

## P9 - Investigation



The Authorised Professional Practice (APP) has been approved by the College of Policing as the official and most up-to-date source of professional practice on policing. South Yorkshire Police have adopted APP as their Statement of Agreed Policy. This is the agreed policy on **Investigation** and you may wish to refer to the APP section now.

### **Exceptions**

South Yorkshire Police will seek to operate within agreed National APP guidance unless exceptional circumstances exist. Any decision to operate outside of this guidance will need to be justified in line with the National Decision Model.

### **Additions**

There are no additional areas of policy beyond those set out within APP.

### **Investigation**

The strategic aim of the investigation policy is to deliver the highest standards of service to the public. This policy applies to all levels of criminal investigation.

The Force will seek to treat victims, witnesses and offenders in a fair, transparent and ethical manner in order to prevent and detect crime, protect the public and bring offenders to justice.

The care of victims is our priority and our aim is to deliver a consistently high quality of support on every occasion.

South Yorkshire Police are committed to continuous professional improvement and organisational learning within the investigative function to reassure and build public confidence.

South Yorkshire Police will work with partners and professional bodies to equip and accredit our staff to undertake criminal investigations and be responsive to those from emerging threats to achieve the best outcomes.

South Yorkshire Police are committed to protecting the most vulnerable members of society from criminals who exploit them, specifically hate crime, child sexual exploitation, domestic abuse, honour based violence, modern slavery and human trafficking.

South Yorkshire Police will ensure specialist training and support for investigators including those investigations outside of criminality working closely with HM Coroner relating to unexplained deaths, Health and Safety Executive and missing persons.

We will utilise technology where appropriate to improve our efficiency and effectiveness to support professional investigation of crime.

All staff working within investigation functions will conduct themselves and deliver in line with the Code of Ethics with particular emphasis on our values of Integrity, Openness, Fairness, Respect, Honesty, Courage and Teamwork.

This overarching policy is also in accordance with current legislation, APP guidance and subject of continuous review.

A number of National guidance documents further underpins the Investigation policy;

- Core Investigative Doctrine 2012
- National Crime recording Standards (NCRS)

## **Crime Management**

### **NATIONAL CRIME RECORDING STANDARD (NCRS)**

All reports of crime which come to the attention of South Yorkshire Police must be recorded in compliance with the **National Crime Recording Standard (NCRS) (2018)**, the aims of which are to promote greater consistency between police forces in the recording of crime and to ensure a more victim-oriented approach to crime recording.

### **ROLES AND RESPONSIBILITIES**

**The Assistant Chief Constable (Crime and Criminal Justice)** is responsible for the overall integrity of the crime recording processes within South Yorkshire Police.

**The Detective Chief Superintendent (Head of Crime)** is responsible for setting crime policy and associated procedural instructions.

**District Commanders, Superintendents and Detective Superintendents and departmental heads** are responsible for monitoring compliance with the crime management policy and procedural instructions within their respective districts or departments.

The **Force Crime Registrar** acts as the final arbiter for the interpretation of The National Crime Recording Standards (NCRS) and the Home Office Counting Rules (HOCR). The Force Crime Registrar will also:

- advise on the development of crime recording policies, systems and processes;
- the implementation and monitoring of audit programmes;
- the prompt and effective circulation of changes in Home Office Counting Rules;
- representing the Force regionally and nationally, including acting as the Home Office contact for all crime recording issues.

The **Force Designated Decision Maker (DDM)** is a dedicated role at the rank of Sergeant. The DDM will make day-to-day operational decisions in order to ensure compliance with NCRS and HOOCR, particularly relating to:

- cancellation of investigation;
- acting as a Single Point of Contact between the National Fraud Intelligence Bureau;
- notices to discontinue proceedings;
- outcomes

**Detective Chief Inspectors** are responsible for the accuracy of crime recording and the integrity of investigation and finalisation within their district or department. This includes:

- ensuring crimes are allocated to the most appropriate resource within their district or department;
- ensuring the effective monitoring of crime and non-crime recordable incidents;
- review and management of investigation plans;
- monitoring to ensure appropriate and proportionate use of postal charge and requisitions;
- to ensure compliance with the guidance set out in The Director's Guidance on Charging issued under Section 37A of the Police and Criminal Evidence Act 1984; and
- monitoring and addressing issues of file quality.

