



Learning objectives: By the end of the lesson, you will be able to:

1. Explain what an incident is
2. Identify different types of incident that the police might attend
3. Explain the appropriate investigative actions when responding to & attending an incident
4. State what information needs to be recorded when conducting an investigation
5. Explain Facial Recognition Technology including key considerations when uploading images
6. Explain how technology and the public can support crime prevention.
7. State how to undertake an evidence-led investigation/prosecution where the victim is reluctant to support an investigation
8. Identify the tools used in the gathering of evidence in an international crime context
9. Describe when a multi agency approach can be used for investigating an incident

Initial Contact



QTS – where do you think the initial contact for an incident is?

Definition of an Incident

An incident is defined as,
**'an instance of something
happening; an event or
occurrence.'**
*(Oxford Dictionaries.com,
2018)*



QTS – what is an incident?

Thousands of incidents are reported and managed by the Police each and every day.

Policing Incidents

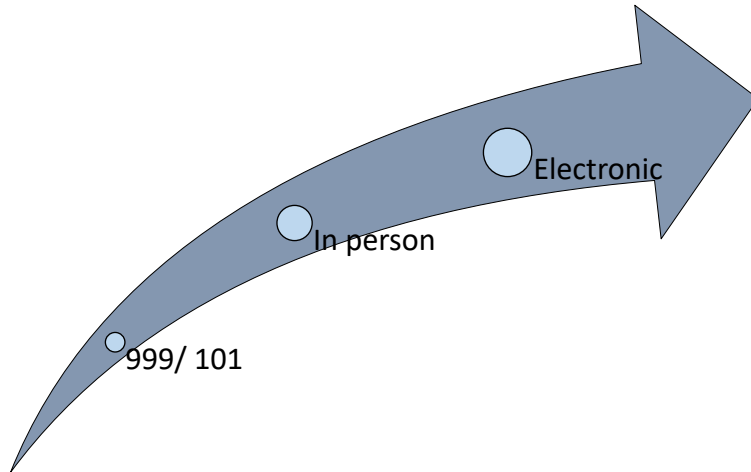
Theft	Robbery	Criminal Damage	ASB	Harassment
RTCs	Burglary	Assault	Drugs	Hate Crime
	Domestic Abuse	Firearms	Anything....	



Q. What type of incidents are reported to, attended and managed by the police? Board blast the answers provided.

Here are some examples of incidents that police officers are involved with

Where does the investigation journey start?



Police



Explain the management of a call by discussing how the public contacts the police

Explain that the investigation starts from the moment we are aware of the incident. An example of this is a 999 call will be recorded and may contain information vital to the investigation, such as vehicle index numbers or an offender shouting in the background.

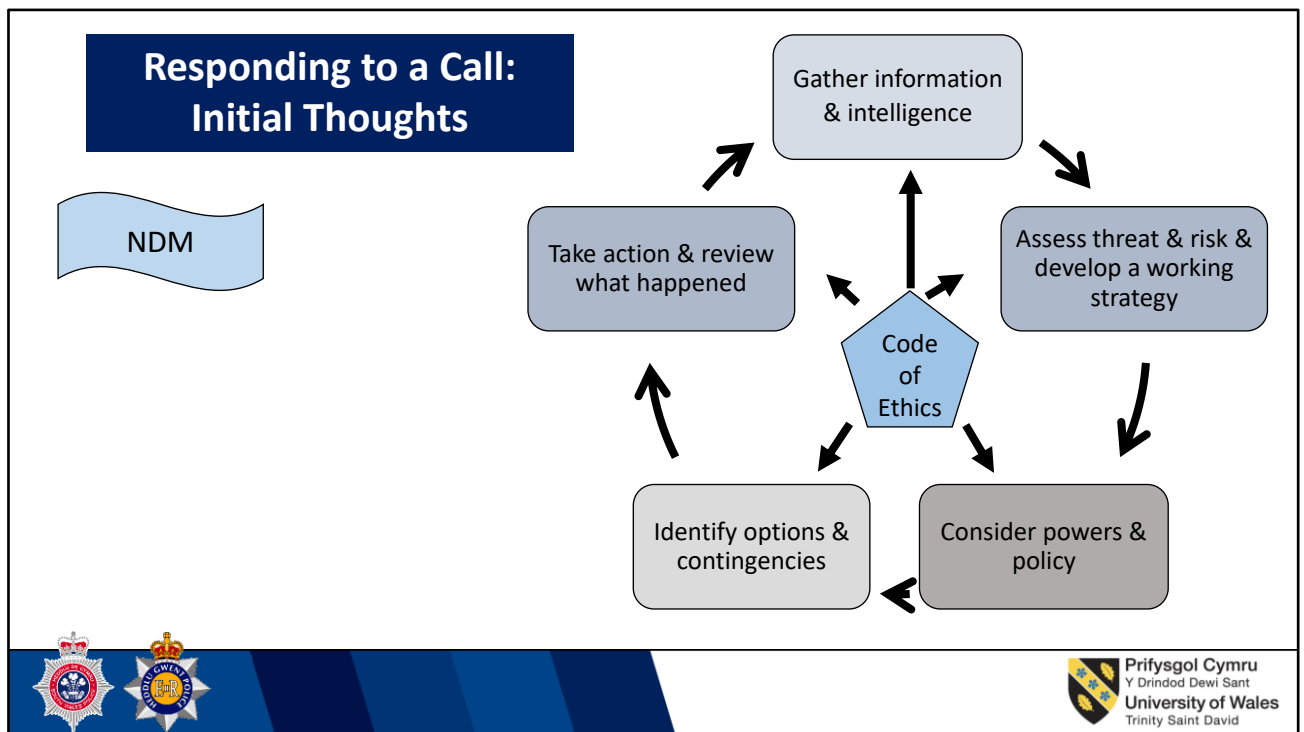
Call Screening



QTS - Do we attend every incident that is reported to the police? No

Explain the process of call screening that takes place in the control room to ensure that the correct response is provided to incidents that are reported .

Explain that once received calls are graded to provide appropriate response.



Discuss the mind-set of an officer who responds to a call from the public using the principles of the NDM

QTS - What information and intelligence is needed before responding to an initial call incident?

QTS – where does this information come from?

Expected answers should include:

- PND/PNC
- Force intelligence systems- eg. Niche
- Call takers – local knowledge

If these answers are not provided introduce and explain each of them.

Whilst considering the information gathered, an investigator must make a THRIVE assessment.

Namely, the threat posed, potential harm, likely action required in the initial investigation, the Vulnerability of self and others.

Continually evaluate the situation.

Think Court!!!



QTS – Why do you think we need to think about Court from the initial call?

When an officer becomes aware of an incident, that is the point from which they can have an impact on the ultimate outcome.

Think court from the outset.

Many cases are lost each year as a result of flaws in police practice.

Document everything from the outset.

You will never be able to produce your original documents if you write on the back of your hand, so use a reliable source.

Handout – Court Sentencing Powers

A Criminal Investigation

The Criminal Procedure & Investigations Act 1996 is a piece of statutory legislation in the UK that regulates the procedures of investigation & prosecution of criminal offences



The accompanying Code of Practice provides a number of relevant definitions including:



Criminal investigations, investigator, the Officer in charge of an investigation & the Disclosure Officer



There are a few definitions that you need to be aware of. These are crucial, as they allow us to make important decisions. The definitions are taken from CPIA and the accompanying code of practice.

Criminal Investigation: It sets out the manner in which police officers are to record, retain and reveal to the prosecutor material obtained in a criminal investigation and which may be relevant to the investigation, and related matters.

This code of practice applies in respect of criminal investigations conducted by police officers

A Criminal Investigation

Criminal Investigation defined:

An investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it

Investigations may be carried out in relation to:

Crimes that have been committed

Identifying whether a crime has actually been committed with a view to commencing criminal proceedings

Crimes that the police believe may be committed. E.g. when premises or individuals have been kept under observation for a long time with a view to the possible institution of criminal proceedings

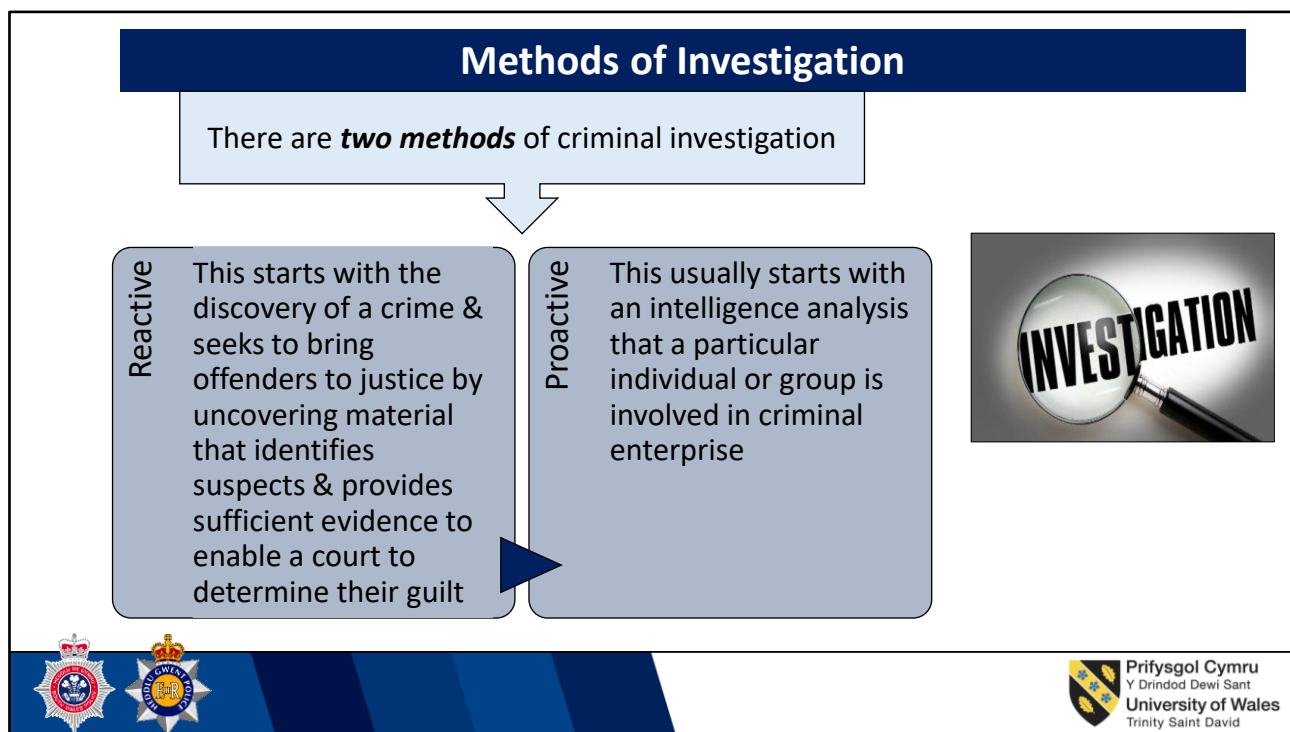


Reference: The Criminal Procedure and Investigations Act 1996, Code of Practice

NB: Investigations can be either reactive or proactive.

Explain this definition of a criminal investigation

Provide examples



Reactive: This starts with the discovery of a crime and seeks to bring offenders to justice by uncovering material that identifies suspects and provides sufficient evidence to enable a court to determine their guilt. The technique of reactive investigations focuses on interviewing victims, witnesses and suspects, the examination of scenes and the development of forensic links between suspects and the offence.

Proactive : The proactive method usually starts with an intelligence analysis that a particular individual or group is involved in criminal enterprise. This is often organised crime such as drug dealing, fraud or people trafficking. Individual instances of such offending are rarely reported to the police and so generally the techniques of reactive investigation cannot be used. As a result investigators generally use a range of covert surveillance techniques, which are designed to link offenders to the criminal enterprise. These techniques are often complemented by financial investigations and forensic science techniques.

At PIP level 1 It is expected that you will be involved mainly in reactive investigations.

Risk

Making rational, effective & defensible decisions can be difficult especially in the complex environment of policing which is characterised by uncertainty



Perception of the media that taking a risk is negative – however, most policing decisions are risks - indeed, risk taking is at the core of police professionalism

Therefore, it is unavoidable- there are significant risks when attending incidents

Activity 1: This is an opportunity to explore the students' ability to identify those risks that are apparent, and those that demand wider consideration.

In groups trainer to ask them to record and discuss the following:

QTS - What risks do you think might arise when attending and making decisions about a call/ incident?

Anticipated responses are: Is the suspect still at the scene, will there be any hostility from the victim, does the victim have any injuries

Reference: College of Policing APP <https://www.app.college.police.uk/app-content/risk-2/?s=>

Are you the appropriate response?



What resources
are available to
assist you?



QTS - Do you think we are the most appropriate resource to deal with all the incidents that we get called to?

QTS - If not, who else could we call on and why?

