

## Working together with Stoke-on-Trent Safeguarding Children Partnership

### ORGANISED AND COMPLEX CHILD ABUSE INVESTIGATIONS

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## 1.0 Definition

- 1.1 Complex abuse (also known as organised or multiple abuse) may be defined as abuse involving one or more abusers and a number of children. The abusers concerned may be acting in concert to abuse a child/ren; one or more adults may be involved and they may be using an institutional framework or position of authority to recruit children for abuse. Complex abuse occurs both as part of a network of abuse across a family or community and within institutions, such as residential homes, day care and sports clubs or schools. This includes abuse through the misuse of technology. (Working together to safeguard children, 2015).
- 1.2 Complex abuse reflects to a greater or lesser extent, an element of organisation on the part of the adult/s involved and may involve:
- Aspects of ritual to aid or conceal the abuse of children;
  - Child sexual abuse networks where adults plan and develop social contacts, with children for the purpose of gaining access to them in order to abuse them; The production of child abuse images or abuse of children through sexual abuse and / or sexual exploitation;
  - Abuse in residential homes, boarding schools or other institutions;
  - Adult/s who seek contact with children for improper reasons through leisure or welfare organisations;
  - Adults seeking to contact children via electronic means such as internet or mobile telephones.

Please note that complex child abuse investigations should not be confused with allegations of abuse made against a person working with children. While concerns around complex abuse can be initiated by a single allegation, or a complaint on behalf of an individual child, complex child abuse is different due to the nature of the allegation(s) relating to a network of abuse across a family, an institution or a wider community. This is sometimes referred to as organised or multiple abuse.

## 2.0 General principles

- 2.1 Each complex abuse investigation requires thorough planning, good inter-agency working, and attention to the welfare needs of the child/ren that have been harmed. The various agencies involved in a complex abuse investigation should be committed to working together in partnership to ensure that relevant information is shared and that appropriate action is taken to minimise the risk posed by alleged offenders to children and vulnerable adults.
- 2.2 Recommendation 22 of the [Waterhouse Inquiry Report \(Lost in Care, 2000\)](#) emphasised the need for improved practice by local authority children's social care departments and police forces involved in major investigations regarding:
- Safeguarding and preservation of police records of major investigations, including statements and the policy file;

- The safeguarding and preservation of local authority (LA) children's social care (CSC) files;
  - Access by the police to LA CSC files;
  - The supply of information about alleged and suspected abusers by the police following an investigation;
  - The sharing of information generally for criminal investigation and child protection purposes.
- 2.3 However, all agencies (such as health, education, NSPCC and probation) who may be asked to contribute to complex abuse investigations need to ensure that issues in this inter-agency policy and procedure are addressed. Information in this document is also relevant to registration authorities where continuing registration might be affected by the investigation.
- 2.4 Cases of organised abuse are often highly complex because of the number of children involved, the serious nature of the allegations of abuse, the need for therapeutic input and the complex and time consuming nature of any consequent legal proceedings.
- 2.5 These cases very often have the added complexity of dual legal proceedings in the form of care proceedings as well as any criminal proceedings. Criminal and care proceedings very often have incompatible timescales. However the conclusion of care proceedings, save for in the most exceptional of circumstances, should not be delayed in relation to either bringing the application or concluding the application. Dual proceedings can create difficulties in relation to information sharing and it is essential the disclosure protocol is kept under active review. The impact on the subject children of having two sets of proceedings ongoing must be kept under constant review.
- 2.6 Such cases usually require the formation of dedicated teams of professionals from the police and LA or NSPCC for the purpose of the investigation. (Appendix 1 – Step 3)
- 2.7 Where professionals are implicated as suspected perpetrators of abuse, it is imperative that their line managers are not represented in either the strategic management group (SMG) or the joint investigation team. An early mapping exercise to determine the scale of the investigation should help to identify these individuals.
- 2.8 It is recognised that those who commit sex offences against children often operate across geographical and operational boundaries and this procedure takes into account the potential involvement of more than one local authority.
- 2.9 Where an allegation involves a post holder who has a specified role within these procedures, the referrals must be reported to an alternative (more senior) manager. (Appendix 1 – Step 4)
- 2.10 In all investigations of organised abuse, it is essential that staff involved maintain a high level of confidentiality in relation to the information in their possession without jeopardising the investigation or the welfare of the children involved. Subsequent information generated throughout the investigation should only be shared on a 'need to know' basis. Where police profiles of suspected perpetrators, victims or witnesses are prepared the SMG will agree the information sharing and storing process, given this is intelligence based information.
- 2.11 Disclosure between the Police and the Local authority, following the instigation of any care proceedings, must only take place in accordance with disclosure Guidance

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[http://www.cps.gov.uk/publications/docs/third\\_party\\_protocol\\_2013.pdf](http://www.cps.gov.uk/publications/docs/third_party_protocol_2013.pdf)

And in accordance with Civil Procedure Rules

[https://www.justice.gov.uk/courts/procedure-rules/family/practice\\_directions/pd\\_part\\_12g](https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12g)

The issue of disclosure between proceedings is complex and any questions in relation to disclosure and sharing of documents filed in either set of proceedings (once proceedings have been issued) should be referred for discussion to Crown Prosecution Service (CPS) legal and local authority legal departments.