The **Force Crime Bureau (FCB)** within the Communication Department is responsible for:

- recording crimes in accordance with NCRS;
- initial assessment, the filing of crimes at first point of contact and the allocation of recorded crime;
- the administration of crime updates (for example suspect status and property lists) and requests from the investigating officer or member of staff; and
- The filing of crimes following investigation and appropriate authorisation.

The **Crime Support Hub (CSH)** within the Specialist Crime Services (SCS) is responsible for:

- the triaging of crimes based on vulnerability and solvability factors; and
- the filing of crimes following a desktop investigation and the allocation of recorded crime with proportionate investigation plans.

All **managers and supervisors** are responsible for:

- ensuring their staff comply with NCRS and allocated crime is investigated by appropriately trained and experienced officers in a timely manner;
- setting and monitoring of investigation plans ensuring appropriate disposal outcomes;
- ensuring that reviews of allocated crimes are completed every 28 days;

- ensuring the proportionate use of the postal charge and requisitions
- checking the quality of file submission and addressing any identified failings;
- filing of crimes where appropriately trained and authorised to do so.

All **officers and appropriate police staff** are responsible for:

- adherence to the NCRS when investigating reports of crime;
- carrying out reasonable and proportionate lines of enquiry in line with the Criminal Procedure and Investigations Act 1996 Code of Practice;
- regularly keeping victims updated in accordance with the Victims' Code and endorsing the crime report with updates and all contact with victims and their representatives in line with the code;
- the quality of files submitted into the criminal justice system.

## THE CRIME MANAGEMENT PROCESS

The Crime Management process is defined by the following key areas:

- call handling;
- crime recording;
- crime assessment;
- crime allocation;
- crime investigation;
- crime finalisation

### ***Call Handling***

Calls received will be dealt with in accordance with [Pi28.2 - Incident Handling Protocol](#).

Call Handling staff utilise the principles of the National Decision Making Model to assess the call for service, policing purpose and victims need. The emphasis is on the appropriate resource to attend and subsequently accepting responsibility for any action required, crime recording and subsequent investigation.

### ***Crime Recording***

Officers and staff will submit crimes for recording, wherever possible from the scene of the incident or when speaking to the complainant, using the appropriate Force Crime Bureau contact number or electronic portal.

If a victim is considered vulnerable this will be recorded on the crime recording system to ensure specific needs are addressed and appropriate prioritisation is given. A similar recording mechanism is utilised to highlight repeat victims.

When recording a crime from an officer or member of staff it may be assigned straight to that investigator at their request if the officer is the most suitable resource to investigate the crime.

### ***Crime Assessment***

The initial assessment of a crime comprises of the following key areas:

- safeguarding and vulnerability considerations;
- investigative opportunities;
- victim contact;
- prevention advice.

Initial investigative priorities should focus on the following factors and early completion of fast track actions order to:

- preserve life;
- preserve scenes;
- secure evidence;
- identify victims;
- 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, the first chance to obtain material may be the last. To delay protecting, preserving or gathering material may result in it being contaminated or lost. It is important that every chance to gather material is taken as soon as possible.

### ***Crime Allocation***

The Force Crime Bureau will record the appropriate crime in compliance with the Home Office Counting Rules and the National Crime Recording Standard. The crime will either be filed by the Force Crime Bureau or allocated to the appropriate officer/department for further investigation.

The vulnerability of the victim, complexity of the crime and the matching of appropriate skill sets are the key deciding factors when deciding who investigates a particular crime.

Crimes will be allocated to an appropriate officer or member of staff based on their skills, experience levels and capacity. There may be the need for a degree of flexibility in relation to crimes that cross over different districts and departments. Examples of this may include fraud offences, sexual offences and drugs offences.

The triaging of crimes is completed by the Crime Support Hub who are responsible for conducting desktop investigations. The outcome of the desktop investigation may result in the crime being filed or the crime being allocated for secondary investigation. All crimes allocated for secondary investigation by the Crime Support Hub will include a bespoke investigation plan.

Crimes will be allocated for secondary investigation to the relevant Inspector or Detective Inspector for onward allocation to officers and staff with geographic or functional responsibility as follows\*:

- District Response Inspector;
- District Neighbourhood Policing Team Inspector
- District Priority Crime Team Detective Inspector
- Force Crime Unit Detective Inspector
- Child Abuse Investigation Team Detective Inspector
- Safeguarding Adult Team Detective Inspector
- any other district/departmental Inspector or Detective Inspector as necessary to ensure the most suitable, trained and experienced resource investigations the crime.