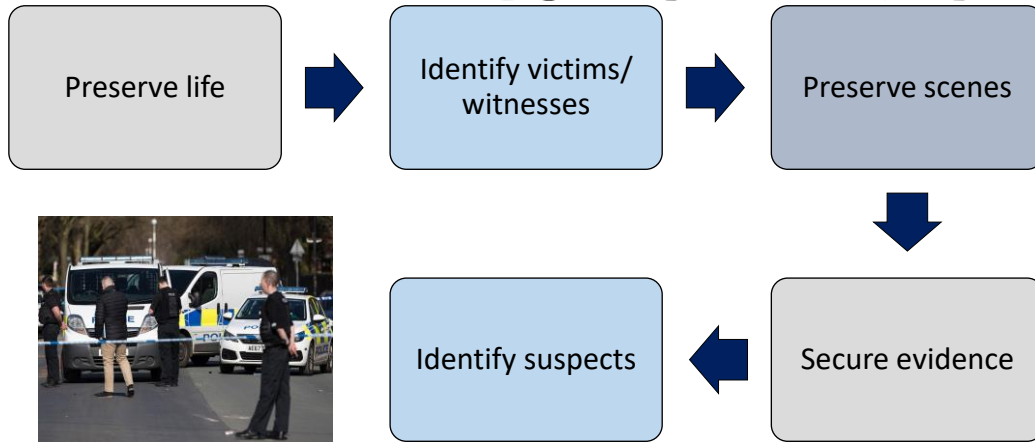
Record answers on white board.

Expected answers are: Ambulance, fire, council, RPU, Firearms, Dog section, other police forces in a cross border incident.

QTS - What are the benefits to an early request for assistance? Discuss

Arriving at an Incident

There are a number of things to consider **but what is your priority?**



Reference: College of Policing APP

<https://www.app.college.police.uk/app-content/investigations/investigation-process/>

Discuss the mind-set of an officer arriving at an incident using the principles of the NDM, focusing on the initial arrival

Officers initially deployed to an incident are likely to have a number of competing demands placed on them, including:

- dealing with a violent situation
- providing first aid and calling for medical assistance
- reassuring victims and witnesses
- preventing public disorder

Q. What is your priority when arriving at a scene? Preserving Life- discuss the pressures that are associated with this

We will discuss each of these throughout the course of this presentation and future presentations

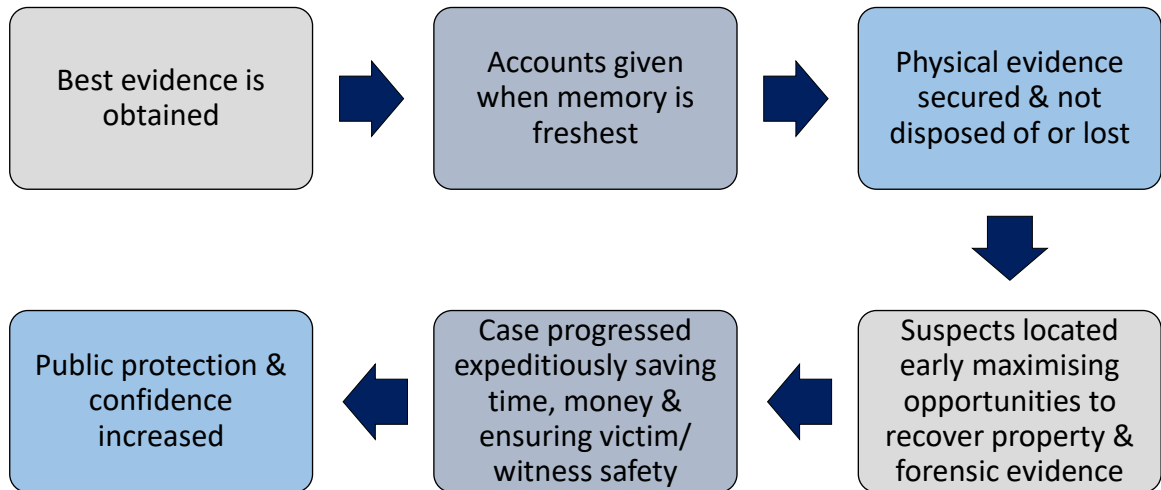
Q. When you arrive you will need to establish the events leading up to your

attendance. So where will you get this information from?

Expected answers:

- Witnesses/ victims
- CCTV
- Forensic
- Exhibits
- Evidence

Why is the 'Golden Hour' important? Positives



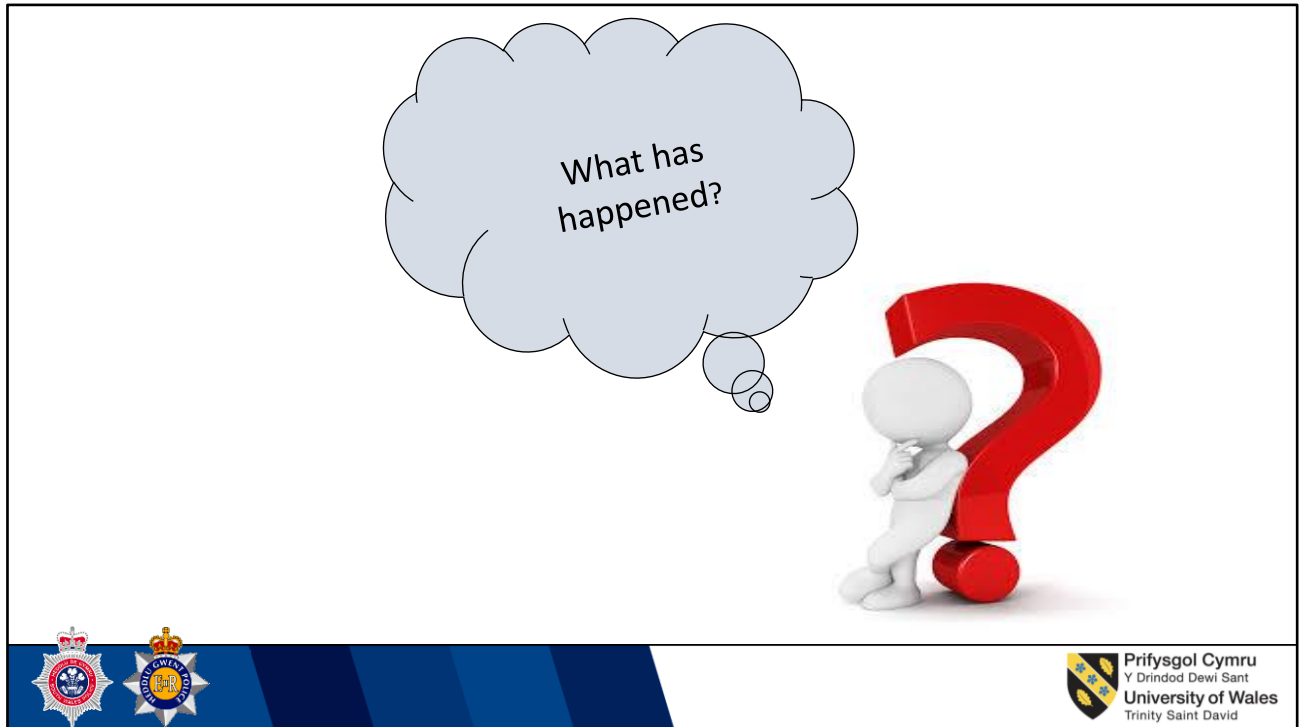
Here are some benefits of the Golden Hour Principles.

- Best evidence is obtained
- Accounts given when memory is freshest
- Physical evidence secured and not disposed of or lost
- Suspects located early maximising opportunities to recover property and forensic evidence
- Interview, CPS advise and charge/remand completed sooner
- (Time, money and victim/witness safety)
- Public perception and confidence increased

Initial Investigation



QTS – what would be the first question you would ask when arriving at a scene?



QTS – How do you feel about this question as an initial question when arriving at a scene?

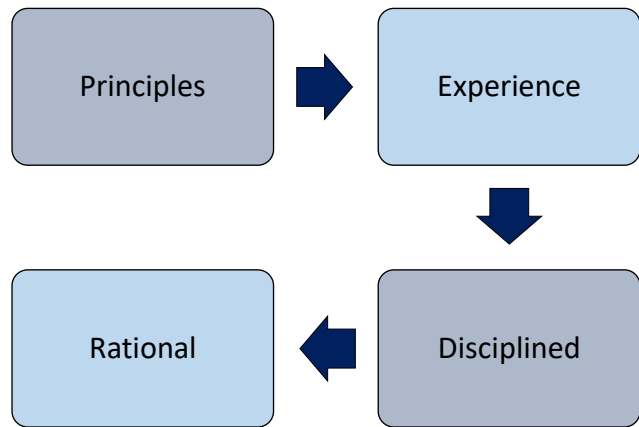
This is the first question that you will want to ask.

The rest of your investigation will be based on the answer to this question.

Prior to joining the police service you may have accepted the first answer provided. However, the answers that you get will form your actions.

Therefore, the smallest detail is of significance.

Investigative Mind-Set



Reference: Core Investigative Doctrine 2005

https://polka.pnn.police.uk/GPDocuments/38/Shared%20Knowledge%20Documents/213/ACPO%20Guidance%20and%20Procedures/Core_Investigative_Doctrine.pdf/c7176a74-879b-46a1-96ab-440ab8c6dad7/Core_Investigative_Doctrine_V1.pdf

There is no formal decision of an Investigative mind-set, so.....

QTs - What does the term 'investigative mind – set' it mean to you? Record the student observations

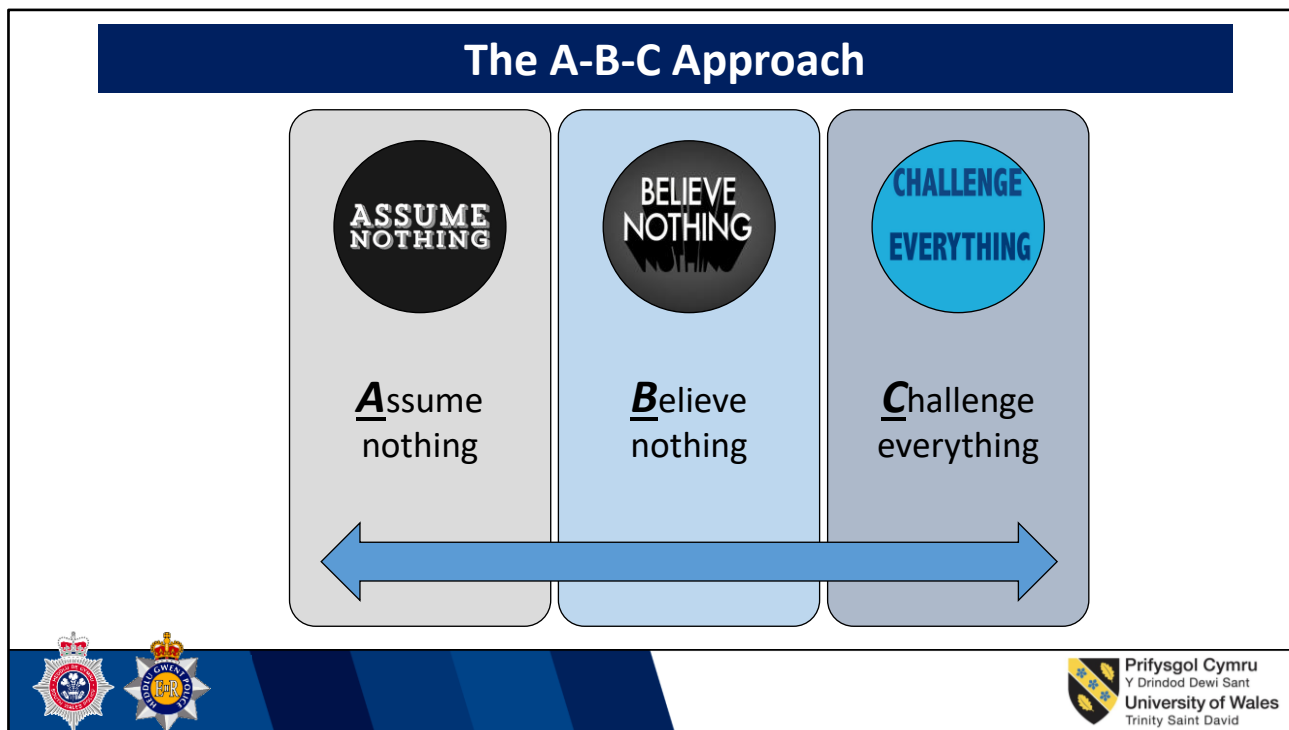
According to the College of Policing the application of an investigative mind-set will bring some order to the way in which investigators examine material and make decisions.

There is no process map that will assist the investigator to develop the mind-set, it involves applying a set of principles to the investigation process.

It is a state of mind or attitude which investigators adopt and which can be developed over time through continued use.

This will enable investigators to develop a disciplined approach which ensures that the decisions they make are appropriate to the case, are

reasonable and can be explained to others.



Q. What do the three statements mean to you?

Q. Do you agree with them?

Q. Why do you think Police follow the three statements?

Q. What are the consequences if we don't?

Investigators should treat all material as possibly being wrong and regard all sources of material as potentially misleading. This is summed up by the ABC approach.

Every account should be checked for inconsistency or conflict with other material. Investigators are most likely to be misled because they have not paid attention to detail.

Prima facie assumptions should never be made and material should never be accepted without question.

Investigators should constantly search for corroboration.

Arrival at the address of the caller

On arrival, you are greeted by Mrs Diane JONES who is approximately 35 years of age & appears a little upset. She explains that her daughter is in the kitchen/ dining area. You enter the kitchen/ dining area where you find Sally JONES sat on a chair next to a table

What questions would you like to ask Mrs Jones?

