 1999.

Stage 4 – Longer Term Investigations

General

- Some investigations progress slower than others because of the circumstances of the offence, the people involved and/or the complexity of the matter.
- Where it is necessary for investigations to continue for several months, the following must be considered.

Supervisor extensions to 28-day reviews

- Where a 28-day review is no longer appropriate, for example:
 - The investigation is waiting for forensic or specialist evidence that may take extended periods to return;
 - The matter has been passed to CPS for review; or
 - There has been a delay to the investigation process due to external factors,
 the 28-day supervisor review may be extended.
- The extending supervisor must:
 - Provide rationale why it is no longer necessary to review every 28 days; and
 - Provide timescales for further reviews. These will be no longer than every three months to ensure a continued understanding of the investigation.

Supervisors and managers

Police officer and police staff managers (inspector rank and equivalent) are responsible for:

- Undertaking a review of the investigation every three months for the following investigations (Section 1 and 2 Sexual Offences including attempts, penetrative child sexual offences, Section 20 assaults and above on a child, Section 18 assaults, non-engaging victims of Domestic Abuse, robbery and violent disorder offences) with specific consideration and reference to the following:
 - **Safeguarding** - establishing if there are any further needs of the victim that need to be managed.
 - **Investigation** - investigative priorities and reasonable lines of enquiry to be progressed.
 - **Suspect** - assessing the ongoing risk of the perpetrator to the victim(s) and potential future victims.
 - **Due diligence** - are all crimes recorded, linked and being actively investigated and whether the investigation is being progressed diligently and expeditiously.
 - **Future Review and governance** - updating and documenting any new actions that they identify on the Niche OEL and future review dates.

Stage 5 – Finalisation

Most appropriate person

It must always be the case that the most appropriate person with the best knowledge of the investigation is responsible for:

- Putting the correct finalisation outcome template on the Niche OEL, clearly documenting the:
 - Circumstances
 - Public interest; and
 - Rationale;

- Wherever there is a child is involved in an investigation, as a victim or witness, ensuring that the “Voice of the Child” is clearly documented and understood; and
 - When finalising a RaSSO investigation where “no further action” is being considered, completing a form SSO1 Rape and Finalisation Template, ensuring that a detailed update is recorded.
-

Supervisors and managers

Supervisors and managers are responsible for:

- Verifying the outcome before the occurrence is sent to FCMU Finalisations Niche mailbox. *The only exception to this is if the crime is filed with Outcome 18, in these circumstances the crime can be filed by sergeants (equivalent police staff member) or above; and*
 - Making the final decision on:
 - Which outcome to undertake; and
 - Whether the matter should be finalised; or
 - If further enquiries are needed.
 - Crimes (other than those subject to charge) including penetrative child abuse investigations, non-engaging victim Domestic Abuse crimes and penetrative sexual offences will only be finalised by a manager (inspector or equivalent).
 - All other cases of vulnerability will be finalised by a supervisor (sergeant or equivalent).
 - The occurrence will then be tasked to XA FCMU Finalisations.
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Additional Information

Compliance

This policy complies with the following legislation and guidance:

- Data Protection Act 2018
 - Youth Justice and Criminal Evidence Act 1999 - Section 28
 - APP Investigation
 - APP Major investigation and public protection
 - Protocol between NPCC, CPS and HMCTS to expedite cases involving witnesses under 10 years
 - NPIA - Practice Advice Volume Crime
 - Sergei FCMU page
 - We are all Investigators – Standard Operating Procedures (SOPs) – Local Policing Intranet
 - We are all Investigators - Building Block and Golden Hour principles aide memoire
 - SOP for Volume Crime WYP – Practical Advice on the Management of Priority and Volume Crime
 - MOJ Code of Practice for Victims of Crime
 - Investigations Department – Intranet page
 - Criminal Justice Department – Intranet page
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