\*Please note, that the above roles and function are currently subject to change as part of the Force Crime Review which is ongoing at the time of writing.

Each district/department may have additional considerations regarding the allocation of crime and investigative responsibilities. These decisions are not the responsibility of the Force Crime Bureau or the Crime Support Hub and therefore any arbitration regarding the allocation of crime is the responsibility of the relevant Detective Chief Inspector.

Procedures for secondary crime allocation will be dealt with in accordance with the relevant procedural instructions - see [Pi9.12 - Crime Management - Crime Allocation Instruction](#).

### ***Crime Investigation***

Investigations should be proportionate and resources used to investigate the crime should be relative to the seriousness of the crime and the solvability of the investigation. The aim of the [Professionalising Investigation Programme](#) (PIP) is to ensure that staff are trained, skilled and accredited to conduct the highest quality investigations. The PIP structure involves a series of levels:

- PIP level 1 – priority and volume crime investigations
- PIP level 2 – serious and complex investigations
- PIP level 3 – major investigations
- PIP level 4 – strategic management of highly complex investigations.

All PIP 1 and PIP 2 crimes allocated for investigation should have an investigation plan recorded the crime management system. Investigation plans with respect to PIP level 3 and 4 investigations, will generally recorded on the Home Office Large Major Enquiry System (HOLMES) or subject of bespoke policy decisions set by the Senior Investigating Officer.

**Authorised Professional Practice (APP) Investigations** should be referred to as required.

### ***Crime Finalisation***

Some crimes may be suitable for filing without the need to deploy a physical resource to the scene or the victim. Decisions made to file crimes on this basis need to be made with full consideration given to the vulnerability involved and solvability factors available.

Such decisions call for a subjective judgement to be made with each case being considered on its individual merits, clearly certain categories of crime, by their nature, will always merit further investigation irrespective of vulnerability/solvability assessments.

Priority should always be given to the investigation of crimes where the presence of vulnerability or positive solvability factors exist.

The request to file a crime will be made by the officer or staff member responsible for the investigation, this will then be authorised by their supervisor or manager.

Crimes filed by the Force Crime Bureau or Crime Support Hub do not require a supervisors or managers authorisation; however supervisors and managers are responsible for monitoring and dip-sampling to ensure quality.

Where a crime is to be filed, the victim will be made aware and that fact recorded in line with the Victim's Code of Practice.

The HOCR detail the recorded crime Outcomes Codes and the circumstances under which each rule should be applied.

All crime investigations must be finalised with an appropriate crime Outcome Code.

Where Outcome Codes 1-4 and 6-8 apply, Officers should update the crime report and submit the crime for filing.

Where Outcome Codes 11-21 apply, the officer or member of staff should submit a chaser to their supervisor or manager outlining the investigation and addressing the investigation plan in detail, seeking supervisory authorisation for filing and, once received, submit for filing.

Outcome Codes 5, 9 and 10 require the endorsement of a Dedicated Decision Maker (DDM) before the crime report can be filed.

Where a suspect has been charged, cautioned, reprimanded or warned, officers and staff must ensure that the crime report is updated before retiring from duty.

Supervisors and managers will identify officers who regularly fail to comply with these instructions and take appropriate action.

The HOCR details circumstances under which a crime can be cancelled including the transfer of reports to other Forces. It also describes the decision making levels for the cancellation of crime reports.

Criminal Injuries Compensation Authority (CICA) claims are dealt with in accordance with the following policy [Pi15.8 - Criminal Injuries Compensation Authority](#).

### **Repeat Crime and Victimisation**

The definition of a repeat victim is:

***'Repeat victimisation occurs when the same person or premises suffers from more than one criminal offence whether the same or linked in nature within the previous 12 months.'***

- To establish minimum standards of police activity following repeat crime and victimisation.
- Reduce the number of people who suffer repeat victimisation.

- Reduce crime.
- Offer appropriate support to repeat victims.
- Improve victim satisfaction levels
- To provide an 'enhanced service to vulnerable victims'.

See also [Pi9.18 - Managing Repeat Crime and Victimisation](#)

### **Associated Procedural Instructions**

The Investigation policy is further supported by the following procedural instructions that are reviewed regularly.