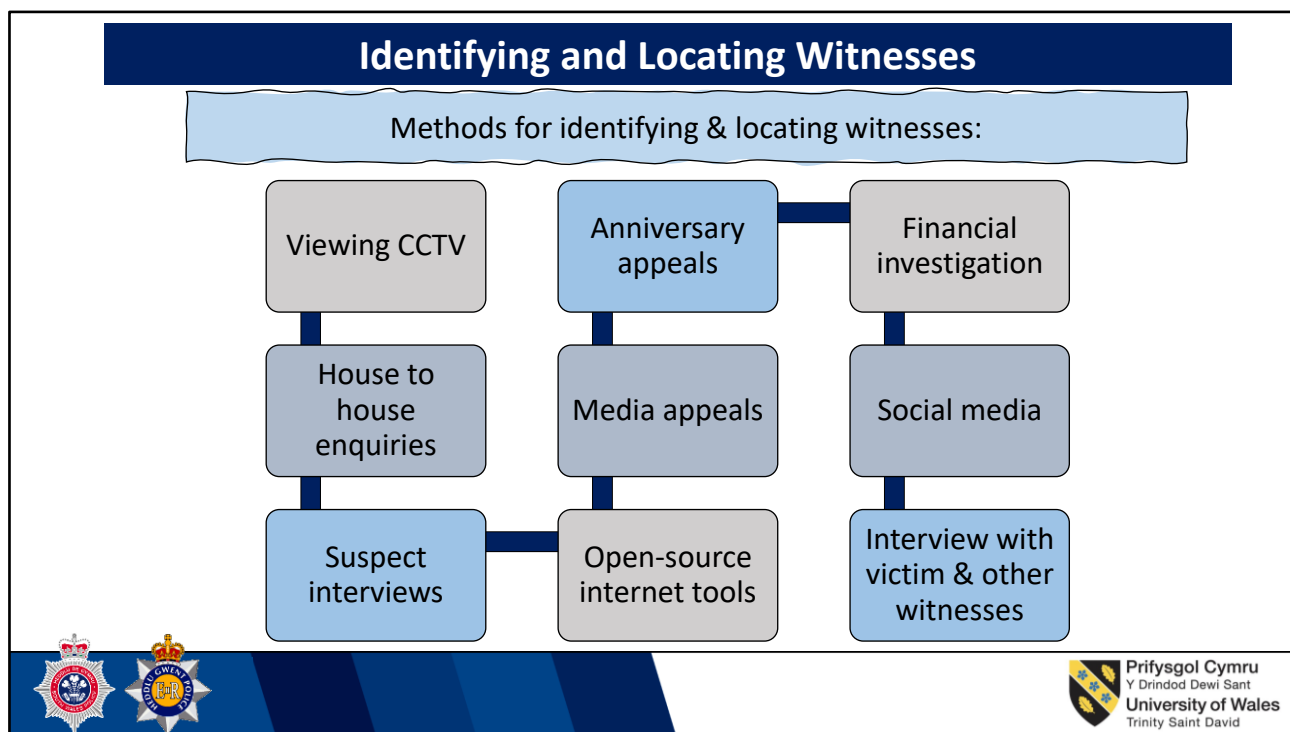


QTS - What questions would you like to ask Mrs Jones?

This is an opportunity to encourage the students to think wider.

Mrs Jones will have vital evidence of an early complaint.

Also she will be able to provide details of where the assault took place, who may be responsible and clothing worn at the time.



QTS – What possible avenues could be explored to identify a person?

Reference: College of Policing APP

<https://www.app.college.police.uk/app-content/investigations/victims-and-witnesses/>

In this case the victim and a witness are readily available, however that is not always the case.

There are a number of recognised methods for identifying and locating victims and witnesses

Briefly discuss the methods listed

Locating the Victim

You enter the kitchen/ dining area where you find Sally JONES on a chair next to a table. Sally is clearly upset. She has bloodshot eyes & has been crying. She is visibly shaking

How would you start a conversation with Sally?



Group work, trainer to split class into 4 groups

QTS – How would you start a conversation with Sally?

Use this opportunity to explore the students communication with victims and witnesses. Achieving Best Evidence

This information is likely to influence decisions made in respect of forensic and medical examination of the victim, scene of crime examination, interviewing of other witnesses and witness support.

A more detailed account should not be pursued at this stage and should be left until the investigative interview takes place. On completion, the log **MUST** be signed by all persons present authenticating the accuracy of the record unless impracticable to do so by virtue of age/ disability. (NOT Child or Vulnerable Adult witnesses)

As full a record as is possible should be made of the questions asked of and responses given by the witness. Extra considerations for child and vulnerable adult witnesses:

- Listen to the witness.

- Do NOT stop a witness who is freely recalling significant events.
- Where it is necessary to ask questions, they should, as far as possible be open ended or specific-closed questions. Avoid forced choice, leading or multiple.
- Ask no more questions than are necessary in the circumstances to take immediate action.
- Make a comprehensive note of the discussion, taking care to record the timing, setting and people present as well as what was said by the witness and anybody else present (particularly the actual questions asked of the witness).
- Make notes of the demeanour of the witness and anything else that might be relevant to any subsequent formal interview or wider investigation.
- Fully record any comments made by the witness or events that might be relevant to the legal process up to the time of the interview.

Ask the students to draft their opening dialogue with Sally.

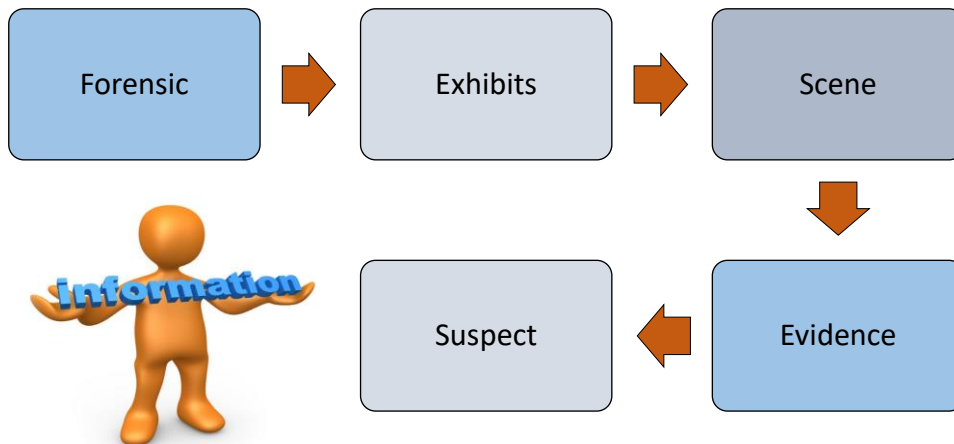
Explore this.

Investigative Strategies



QTS – Think about different calls you will be attending. Where else could you obtain material from?

Where else will you get the material?



CCTV can provide compelling evidence and investigators should consider it in every investigation. Although it is primarily used for corroborating what is already known or suspected in volume crime incidents, CCTV is a powerful tool for triggering further investigative opportunities, and has a number of immediate benefits and outcomes.

Forensic (covered in detail in another session)

Investigating a crime scene and forensic analysis using specialist procedures and techniques can provide evidence to:

- prove that a crime has been committed

- exclude a suspect from a scene

- link a suspect with a scene

- establish the identity of a victim, suspect or witness

- corroborate or disprove witness accounts

- interpret the scene in relation to movements within the scene and sequences of events

- link crime scene to crime scene and provide intelligence on crime patterns.

Exhibits (covered in detail in another session)

The investigator gathers material in a physical, documentary or biological format. This material is referred to as exhibits and requires collation, examination and storage to maintain its integrity and provenance. The investigator must keep accurate and comprehensive records of all exhibits throughout an investigation. As each exhibit is

recovered, a record should be compiled detailing the:
precise description of the material recovered
precise location of recovery
time, day and date of recovery
individual who recovered it
location and method of storage.

The continuity of all exhibits must be maintained, and every movement and transfer accurately recorded. If the material is removed from storage for any reason, or transferred, for example, for forensic examination, this should be recorded. The record should detail the reasons for the movement, the name of the person who removed it, when it was removed and to whom it has been transferred. Advice on recovery, handling and storage of exhibits can be obtained from crime scene investigators, crime scene managers or supervisors.

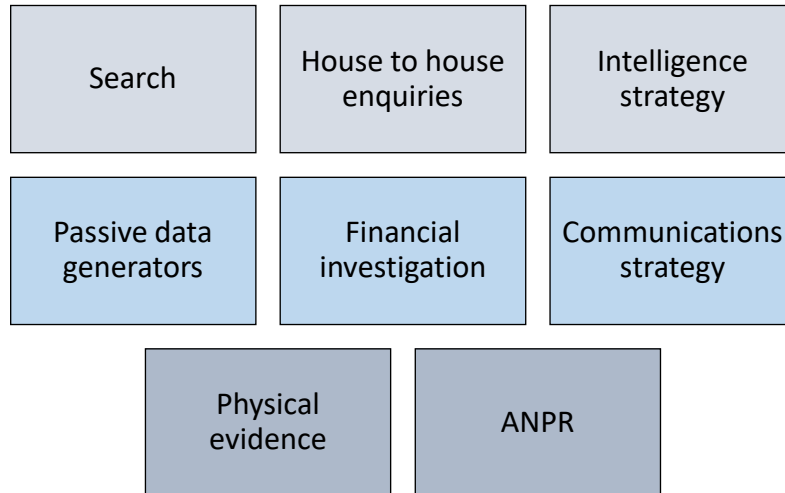
Managing scenes

The way in which a crime scene is managed affects the quality, quantity and integrity of the material gathered. It is, therefore, essential that investigators identify and prioritise crime scenes, as they may contain material vital to the successful outcome of the investigation.

Once investigators have identified a scene or multiple scenes, they should make an initial assessment of its potential to provide material. The assessment and subsequent formulation of a scene strategy (which should include necessary resource allocation) should have due regard to forensic strategy considerations. Undue delay or failure to consider forensic issues at this stage may lead to valuable material being contaminated, overlooked or lost.

Investigators should be mindful of the impact that securing and managing a scene can have on a community. They should consider community engagement strategies.

Strategies to Assist in Gathering Material



QTS – What strategies could you use to investigate? i.e search of a house?

QTS – Will these strategies provide the victim with service satisfaction?

Although their principal aim is to locate and gather material, there are two other important aims. These are to:

- provide the victim's family with a level of service that assists them to come to terms with the tragedy
- satisfy legitimate requirements for information about an investigation from partner agencies and the community.

Each of the strategies listed here are explained fully in APP. **It is the students responsibility to research element.**

Provide the students with an overview of each element.

Search: Most investigations require a search to be conducted. The nature and circumstances of the investigation indicate the level of search required, together with the resources and/or specialists needed.

Search is defined as the capacity to locate specific targets using intelligence assessment, systematic procedures and appropriate detection techniques.

House-to-house enquiries :These tend to be used in residential locations but can be used in any area where people are associated with premises, such as business parks, shopping centres or industrial estates.

House-to-house enquiries are likely to feature in many investigations, and thorough enquiries are not necessarily resource intensive. For volume crimes, a single officer or small team may be able to complete house-to-house enquiries in the immediate area of an offence. In major crime cases, more resources may be required. When carried out over a wide area, these enquiries generate a large volume of material that must be accurately recorded, processed and followed up.

Intelligence strategy: This directs the sourcing and collection of all information relevant to the investigation. All investigators should recognise that every investigation is unique and will potentially generate intelligence that can be used in other policing activities.

Passive Data Generators: These are automated systems that gather and collate information for purposes unconnected with criminal investigation, but can be accessed by investigators. **Examples include:**

- financial information
- CCTV
- other digital images
- computer-based electronic evidence
- telecommunications information
- customer information, including subscriber information

Passive data generators are distinguished from other types of record keeping, such as patient records, in that they are automated, and require no judgement on the part of the person making them. They are also stored in systems that require technical expertise to access them.

Financial investigation: A financial investigation is any investigation into a person or person's financial matters. It could also involve the investigation into the finances of a business or a private limited company. A financial investigation can determine where money comes from, how it is moved and how it is used.

The financial investigation techniques described in this module can be used in all types of investigations, and investigators are able to engage powerful legislative tools that target the proceeds of crime.

This module focuses on the knowledge and awareness required for a non-specialist investigator to use financial investigative tools, to understand money laundering, and instigate asset recovery and the confiscation of criminal property.

Communications strategy: The way in which investigators manage communications will have a significant effect on the investigation they are conducting. The main purpose of this strategy is to communicate or receive information which assists investigators to progress their enquiries. This can be achieved through [internal communications](#) by using colleagues and partners within the criminal justice system and through [external](#)

[communications](#) by using partner agencies and community networks.

Physical evidence: The three physical evidence strategies are built on the foundation of Locard's Principle of Exchange, which states that 'every contact leaves a trace'. They are:

- crime scene strategy (see [managing scenes](#))
- forensic strategy
- pathology strategy.

These three strategies are intricately interwoven and investigating officers should keep the objectives and outcomes of all three areas in mind when developing, reviewing and managing these strategies.

ANPR: This technology automatically reads vehicle registration marks (VRMs), allowing these details to be compared against database records. ANPR systems are used by the police, government agencies such as Highways England, and commercial companies including garages, shopping centres and car parks. ANPR provides a tactical option to disrupt, deter and detect criminal activity, and by doing so helps to increase public confidence in the police

Evidence / Crime Prevention



Students will have a full session on Crime Prevention from the University, this is to highlight how technology and the public can help in preventing crime and methods of evidence. Both GWENT and SWP have specific pages on their public facing website which trainer should direct students to better understand advice they can give to public.

Gwent: [Crime prevention advice | Gwent Police](https://www.Gwent.police.uk/cp/crime-prevention/)

(<https://www.Gwent.police.uk/cp/crime-prevention/>)

South Wales: [Crime prevention advice | South Wales Police \(south-wales.police.uk\)](https://www.south-wales.police.uk/cp/crime-prevention/)

(<https://www.south-wales.police.uk/cp/crime-prevention/>)

Group Activity

Trainer to split class into groups and each group given two flip charts / asked to create a PPT presentation the trainer then gives each group one or two of the following Crime Prevention / Evidence methods:

CCTV

Door Bells

Phone Video

Social Media (simple tips include, not posting your away, or showing active location etc)

Volunteer Groups (Street Watch, Speed Awareness Groups)

The groups are then to discuss these in two aspects:

Crime Prevention Evidence

The groups then report there findings / discussions back to the class with the trainer debriefing.

Added Value: Trainer to get another group or each of the above groups to research the force specific crime prevention pages to provide further crime prevention advice

Suspect Identification....Facial Recognition Technology (FRT)

How does FRT work?



Detect a face

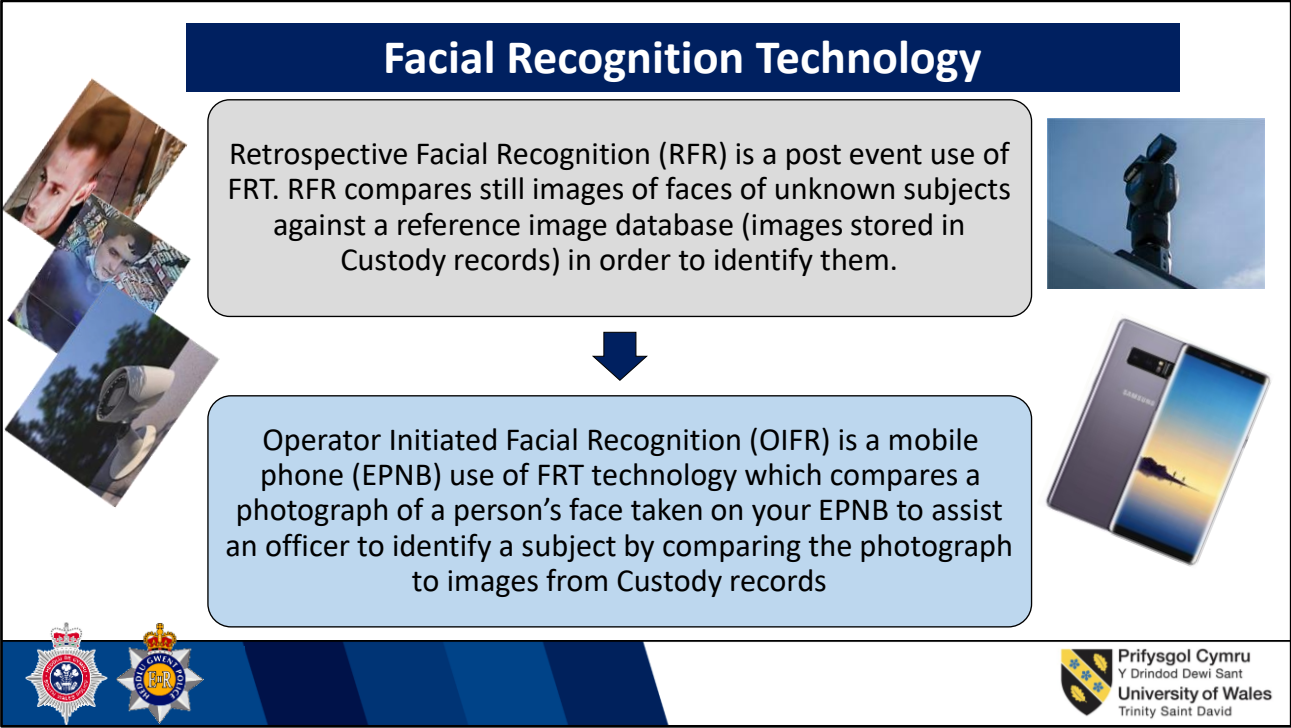


Analyse the face and create a numbers-based template

FRT analyses key facial features & generates a mathematical representation of these features

It then compares them against the mathematical representation of known faces in a database generating possible matches





Live Facial Recognition (LFR) compares a live camera feed of faces against a predetermined watchlist to find a possible match that generates an alert.

- **Retrospective Facial Recognition (RFR)** is a post event use of facial recognition technology, which compares still images of faces of unknown subjects against a reference image database in order to identify them.

*******RFR IS CURRENTLY LIVE AND UP AND RUNNING*******

- **Operator Initiated Facial Recognition App (OIFR App)** is a mobile phone use of FRT technology, which compares a photograph of a person's face taken on a mobile phone to the predetermined watchlist to assist an officer to identify a subject.

*******OIFR IS DUE FOR A PILOT AT TH END OF THE YEAR SO IS NOT LIVE YET*******

Whenever we use FRT we recognise there is an ongoing need to balance privacy and protection concerns, in addition to considering its legal and ethical implications.

Retrospective Facial Recognition (RFR) Submission Methods

Still Images



Moving Images



When submitting an image or moving footage for Facial Recognition, quality is key. The clearer the image the more points of reference the system can use to refine a potential match. **Please don't submit any images obtained by taking a photograph or body worn video capture of the original footage**

Still Images:

For still image submissions the image is to be saved in Niche, specifically within the property tab of the relevant occurrence.

Submitting a Moving Video

- It is also possible to submit moving video for facial recognition following these steps
- Upload the footage to the Nice Investigate platform
- Create a clip of no longer than one minute.
(For a guide on how to create a clip click [here](#))
- Paste the link for the shortened clip onto the OEL as well as a brief description of the suspect to assist with the search.
(A guide on how to generate a link can be found [here](#))
- Submit a Niche workflow to the ID unit as per the instructions below

SUBMITTING A NICHE WORKFLOW

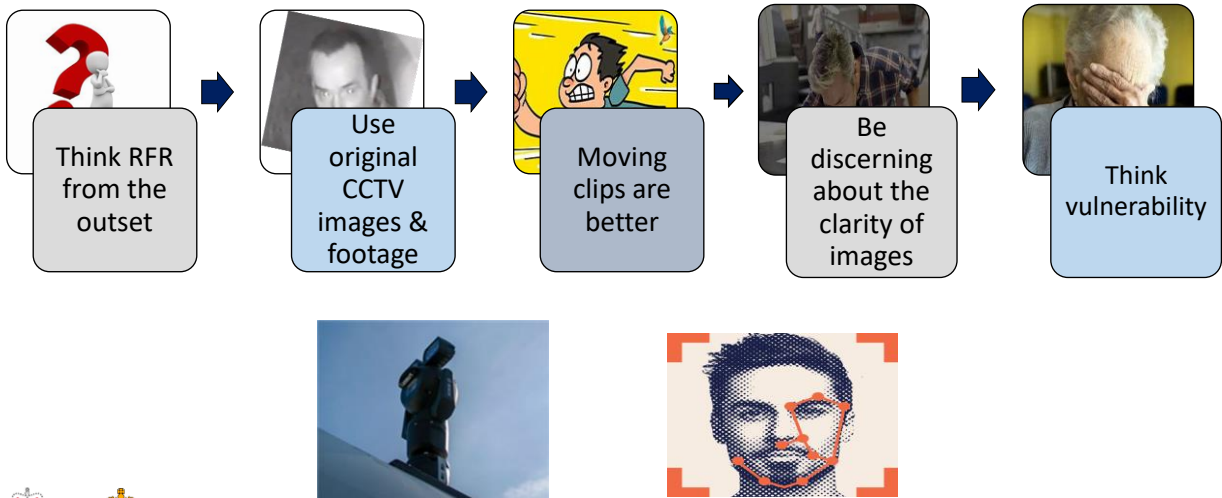
To submit the image or video you will need to complete the relevant workflow. This is the same process any other workflow within Niche.

- Right Click in the incident text of the occurrence and select 'Start Workflow'
- From the drop down menu select 'Facial Recognition'
- Select either 'RFR Request – High priority' or 'RFR Request – Low Priority'

– This is for requests which need action within 24 hours, during ID Unit hours the office need to also be made aware. These requests should only be used for serious offences.

A MEDIUM request is a standard request, these will ordinarily be completed within 7 days.

RFR Key Considerations



Five important actions to improve the success rate for using RFR

Improvements to the software only take us so far. We have seen an improvement in success rates, but we really need the assistance of all officers and staff who use the process, to improve the quality of submissions.

You can increase your chances of obtaining a positive result if you follow the five points below:

1. Think RFR from the outset: We want investigators thinking about RFR from the start. Using it will improve the timeliness of an investigation and benefit both the victim and officers. Any image matching the required criteria ([listed within the RFR guide](#)) should be uploaded and sent via the workflow.

2. Use original CCTV images and footage: Submitting a photograph taken on a mobile device damages the quality, making any match far less accurate. Images taken on a mobile device or Body Worn video (BWV) of CCTV may be rejected by the ID unit and cause further delays in the investigation. Premises with licences should always have someone on hand to provide CCTV. If not do not accept the CCTV footage, raise this as an issue with your licensing teams and the owner.

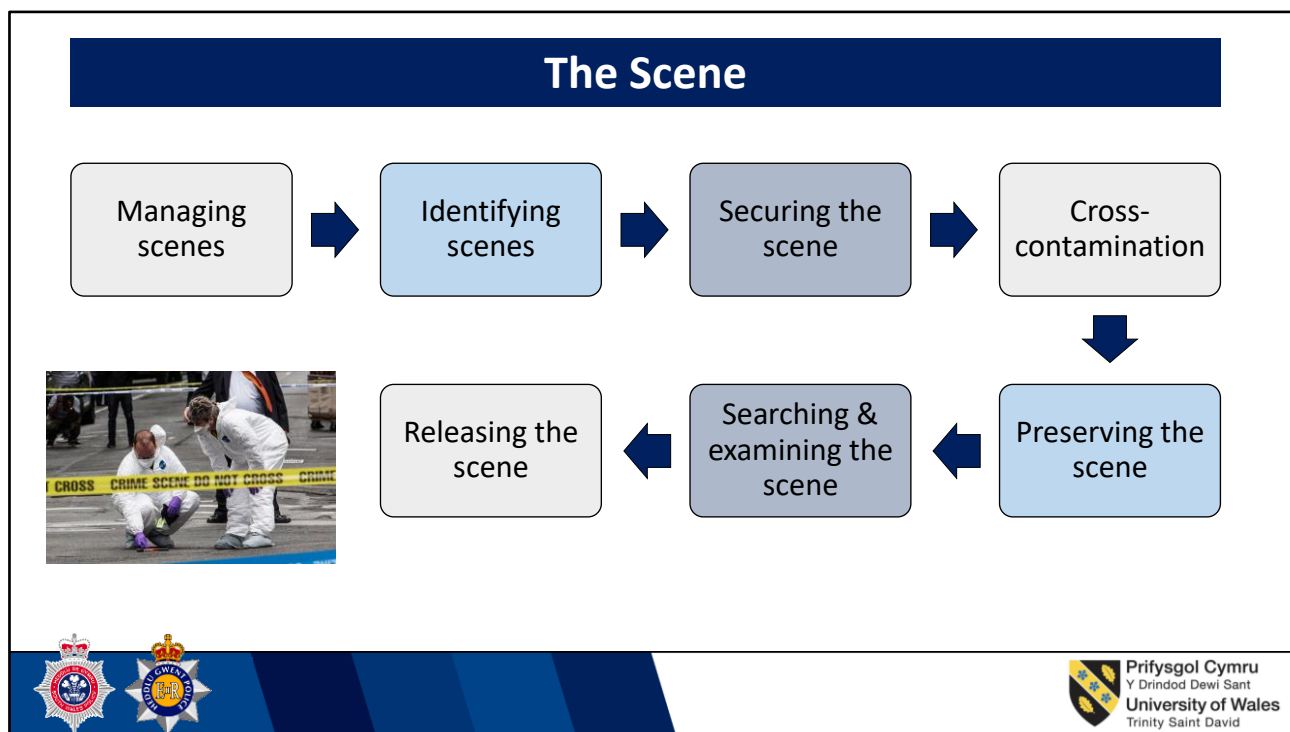
3. Moving clips are better: – Moving clips are far more useful for comparison but please



limit these clips to 30 seconds or less.

4. Be discerning about the clarity of images: If you can't make out their facial features neither can the system. We can review images from any source including CCTV, Body Worn Footage, Mobile Phone footage and Social Media images.

5. Think vulnerability: RFR can assist in identifying those most at risk from harm in our communities.



Reference: College of Policing APP

<https://www.app.college.police.uk/app-content/investigations/managing-investigations/>

Discuss each of the items listed, providing examples where required. A proportionate amount of time to be spent on this slide.