- [Pi8.1 - Suspects Management Process](#)
- [Pi9.5 - Financial Crime - Financial Investigations as a General Investigative Tool](#)
- [Pi9.6 - Drug Enforcement](#)
- [Pi9.7 - Cash Seizures under Part 5 of the Proceeds of Crime Act 2002](#)
- [Pi9.8 - Counterfeit Currency](#)
- [Pi9.9 - Proceeds of Crime Act \(POCA\) Review - Form Mg/17](#)
- [Pi9.10 - Suspicious Activity Reports \(SAR\)](#)
- [Pi9.11 - Personal Robbery](#)
- [Pi9.12 - Crime Management - Crime Allocation Instruction](#)
- [Pi9.13 - Investigation of Auto Crime](#)
- [Pi9.14 - Investigation of Burglary Residential](#)
- [Pi9.15 - Investigation of Distraction Burglaries/Bogus Official Offences](#)
- [Pi9.16 - Minimum Standards for the Investigation of Burglary \(Other\)](#)
- [Pi9.17 - Offences Taken Into Consideration \(TICs\)](#)
- [Pi9.19 - Drug Related Overdoses and Deaths](#)
- [Pi9.20 - Vulnerable and Intimidated Victims and Witnesses Instructions](#)
- [Pi9.21 - Investigations Involving Persons in Prison](#)
- [Pi10.15 - Investigation of Modern Slavery and Human Trafficking](#)
- [Pi15.8 - Criminal Injuries Compensation Authority](#)

### **Associated Procedural Instructions not owned by SCS:**

The associated procedural instructions below are included within the Investigation policy due to the inclusion of these sections within APP.

Responsibility for ownership, management and review of these instructions is the Superintendent of the respective departments and includes the following procedural instructions:

- [Pi9.1 - Application for Search Warrants](#)
- [Pi9.2 - European Arrest Warrants Part 1 – \(Extradition Act 2003\)](#)
- [Pi9.3 - Schengen Information System SISII](#)
- [Pi9.4 - Identification](#)
- [Pi9.18 - Managing Repeat Crime and Victimisation](#)

### **Equality Act 2010**

The Act creates a statutory requirement for all Functions and Policies (Including Procedural Instructions) to be analysed for their effect on equality, diversity and human rights, with due regard to the **General Equality Duty**.

In principle, this document has been assessed for discrimination, which cannot be justified, among other diverse groups.

The **Code of Ethics** published in 2014 by the College of Policing requires us all to do the right thing in the right way. It also recognises that the use of discretion in Policing is necessary but in using discretion, states that you should, "*take into account any relevant policing codes, guidance, policies and procedures*."

## **Human Rights/Discretion**

The purpose of providing policy is to give an indication to staff of the expected course of action. However it is not possible to cater for every possible combination of factors that would justify a departure from stated policy. The Human Rights Act 1998 requires the proper use of discretion at all times and nothing within this policy and associated procedural instructions prohibits the proper use of discretion in appropriate circumstances.

Where action is taken that has the potential to interfere with an individual's Human Rights, the reasons behind the making of the decision to act in that way should be recorded on the appropriate forms, or where this is not practicable, in pocket books or policy logs.

## **Rights of redress for members of the public:**

Anyone who feels that a member of staff has behaved incorrectly or unfairly, or who is dissatisfied with organisational matters, service delivery or other operational policing issues, has the right to **make a complaint**.

Initial action should be taken in one of the following ways:

- Complain in writing or in person to the Senior Officer at the appropriate police station or to the Chief Constable of the force concerned.
- Visit a local Citizens' Advice Bureau
- Contact a Solicitor

## **Rights of redress for South Yorkshire Police personnel:**

South Yorkshire Police personnel who feel they have grounds for concern in relation to the implementation of policies may, as appropriate:

- Pursue concerns through their line manager.
- Contact a First Contact Advisor.
- Pursue a grievance formally through the South Yorkshire Police Fairness at Work Procedure.
- Seek advice from their staff association or trades union.

Use procedural instruction **Pi23.11 - Management of Complaints**, in the section entitled Handling Complaints relating to Direction and Control.

**Start Date:** null

**Review:**

This statement of agreed policy is managed by Detective Chief Superintendent, Specialist Crime Services.

This policy and its Equality Analysis were last reviewed on: 01/10/2017

The date for the next review of this policy and Equality Analysis is: 01/10/2019