Managing scenes: The way in which a crime scene is managed affects the quality, quantity and integrity of the material gathered. It is, therefore, essential that investigators identify and prioritise crime scenes, as they may contain material vital to the successful outcome of the investigation.

Once investigators have identified a scene or multiple scenes, they should make an initial assessment of its potential to provide material. The assessment and subsequent formulation of a scene strategy (which should include necessary resource allocation) should have due regard to forensic strategy considerations. Undue delay or failure to consider forensic issues at this stage may lead to valuable material being contaminated, overlooked or lost.

Investigators should be mindful of the impact that securing and managing a scene can have on a community. They should consider community engagement strategies.

CSIs and managers: The extent to which investigators are responsible for managing a crime scene and developing crime scene strategies is influenced by the complexity or

seriousness of the investigation and local force policy.

When gathering material, investigators should liaise with CSIs and managers to ensure that they use the most appropriate method for examining the scene.

Identifying scenes: The crime scene can present itself in a number of ways and may not be immediately obvious to the investigator or initial attending officer. There may also be multiple crime scenes which relate to the offence. Scenes could include:

- the victim
- witnesses
- routes to and from the scene
- the suspect
- weapons (including live and spent ammunition)
- the suspect's home address or other premises associated with the suspect or the commission of the offence
- vehicles (including boats and caravans)
- deposition or dump sites (including victim, clothing, weapons or stolen property).

The scene of the offence is usually relatively easy to identify, and this should be considered a fast-track action (see initial investigation). Multiple scenes may need to be prioritised. Victims or witnesses may be able to tell investigators precisely where and how the offence was committed. This helps investigators to secure, search and preserve the scene at the earliest opportunity, and to recover the best possible material in a manner which preserves its integrity.

Securing the scene: The purpose of securing a scene is to maintain the integrity and provenance of any material which may be recovered from it. This simple and important action reduces the opportunities for the material to become contaminated or inadvertently cross-contaminated.

There are a number of methods the investigator can use to secure and manage crime scenes. They include:

- using tape to prevent access to or from the scene
- deploying officers to guard the scene (care should be taken to ensure that officers attend only one individual scene in order to prevent cross-contamination)
- using vehicles as barriers to prevent entry
- setting up road blocks to protect wider scenes
- erecting temporary fencing
- using road diversions
- ensuring that persons entering the scene are wearing suitable protective clothing to prevent contamination of the scene, and to ensure that they are protected from any hazards present
- using a scene log to manage and record all activities within the crime scene.

Cross-contamination: The techniques of crime scene management are based on Locard's principle of exchange. Anyone who enters the scene both takes something of the scene with them and leaves something of themselves behind. This means that every contact leaves a trace, however miniscule. This could be:

- fingerprints

- DNA
- fibres
- footwear marks.

These traces provide valuable material that can link a suspect to the crime. The techniques for recovering this material are highly specialised and CSIs have the necessary training and equipment to carry them out.

Equally, the movement of police officers or staff between scenes may cross-contaminate the available material, and confuse or mislead the investigation. If in doubt, officers should seek advice from CSIs or crime scene managers.

Preserving the scene: The investigator should seek advice from CSIs or managers to determine the appropriate level and method of protection required. This may include covering or lighting the scene and identifying and protecting access routes to or from the scene.

Risks to the scene which may need to be managed include:

- damage being caused by exposure to the elements
- animal disturbance
- disturbance by material being moved from its original position (eg, during initial attendance of paramedics)
- microbiological activity causing decay to material
- disturbance by items being taken into it
- disturbance by material being removed from it
- cross-contamination by transference between scenes.

If scenes are not properly managed, this can distort initial findings and prolong subsequent efforts to identify offenders.

Managing the media: Where the media attend the location of a crime, access to the scene should be carefully managed, both to protect the scene and for health and safety reasons. The investigating officer must decide when access to the scene should be allowed, but in some circumstances they may wish to consult their press office for advice and help. Media access should be under direct police supervision and media representatives should wear high-visibility jackets while at the scene. The media should be encouraged to obtain the information they want as quickly as possible, and their equipment, eg, high powered lighting, must not be allowed to endanger others.

- Searching and examining the scene
- Further information
- Search strategy
- Search

It may be necessary to search the scene before examination takes place. Protection of life always takes primacy over the preservation and recovery of forensic material.

Examination: A thorough examination of the scene is essential. As there is usually only one chance to do this, scene examination should not be made in haste unless a delay

would result in the decomposition of evidence. Relevant experts should be consulted, where necessary, before commencing the examination.

Investigators should be clear about what they require from the examination of a scene.

This usually includes identifying:

- material taken to or from the scene by the offender or the victim
- access and egress routes to and from the scene
- any passive data generators which may be of use to the investigation.

In major or complex scenes where several crime scene investigators are required, a crime scene manager should play an active role in managing all aspects of the scene examination. As soon as examination is complete, the investigator should consider releasing the scene.

Releasing the scene: Investigators should not release a scene until they are satisfied that all expert advice has been considered and that a police search adviser (PoISA) team has conducted a full and final search, if appropriate.

Once areas which have been covered by crime scene tents and stepping plates have been searched, the scene can be cleaned and released. In some cases, this may need to be conducted in liaison with the environmental health department or the local health authority, eg, where chemicals or biological

Evidence

The best evidence is **primary** or **direct** evidence

Primary evidence

An **original document** or a **statement** about its contents

Direct evidence

Evidence that is known personally to the witness because they have personal experience through their senses. E.g. something they **saw**, **heard** or **touched**

Secondary evidence

Evidence that has been **reproduced from an original document** or **substituted for an original item**. E.g. a photocopy of a document or photograph



Chain of Evidence

You need to be able to show how the evidence was seized including:



Where it was
found



Where it was
seized



The **time** of
seizure



The **date** of
seizure



Whom it was seized by & what was done with it after seizure



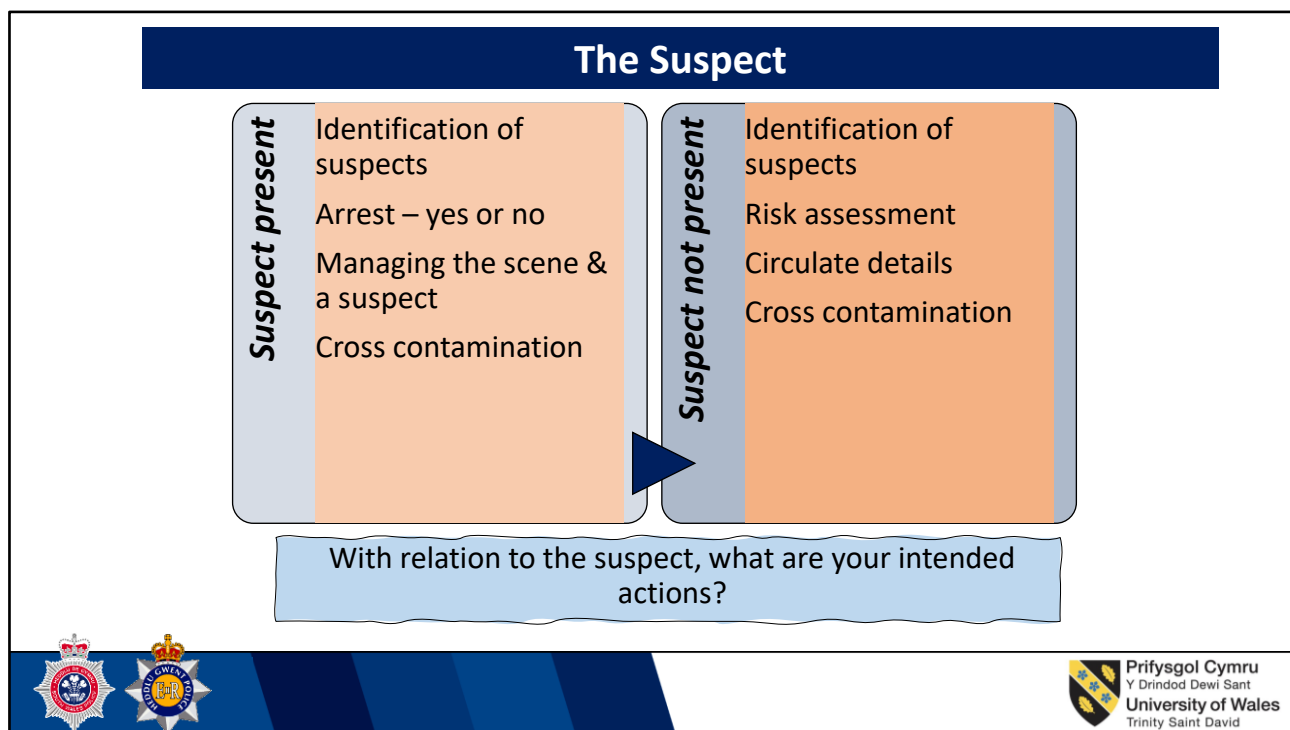
QTS – what detail do you think you need to record when seizing evidence?

The '**chain of evidence**' refers to the handling of evidence from the moment it is found and seized, right through the prosecution process. It provides an audit trail showing where that evidence has been at all times.

Explain about the continuity of evidence, including recording the transfer of evidence/exhibits

Reference: Evidence in criminal investigations 24th February 2014 (obtained from CPS website)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488508/Evidence_v3.0EXT_clean.pdf



Reference: College of Policing APP

<https://www.app.college.police.uk/app-content/investigations/working-with-suspects/>

1. Suspect Present:

- **Identification of suspects**

In some investigations the suspect is identified beyond reasonable doubt from the outset. They may have been caught red-handed, arrested during the initial response or identified from material gathered during the investigation. Whenever a suspect's identity becomes known, consideration must be given to formal identification procedures.

Points to consider:

Where investigators are conducting interviews with witnesses and identification is likely to be an issue, guidelines contained in *R v Turnbull (1977)* QB 224 and captured in the mnemonic ADVOKATE will help to secure best evidence.

Descriptions should be obtained while the recollection is fresh in the mind of the witness. In some cases the suspect may still be in the locality and may not have had the opportunity to alter their appearance or conceal/dispose of evidence.

The first principle of identification evidence is that failure to accurately record the description of a suspect as soon as it is available, and failure to use the description during the identification process, can seriously undermine the chances of a conviction. Investigators should bear in mind the difference between identification and recognition and that, where a witness claims to recognise a suspect, identification procedures must still be followed.

Arrest strategy:

An investigator must decide whether the suspect can or should be arrested. The decision to deprive an individual of their freedom should not be taken lightly, and advice should be sought from the Crown Prosecution Service (CPS) if needed. Once a suspect has been identified, a strategy development approach can be adopted to gather material that will either implicate them in the offence or eliminate them. Every individual who falls within the suspect category must be treated in the same way. If there are specific reasons for not following the same procedure, these should be recorded in the crime report or policy file.

Managing the scene & a suspect:

If a suspect is present, consideration needs to be given to how any arrest would be conducted. Namely, who would manage the scene and who would manage the prisoner.

Cross contamination – see below**2. Suspect Not Present:****Identification of Suspect:**

If a suspect is not at the scene then he/she must be located as a matter of urgency. As time passes valuable evidence will be lost. An investigator must also consider that, sufficient information will be required in order to locate the suspect. This might mean personal details or if unknown, a full description. Again, an investigator must consider that a formal identification procedure may need to take place. Therefore, consideration should be given to accurate recording of the first description.

Risk Assessment :

The action taken by an investigator will depend on the nature of the risk posed by the suspect. If it is considered that there is a risk of injury to, either the suspect themselves or the public at large, then an investigator should consider prioritising this action.

Circulate Details:

Utilise the PNC and local systems to circulate a description of the suspect.

Cross Contamination:

The techniques of crime scene management are based on Locard's principle of exchange. Anyone who enters the scene both takes something of the scene with them and leaves

something of themselves behind. This means that every contact leaves a trace, however miniscule. This could be:

- fingerprints
- DNA
- fibres
- footwear marks.

These traces provide valuable material that can link a suspect to the crime. The techniques for recovering this material are highly specialised and CSIs have the necessary training and equipment to carry them out.

Equally, the movement of police officers or staff between scenes may cross-contaminate the available material, and confuse or mislead the investigation. If in doubt, officers should seek advice from CSIs or crime scene managers.

Use this opportunity to explore the students strategy for locating and managing the suspect

Powers – Options - Actions

What powers are available?



Q. what powers are available to deal with an incident?

Expected response: Too many to list e.g. powers of arrest, entry, search, offences committed

What about the policies of the force for managing certain types of incident, such as domestic violence. At this time there is a policy to take positive action at the scene of a domestic incident. However, there may not be sufficient grounds to effect an arrest. Does this policy override the law? Discuss the compounding pressures.

You will need to filter through them using the information and your experience to guide you.

However, newly appointed officers have limited experience which makes decision making more difficult.

Options



Consider **all** of the options that are available to you. Think about the consequences of taking each option.

An example:

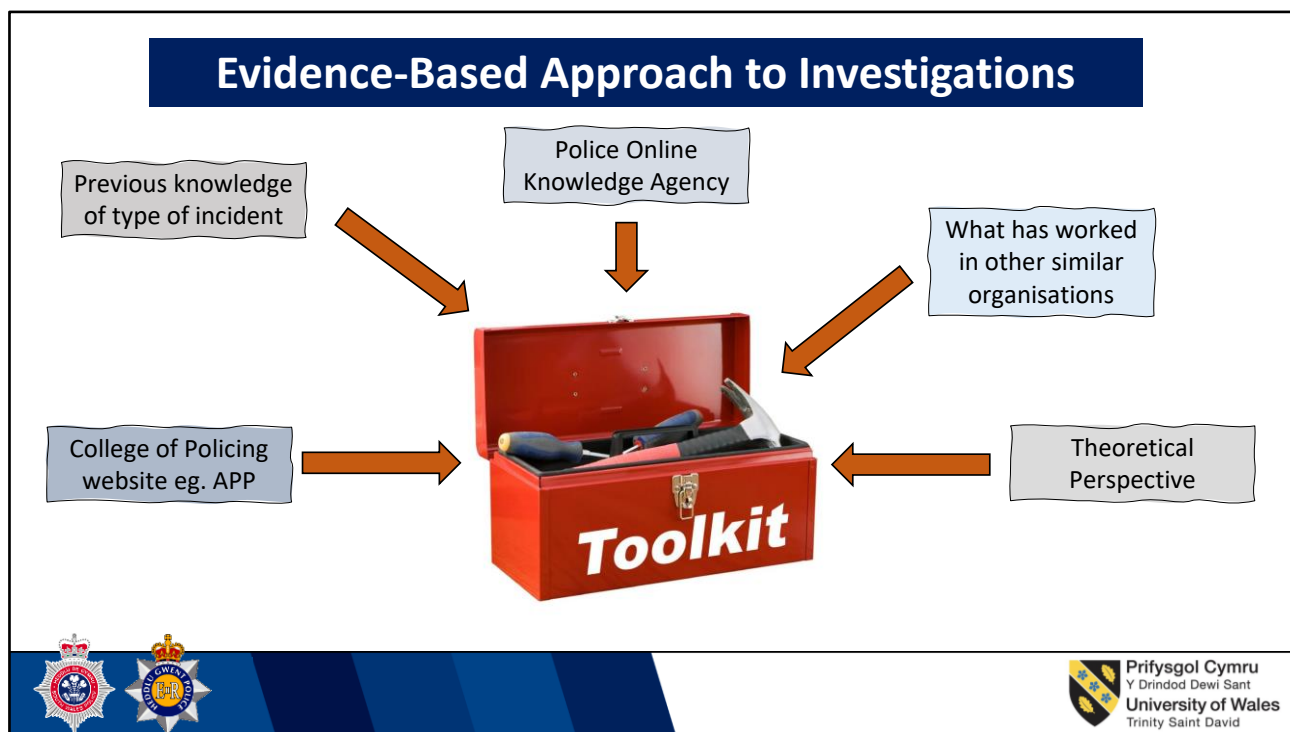
You have a man in-front of you who is armed with a knife. You want to put him in a position of disadvantage.

You shout at him, "Throw the knife away and drop to your knees with your hands above your head."

He complies with your request and throws the knife away. However, refuses to drop onto his knees.

Had you considered what you would do if he said 'no'?

The options available will naturally be linked to the situation you have in-front of you.



QTS – How will you make your decision on what action to take?

QTS – Can you think of any barriers that may present themselves when dealing with an incident?

Adopting an evidence based approach to investigations will allow officers to a greater chance of success.

Evidence-based policing is the application of empirical research to police procedures. Police have long worked to improve their evidence-based research, learning from past experiences, applying and refining what worked and discarding what did not work. The difference between the evidence provided by the traditional approach and more recent procedures is the degree to which standardised empirical and scientific methodology is used to solve crimes.

In traditional police investigations, evidence was often anecdotal and procedures were highly personalised, depending on the particular experience and outlook of senior police and civilian leadership. However, the modern concept of evidence-based policing implies the use of formal academic research, in order to derive the most effective policies and procedures possible. This research is often conducted by professional scholars and experts in the fields of criminology, sociology and psychology.

Applying Evidence-Based Policing

Once research has been conducted on a particular issue, police procedures are developed, based on their effectiveness, and on which political leaders or police departments decide what methods to use. Researchers often make specific recommendations to maintain an objective or unbiased disposition in relation to the evidence gathered. They may, however, demonstrate that one response is superior to another based on statistics such as reduced crime levels, community complaints against officers and on duty related injuries.

Advantages of Evidence-Based Policing

The biggest advantage to applying evidence-based policing is that police can base their decisions upon established and proven methods of investigation. Furthermore, they can build on existing evidence and advance procedures through innovations based on the practical experience of police officers.

Reference: Evidence-based crime prevention Sherman, Lawrence W (2002)

Police innovation: contrasting perspectives Braga, Anthony Allan & Weisburd, David (2006)

Arriving at an Incident



QTS – What will you be thinking when arriving at an incident?

Discuss the mind-set of an officer arriving at an incident using the principles of the NDM, focusing on the options available

Take Action

Take action with confidence, namely, 'a belief in one's self & one's ability to succeed' (*Psychology Today* 2018)



Building confidence

Develop an understanding of good decision making skills & processes

Gather relevant, thorough & accurate information

Learn to live with an element of uncertainty & risk

Understand the need for the support of others

Accept responsibility

Practice, practice, practice

Remain open & flexible



QTS – Why do you think it's important to build confidence?

Striking a healthy balance between too much and too little confidence can be challenging. Too much and you can come off as cocky and stumble into unforeseen obstacles when you overestimate your own abilities or fail to complete projects on deadline because you underestimate the time and effort they require.

At the same time, having too little confidence can prevent you from taking risks and seizing opportunities—in school, at work, in your social life, and beyond. Projecting just enough confidence helps you gain credibility, make a good lasting first impression, deal with pressure and meet personal and professional challenges head on.

Lacking confidence in decision-making abilities, due to a lack of experience or a belief that the individual is a poor decision maker, or worrying too much about the decision and believing that the outcome of the decision has too many consequences to make the decision

What is the impact of lacking in confidence?

Better Decision-Making Methods

Gather relevant, thorough, and accurate information.

There is no shortcut to gathering good information. Good information is the essential building blocks of any decision. There are many ways to gather information. If your information is inaccurate, incomplete, or misleading, you will be handicapped in making a good decision.

Gather information from multiple sources as a reliability check. Gather enough information that you are well informed, but do not wait for the “magical” piece of information that will suddenly illuminate your understanding. Each piece of information will help you get a better understanding of the puzzle, but you don’t need every piece of the puzzle in order to get a pretty good sense for what the picture looks like. Seek options and variables.

Make sure you have an adequate amount of options. Ponder them thoughtfully. Evaluate and rank your options until you have some that seem more adequate than others. Talk with others about your options. Seek the variables

Develop an understanding of good decision making skills and processes.

Make sure that you know, implement, and stick with good decision making procedures. Know the outcomes you want from your decisions.

Learn to live with an element of uncertainty and risk.

Almost all decision-making has some element of risk involved. Of course the more important the decision, the more we have to lose. But, realise that most decisions are not irreversible. There will likely be no sense of guarantee that your decision will work out, until after you have started down the path. It has been said that “life gives the tests first and the lesson afterwards.” Develop the ability to compromise on some things, while holding fast to fundamental values. Realise that you will end up with both good and bad in your choice, hopefully more good than bad. If you have more bad than good, it may be time to make a different choice.

Understand the need for the support of others

Recognise the important influence of others in your life. Seek them out for counsel. But, remember the decision is yours, and you have to live with the consequences, on one else can.

Accept responsibility

Learn to make choices and becoming responsible for those choices. You will find that sometimes your decisions will make you temporarily lonely, disliked, or unappreciated, but over the long haul you will feel better about yourself and perhaps even admired by others because of your integrity that you are true to yourself. You cannot not have an identity or position.

Practice, practice, practise.

There is no substitute for practice and Practise in making choices. Even “bad” choices provide great learning experiences. Those choices that are bad can be changed.

Embrace your “brand”

There is no need to be ashamed of who you are. You do not need to let others by default on your part make decisions for you, just because you want to be accepted, loved, or admired by them. Stand up for the things you value and you will ultimately have less to worry about over time.

Remain open and flexible.

Even though we must make decisions daily, we will continue to learn. If we later find that we need to change a previous decision, because we know more now, don't be afraid to make a change. The modern world-of-work requires that we be flexible and adaptable.

Crime Reports & Decision Logs... what would you record?

Crime reports record details which include:

Name

Time, day, date of incident

Time, day, date of recording

How the crime was reported

Who reported the crime & the method

Location

MO – this field should be as complete as possible because it often forms the basis for identifying suspects



Prior to showing PPT slides 39 & 40 Trainer to ask students to reflect on the session and write down everything they would record at an incident.

Crime recording

Forces should comply with the national crime recording standard (NCRS) and the Home Office counting rules (HOCR) when recording crimes. Each force has a crime registrar (FCR) who acts as the final arbiter for the interpretation of the NCRS and the HOCR, and for the quality assurance process. Any questions on the correct classifications or process should be directed to the FCR.

Many crimes are initially reported and recorded as incidents. Incident recording is set out in ACPO (2011) National Standard for Incident Recording (NSIR).

National crime recording standard- there will be a separate session on this

The NCRS promotes consistency between police forces in how to record crime and in providing a victim-orientated approach to crime recording. This standard has three basic principles:

the police register an incident report for all reports of incidents (whether from victims, witnesses or third parties and whether crime related or not)

an incident is recorded as a crime (notifiable offence) if, on the balance of probability, the circumstances as reported amount to a crime defined by law, and

there is no credible evidence to the contrary

once recorded, a crime remains so unless there is additional verifiable information to disprove it.

Reference: Core Investigative Doctrine 2012

<https://www.whatdotheyknow.com/request/387377/response/948818/attach/2/Core%20Investigative%20Doctrine%202012.pdf>

Reference: APP Crime recording

Crime Reports & Decision Logs

Decision Logs

This is not intended to be a record of every single action taken in an investigation, Case decisions can be either:

Strategic

Those decisions made around the intention of what the investigation is to achieve or,

Tactical

Those decisions where the focus of the investigation may shift or the targets are changed



Decision Logs- used in more serious cases

Definition of a 'decision' A decision in this context can be defined as:

☐ 'Anything which could be construed as having chosen a course of action that could affect the outcome of an investigation in either a positive or a negative way'.

Specific decisions you must always record You must always record decisions to go against policy.

You must also record decisions made jointly with representatives from other agencies. You must invite the senior representative of the other agency to countersign the entry. If they refuse the offer, you must record it and any reason(s) offered for refusal, for example, they are keeping a separate record.

Negative decisions You must also record any negative decisions, when you decide not to take a certain course of action. If you make a conscious decision not to do something, it may create more issues than the decision to follow a course of action would have done. For example, decisions not to:

☐ conduct surveillance on an individual ☐ arrest somebody ☐ search a set of premises, or

❑ oppose unconditional bail.

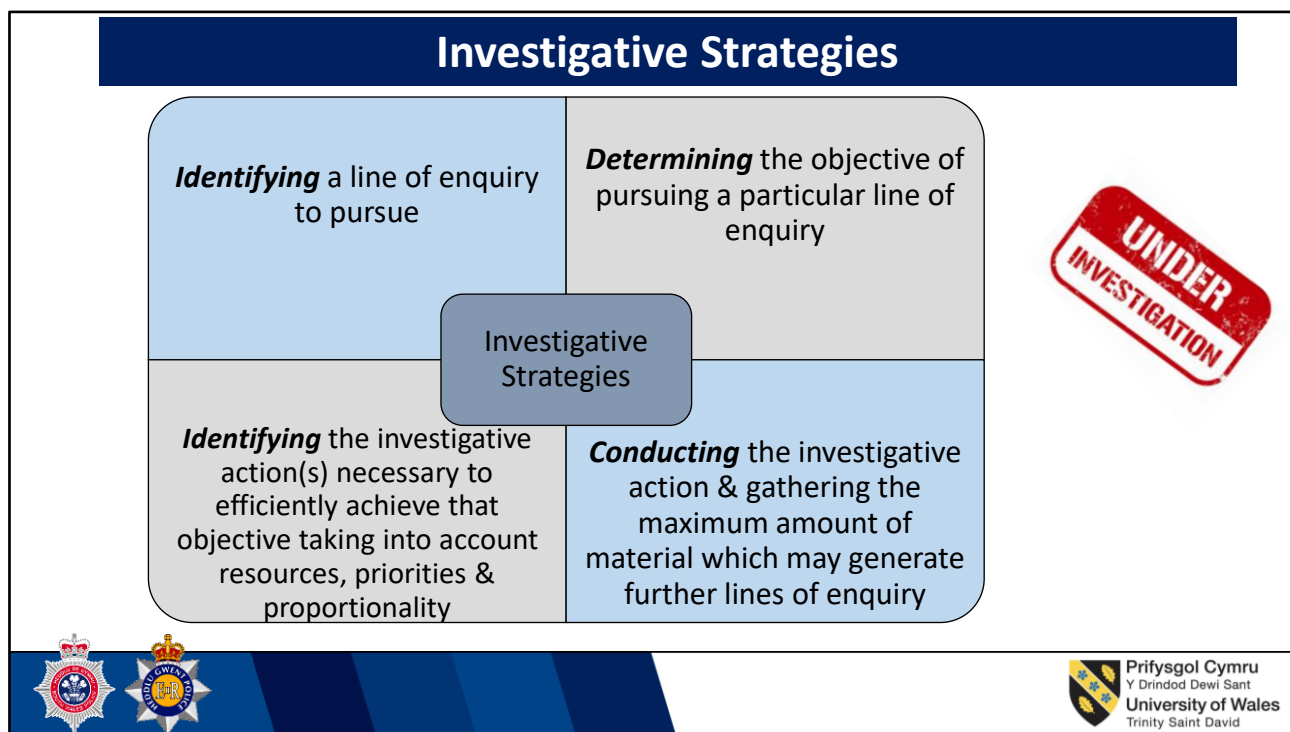
Consolidated entries Combined entries in decision logs may sometimes be appropriate, for example, when appointing staff to roles at the start of a case. These entries can list all the decisions taken as one entry, using bullet points if appropriate.

If you are uncertain as to whether to make an entry in a decision log, or how much detail to include, a final test to consider would be:

❑ ‘If, in five years time, you have to stand in front of a public enquiry, court, or other tribunal and justify why you did or did not do a certain thing, would putting more detail in the decision log assist you?’

Reference: Decision Logs

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488524/Case_decision_logs_v4.0EXT_clean.pdf



Investigative strategies

An investigative strategy is a plan that sets out the appropriate actions needed to further the investigation. These may include:

- Identifying a line of enquiry to pursue
- Determining the objective of pursuing a particular line of enquiry
- Identifying the investigative action(s) necessary to efficiently achieve that objective taking into account resources, priorities and proportionality
- Conducting the investigative action and gathering the maximum amount of material, which may generate further lines of enquiry. There may be cause for other forces to carry out investigations on our behalf, or in some cases, must take ownership of the investigation, this will generally happen with missing persons, or with other crimes e.g, fraud, paedophile rings etc.. Another example would be: suspect has committed a theft in SWP area but may be wanted for attempted murder in Devon and Cornwall, D and C would take primacy of the investigation, that is not to say that we cannot still investigate the theft, but we would need to transfer the suspect over to D and C or they will send officers to our custody; dependant on the case in hand.

Example Strategy

Line of enquiry	Objective	Investigative action
Make enquiries with force	Establish if the car has been towed away for illegal parking or otherwise reported e.g. for speeding, which will provide a location at a specific time Contact force centre	Force centre to alert other force members and contact PND and ANPR
House to house enquiries	Identify any witness sightings of the theft	Establish which houses overlook the scene and speak to the inhabitants
CCTV coverage	Identify any sightings of the theft	Note the authority responsible for any cameras nearby and contact them for recovery of footage



A man reports that his car has been stolen. You go to the scene of the theft, and the owner of the car tells you that he parked it in a side street and when he returned to collect it, it had disappeared.

This is an example of a strategy. Further elements would include:

- Line of Enquiry- Tracker enquiries To establish current location of the vehicle
- Objective- Establish whether the car has a tracker device
- Investigative Action- If so ask the owner to inform the tracker company

It must be remembered that the above is a plan and that the investigative actions are not necessarily carried out immediately or by the person devising the plan. If, for example, the theft took place at midnight an immediate door to door enquiry may not be reasonable. It would be left to others on duty during the day to make the further enquiries.

Implementing investigative strategies:

As the investigation progresses, you will need to consider how to carry out the actions identified in the investigative strategy. You may need to consider the following:

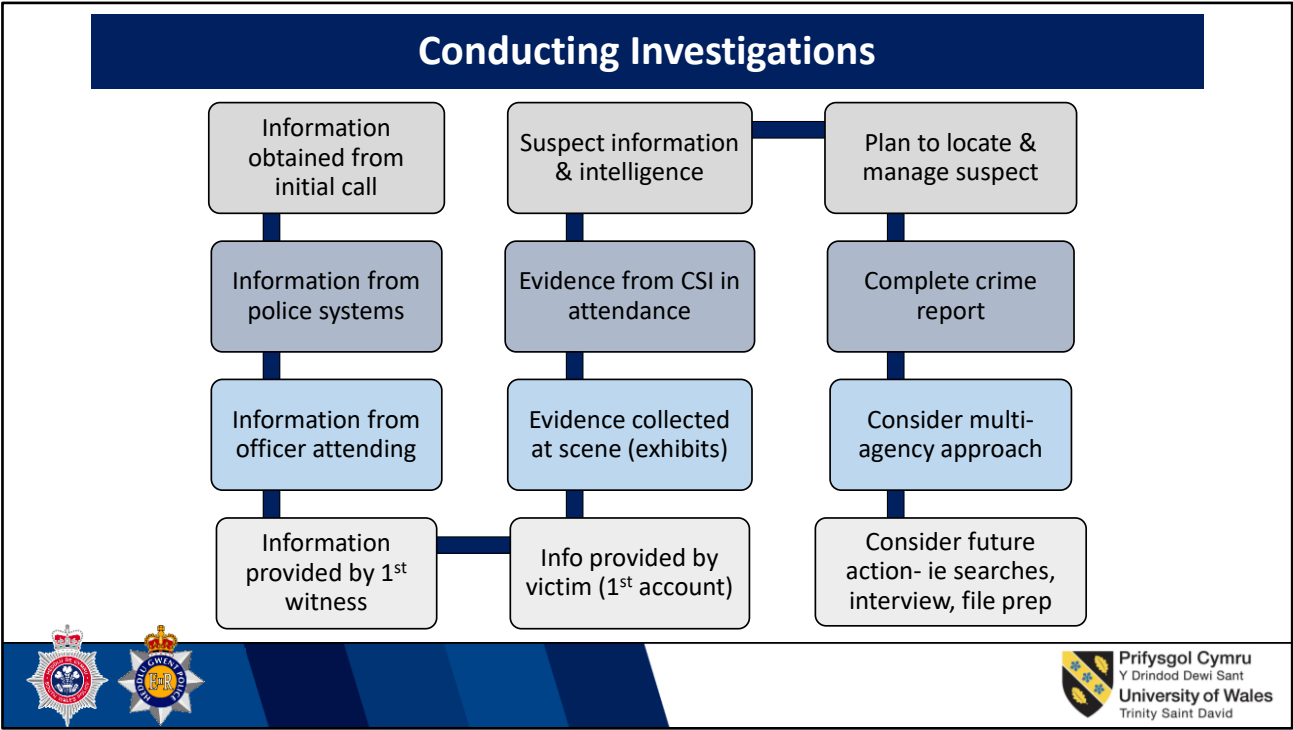
- The scene
- A search

- Victims and witnesses
- Suspects
- Arrest
- Interview.

You will need to develop a strategy for each to ensure that investigative opportunities are fully developed.

Reference: Investigation:

PIP Level 1 Conduct Investigations College of Policing Version 2.2

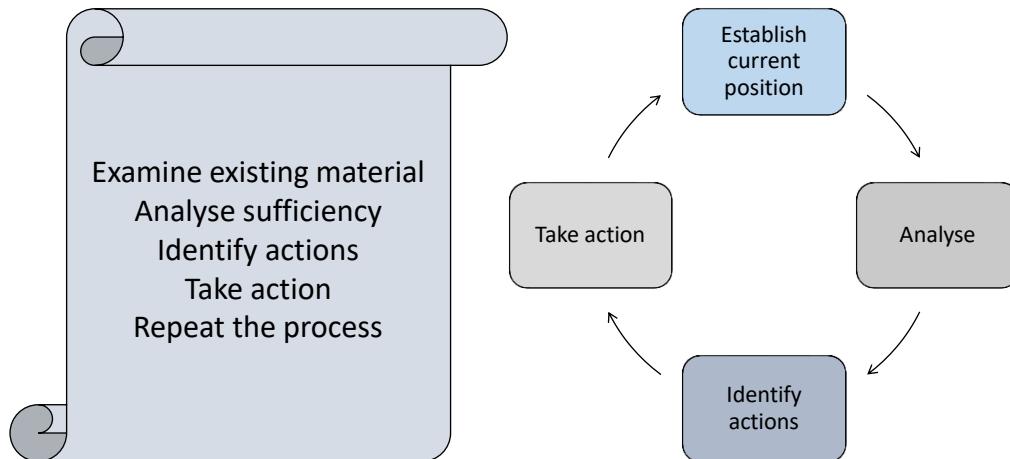


Follow the incident through.

This information will assist with your decision making, ensure that information is not missed and allow a swift handover if one becomes necessary.

For NICHE, this would be recorded in your occurrence log.

Investigative and Evidential Evaluation



Examine existing material

Examine the existing material gathered

Identify inconsistencies

Identify outstanding actions

Analyse sufficiency

Is the existing material sufficient to proceed with a prosecution

What actions were due to be completed when a previous evaluation took place, have they been completed or are they still outstanding

What can I do to progress the investigation

What has changed since the previous evaluation

Identify actions

Identify the actions that need to be completed to progress the investigation

Identify when the actions need to be completed by

Identify who will need to complete the actions

Take action

Take identified actions

Arrange for the actions to be completed

Repeat the process

Repeat the review/ evaluation process

Investigative and evidential evaluation

Material which has been gathered during an investigation should be subjected to a periodical formal evaluation to allow the investigator to review the progress of the investigation, explore whether any additional lines of enquiry can be identified and ensure that all existing lines of enquiry and investigative actions have been pursued and completed. It also allows investigators to review the actions and decisions already taken. This process of evaluation is as relevant to volume crime investigations as it is to more serious or complex investigations.

Investigators should follow a standard model of evaluation, as this will enable them to become competent in its use, and allow them to evaluate material in a consistent, structured and auditable format. There are two types of formal evaluation:

- ☐ Investigative evaluation

- ☐ Evidential evaluation.

- ☐ Investigative evaluation should identify:

- ☐ What is known

- ☐ What is still to be established

- ☐ Consistencies in the material

- ☐ Conflicts between different material.

Evidential evaluation should consider:

- ☐ The overall strength of the case

- ☐ Whether sufficient evidence exists against a suspect to proceed to charge.

During the early stages of an investigation a greater emphasis should be placed on investigative evaluation in order to identify a suspect. Later, and particularly during the suspect management phase of the investigation, the emphasis will shift toward ensuring that an evidentially robust case can be passed to the CPS for prosecution purposes.

Requirements of the evaluation process

The first stage of any evaluation is to set the objectives. An investigator must have a clear idea of the reasons he or she is carrying it out. In the early stages of the investigation the objectives are likely to be basic and broad such as:

☐ The nature of the crime, if the investigation involves a crime. This may seem obvious but does require careful thought. There is a difference between an assault and an assault where injury occurs as a consequence, and the evidence required to prove different offences may differ accordingly.

☐ The material should be relevant to the investigation. All material gathered should be included in the evaluation, and, in the early stages, nothing should be discarded as it may become relevant later.

☐ The reliability of the material; it must be in a form in which it can be produced as evidence, or anyone using it as intelligence can rely upon its accuracy.

☐ It must be admissible as evidence. If, as it has been gathered, it is not admissible, it must be put into a form that can be produced at court. For example, information gathered from a witness has to be put on to a witness statement form to be produced in court. Previously, the courts have required the best evidence to be produced, e.g. an original document rather than a copy. Now, however, courts are prepared to accept copies, but investigators should attempt to obtain the best evidence available in whatever form.

Evidence Led Investigation - No Victim Support

Building an evidence-led case which does not rely on the support of the victim is challenging but can be effective. These examples of successful evidence-led prosecutions demonstrate this:

Evidence	Result
Partial admissions, injury photos and bad character evidence of the accused	Guilty Plea
Initial account given on body-worn video, denied but no account given by the defendant, and injury photos	Guilty Plea
999 call, injuries captured on body-worn video and hearsay evidence from the victim recorded in the responding officer's statement	Found Guilty
Victim's 999 call as res gestae and officer's description of injuries	Found Guilty



QTS:- Why would a Victim not support a prosecution?

QTS:- When would we as Police look to prosecute without victim support?

A:- Violent Crime, Murder, Domestic Abuse

Board Blast

QTS:- Come and write on the board examples of how we could build a case, which is evidence led, that can lead to a prosecution with out victim support.

Trainer to go through examples written on board then click to show contents of table on this and next two slides.

****Important to note****

For the Crown Prosecution Service (CPS) to proceed with a prosecution without the victim, cases must still pass the Full Code Test as set out in the Code for Crown Prosecutors, which is why other evidence is essential.

Evidence Led Investigation - No Victim Support

Building an evidence-led case which does not rely on the support of the victim is challenging but can be effective. These examples of successful evidence-led prosecutions demonstrate this:

Evidence	Result
Victim's account on body-worn video as hearsay (witness unable to give evidence through fear)	Found guilty
Victim's account recorded in officer's pocket notebook entry as hearsay (witness unable to give evidence through fear) and injury photographs	Found guilty
Victim's account recorded in section 9 statement as hearsay (witness cannot be found), injury photographs and independent eyewitness testimony	Found Guilty



Evidence Led Investigation - No Victim Support

Building an evidence-led case which does not rely on the support of the victim is challenging but can be effective. These examples of successful evidence-led prosecutions demonstrate this:

Evidence	Result
Circumstantial evidence from a neighbour who hears an argument between the victim and perpetrator and notes injury to the victim in the immediate aftermath	Found guilty
Victim's original written account supported by other key evidence including evidence of injury preferred by court over hostile victim contradictory live evidence at trial	Found guilty



Evidence Led Investigation - No Victim Support

There are three main types of evidence-led prosecutions:

- the prosecution based on hearsay evidence,
- the prosecution featuring a hostile victim and
- the prosecution featuring circumstantial evidence



each of which requires officers to adopt a different approach to investigation.



There are three main types of evidence-led prosecutions

- the prosecution based on hearsay evidence,
- the prosecution featuring a hostile victim and
- the prosecution featuring circumstantial evidence

each of which requires officers to adopt a different approach to investigation.

Trainer can either split the class into 3 groups and get each group to research the three types and report back or open to the class and discuss using user notes. Information obtained from College of Policing APP.

Prosecution based on hearsay evidence

Statements which are not given as oral evidence in court proceedings are subject to special provisions under the Criminal Justice Act 2003 (CJA 2003) Part 11, chapter 2, which sets out the circumstances under which hearsay statements may be deemed admissible by the court. This is because when a witness repeats something that they heard someone say, or that they read, there is no opportunity to challenge the person who actually made the statement, which is viewed as potentially unfair. There is also a risk of the information being inaccurate.

When building a case based on hearsay evidence, officers should adopt the following approach.

1. Has the victim given an account?

The best option is a formal written statement signed by the victim but it could also be in the form of:

- a verbal account from the victim to a police officer recorded in the officer's pocket notebook, signed or unsigned
- a verbal account from the victim to another witness recorded in a statement provided by that witness
- a verbal account from the victim recorded in a 999 call
- a verbal account from the victim recorded in body-worn video footage

2. Is the victim unable to give live evidence in court for one of the reasons listed in the CJA 2003 s 116(2)?

Evidence must be provided of any applicable reasons:

The victim has died.

The victim is unfit to give evidence due to their physical or mental condition CJA 2003)

The victim lives outside the United Kingdom and it is not practicable to secure their participation in a trial

The victim cannot be traced by the police

The victim is in fear CJA s 116(2)(e)

3. Were any comments made at the scene by a child witness from whom a formal statement cannot be obtained?

Such comments could be recorded in an officer's section 9 statement or pocket notebook, the statement of the victim or another witness, or on body-worn video. They may be admissible as res gestae or as hearsay in the 'interests of justice' under the CJA s 114(1)(d).

4. The investigating officer should identify all information which may potentially have an impact on the credibility of the absent witness and forward this to the CPS.

This could include the witness's previous convictions or cautions, previous complaints made by them or intelligence reports.

5. The investigating officer should ensure all evidence capable of corroborating the victim's account is identified and forwarded to the CPS.

Prosecution based on a hostile victim

A hostile victim is one who provides false information to the police or prosecutor with a view to making them drop the case due to a conflict of evidence. Examples could include where a victim:

- has made an initial statement alleging an assault by the suspect, but later makes a retraction statement falsely saying that it never happened
- may not have made a formal statement to the police but did call 999 to report an assault and is later adamant that they made it up, for example claiming that they were intoxicated
- turns hostile at court and informs the prosecutor on the day of trial that they are going to tell the court that none of the allegations are true
- Sometimes the second account is the true one and it is appropriate to drop the case. If, however, there are grounds to believe that the initial account is the true one, and that the victim is lying through fear, intimidation or some other motive, the investigating officer should take steps to identify:
 - all evidence that could corroborate the victim's initial account, for example evidence of injury, third party witness statements, body-worn video footage
 - all evidence that can rebut or disprove any aspect of the false account, for example an officer's statement which clearly says that the victim was not intoxicated at the time the initial account was given

If there is a clear motive for providing the new false account, for example the victim has been threatened or pressured, this should be evidenced. It could also amount to a separate offence of witness intimidation.

Issuing a witness summons, especially one with a power of arrest, for a victim of domestic abuse and then subjecting them to cross-examination is a very significant step and should be used only as a last resort. The reviewing CPS lawyer or trial advocate will need to be satisfied that the case is serious and that it is in the interests of justice to prosecute the case in this manner. The investigating officer should ensure that they provide all information relevant to assessing the seriousness of the case, which includes:

- significant reported or unreported history of domestic abuse
- up-to-date information as to the nature and extent of any injuries caused whether children were present during the incident or are thought to be at risk of further

harm, and of what age

- their own view of the risk to the victim or others in not continuing the prosecution, based on their knowledge of the case, history and risk assessments

Prosecution based on circumstantial evidence

A circumstantial case is one where there is no victim account or account from any other direct eyewitness to an incident, but all the available evidence points towards the same inference that the suspect committed the offence.

This type of case is difficult to prosecute because there is a lack of direct eyewitness evidence to contradict any innocent explanation of events provided by the suspect in interview or during evidence at trial. The Court of Appeal, however, in *R v C* [2007] EWCA Crim 3463, encouraged the prosecution team to look at the possibility of presenting circumstantial cases where victims of domestic violence were reluctant to attend court.

A circumstantial case is most likely to succeed where the circumstantial evidence is overwhelming, namely there is no other viable explanation. In one successful prosecution, the court concluded that the evidence of the defendant and victim was unreliable and the only viable explanation for the injury in light of the neighbour's evidence was an unlawful assault. In reaching this decision, it relied on the following considerations:

- a neighbour saw the victim enter her flat without injuries
- the neighbour heard the suspect verbally abusing the victim
- the neighbour saw the victim 15 minutes later with a bleeding nose
- the suspect had a graze on his hand
- the defendant denied responsibility for the injuries and claimed he was not there and
- the victim gave evidence in court on behalf of the defence that the injury was caused in an accident

Understanding the Role of Others



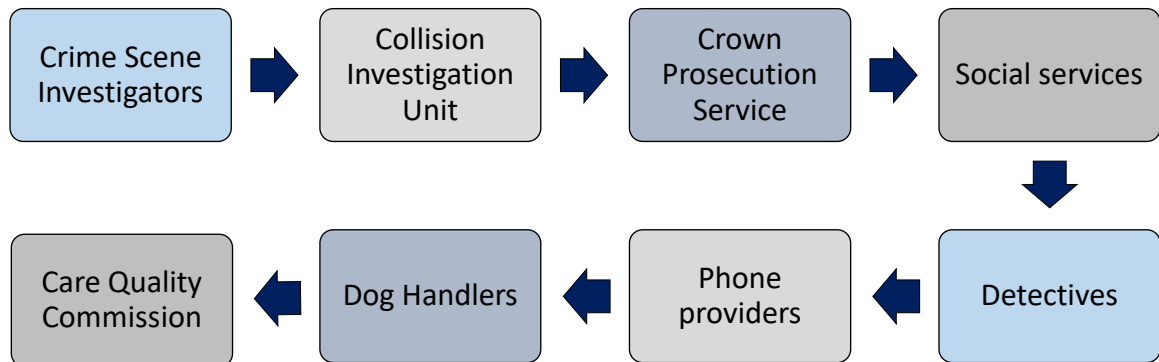
Q. Who will be available to assist you with your initial investigation? Make a list

Q. How are you going to work with them? Direct the students towards understanding their roles.

Q. How will you achieve this?

Expected answer: By asking them, spending time with them and learning about their role

Understanding the Role of Others



These are just a fraction of the people you will be working with:

CSI:- To process crime scenes using specialist, approved techniques to visualise, capture and recover digital and trace evidence, and gather information and intelligence as part of an investigation.

CIU:- Attend the scene of fatal and life threatening collisions to gather and provide expert evidence to the investigation team and the criminal justice system.

CPS:- To provide legal advice to the police and other investigative agencies during the course of criminal investigations, to decide whether a suspect should face criminal charges following an investigation, and to conduct prosecutions both in the magistrates' courts and the Crown Court

SS:- are responsible for the welfare and safeguarding of vulnerable children and adults. Activities include: Assessing needs to make sure someone is receiving the right support; Providing information on services and organisations that can help you; Agreeing a budget to pay for support; Referring people to other services that might be useful; Intervening in an emergency to keep someone safe.

CID:- Investigates crimes of a more serious nature, which may require specialist skills to ensure more complex or serious crimes are investigated fully. The types of serious crimes that they investigate are murders, serious assaults, robberies, fraud, and sexual offences. Detectives may also assist in the investigation of less serious crimes like theft.

Dog Handlers:- Provide proactive and reactive assistance in support of all operational officers and specialist departments by appropriate use of police dogs; to locate and

retrieve evidence or offenders, to control potential and actual disturbances, and to enhance officer and public safety.

CQC:- is an executive non-departmental public body of the Department of Health and Social Care of the United Kingdom. The CQC's stated role is to make sure that hospitals, care homes, dental and general practices and other care services in England provide people with safe, effective and high-quality care, and to encourage those providers to improve. It carries out this role through checks during the registration process which all new care services must complete, as well as through inspections and monitoring of a range of data sources that can indicate problems with services. Part of the commission's remit is protecting the interests of people whose rights have been restricted under the Mental Health Act.

NB. CQC only operates in England but is in the CoP Curriculum. Wales have a similar department but been split in two, these are:

Arolygiaeth Gofal Iechyd Cymru (Healthcare Inspectorate Wales):- the independent inspectorate and regulator of healthcare in Wales. They inspect NHS services, and regulate independent healthcare providers against a range of standards, policies, guidance and regulations to highlight areas requiring improvement.

Arolygiaeth Gofal Cymru (Care Inspectorate Wales):- They register, inspect and take action to improve the quality and safety of services for the well-being of the people of Wales. They carry out functions on behalf of Welsh Ministers to provide assurance on the quality and safety of services | Decide who can provide services | Inspect and drive improvement of regulated services and local authority social services | undertake national reviews of social care services | take action to ensure services meet legislative and regulatory requirements | respond to concerns raised about social care and childcare services



Jurisdiction when Investigating across Force Boundaries

- Where the crime Occurred determines which Police Force Investigates.
- Practical considerations arise where the victim resides in a different policing area from that in which the offence(s) was committed
- Clear records are kept by the lead Force - decisions made, information shared and received, actions proposed, and conclusions reached
- Tools available when gathering evidence / information Internationally






Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David

QTS:- Why is it important to agree jurisdiction when investigating across force boundaries?

Trainer to put responses onto White Board and discuss (*Bear in mind Victim (welfare of vulnerable persons especially children in sexual cases), Suspect, severity of investigation, resources required/available, Police Powers*)

NB. Scotland has different laws and powers, Sections 136-140 of the Criminal Justice and Public Order Act 1994 outline the relevant powers in relation to constables in England, Wales and Scotland when in each other's jurisdiction.

The Police and Criminal Evidence Act 1984 (PACE) applies to police officers in England and Wales, not Scotland.

In Scotland, police powers of investigation are not contained in a single regime equivalent to PACE but come from a mixture of common law and the Criminal Procedure (Scotland) Act 1995. Where an offence has been committed in England or Wales and it is believed the suspect is living in Scotland, the investigating officer will need to decide on the appropriate strategy, on a case by case basis, to locate and deal with the suspect. This can be said for those between forces inside

England and Wales aswell.

It would be expected that for offences of a serious nature committed in a force within England and Wales, officers would travel to said force to arrest the suspect and bring them back (in accordance with Section 137 of the Criminal Justice and Public Order Act 1994).

The officer seeking to arrest the suspect should inform the commanding officer in the area where the person is resident. Sufficient vehicles and other equipment needed to carry out the arrest should be taken.

To note in Scotland Scottish officers do not have any powers to arrest a suspect who is believed to have committed an offence in England or Wales without a warrant.

If there is insufficient evidence to obtain a warrant and the case is not sufficiently serious to justify travelling to Scotland, a request can be made for Scottish officers to invite the suspect in voluntarily to be interviewed under caution.

Scottish officers interviewing suspects on behalf of England and Wales Forces should comply with Scottish law but use the English / Welsh caution.

Home Forces should assist Scottish and other Force officers by providing a schedule of points to be covered in the interview. This may include a list of appropriate questions.

If a England or Wales Police officer attends Scotland to interview a suspect following arrest by a Scottish officer for Scottish offences, or a person has voluntarily agreed to be interviewed, they should comply, insofar as practical, with PACE.

Some times our investigations take us further than our Force Borders and reaches the international community. This is where we need specialist help from the FIB's International Desk. They offer advice and assistance across the scope of international police enquiries. The Single Point of Contact (SPoC) guidance covers all aspects of dealing with foreign law enforcement agencies, be it on consulate, embassy, agency, local or national police level.

Students to be directed to the Handout or directed to on Moodle – Operational Guidance for Police Cooperation when dealing with overseas enquiries

Multi-Agency Work

1. Incidents: What type require a multiagency response?

2. What type of agencies will you work with?

3. What does 'multi agency working' actually mean?



For various incidents that police officers attend, there is a requirement that other agencies are involved or informed.

This is referred to as multi-agency working.

This is defined as, 'involving multiple agencies'

Reference: Definition of Multi-agency

<https://www.collinsdictionary.com/dictionary/english/multiagency>

Trainer to split the class into 3 groups and provide each group to discuss one of the questions below.

QTS- what type require a multiagency response?

Expected answers- those involving children, domestic incidents, neighbourhood disputes,

QTS- What type of agencies will you work with?

Expected answers- social services, schools, social housing,

QTS- What does 'multi-agency working' actually mean?

Expected answers- information sharing, pulling resources together, adopting a common goal

Explain that this will be explored in detail in later sessions.