- 2.12 These procedures must be implemented in conjunction with Staffordshire and Stoke-on-Trent Local Safeguarding Children Board inter-agency policy and procedure in respect of Section 4A /DO1 Allegations of Abuse made against a person who works with children'.
- 2.13 To view the Staffordshire LSCB document please go to:  
[www.staffscb.org.uk/Professionals/Managing-Allegations](http://www.staffscb.org.uk/Professionals/Managing-Allegations)
- 2.14 To view the Stoke-on-Trent LSCB document please go to:  
[stoke.gov.uk/D01\\_Managing\\_Allegations\\_LADO.pdf](http://stoke.gov.uk/D01_Managing_Allegations_LADO.pdf)
- 2.15 The protection of any children identified as being at risk of harm remains paramount, but the sharing of information and confidentiality issues should also be treated with due consideration for the alleged offender.
- 2.16 Agencies should take appropriate practicable steps to minimise the potential disruption and damage to the alleged offender's private and professional life. Investigations can often be protracted and in many cases take place many years after the alleged offence was committed. All professionals involved in the case should be reminded that allegations can subsequently be proven to be ungrounded, false or malicious and therefore the needs of the alleged offender should be treated with respect and sensitivity throughout the investigation.
- 2.17 In order to track the number of children and alleged perpetrators of abuse involved in organised and complex abuse investigations it is essential that a central spreadsheet is maintained, via the Investigative Management Group. This should include the details of all individuals, their personal details and relevance to the enquiry, including alleged perpetrators, victims of abuse confirmed/or potential, witnesses and children/siblings of alleged offenders.
- 2.18 A community impact assessment should be agreed by the SMG where there are issues of community disruption or potential risk to victims, witnesses and/or staff via intimidation or disruption.
- 2.19 Risk assessment should be undertaken at the earliest stages to ensure that staff physical and emotional wellbeing is tabled for review (See links at the end of this document to Appendix 2).
- 3.0 Relationships between the police, LA children's social care services and the Crown Prosecution Service**
- 3.1 Research and experience has repeatedly evidenced that keeping children safe from harm requires professionals and other relevant parties to share information. Often it is only when

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information from a number of sources has been shared that it becomes clear that a child is at risk of, or is suffering harm. This is also true for vulnerable adult victims.

- 3.2 Complex abuse investigations should be undertaken as a joint operation between the police, LA CSC services and also the Crown Prosecution Service (CPS) who should be involved at an early stage to provide advice, and invited to SMG as required in order to fulfil obligations (see 3.3). In many cases there will also be value in involving an independent child protection agency such as the NSPCC.
- 3.3 The CPS is independent of the police and should not be involved in operational decisions about the conduct of an investigation. However, the CPS can provide advice about the evidential or legal implications of issues arising during an investigation, and early involvement in this regard can inform decisions made by the investigation team. It is important that there is continuous advice and interaction between each agency throughout the investigation and any resulting prosecution.
- 3.5 Investigations into allegations relating to a member of the LAs own staff (including foster carers) should involve an independent person from outside the authority. In such circumstances please use the link provided above on page 5 to access information and guidance via your relevant LSCBs 'Managing allegations of abuse against a person who works with children' policy and procedure.
- 3.6 Investigation teams should have visible support from the top ranks in the police force, the LAs CSC service and any other relevant agencies throughout the inquiry. This requires the involvement of senior personnel, at least at Assistant Chief Constable and CSC Head of Service level in a central strategic management group. It is for each agency to determine their representative. These individuals must be empowered with full decision-making authority (e.g. in the allocation of resources).

#### **4.0 Relationships with LSCBs**

- 4.1 An investigation of organised and complex abuse will be carried out under the auspices of the Local Safeguarding Children Board, which should be kept informed of its progress. It should be the role of the strategic management group to liaise regularly with the LSCB Independent Chair. However, the LSCB should not take any direct role in the management of the inquiry.

#### **4.2 Relationship with Ofsted**

Where organised and complex abuse investigation is taking place the strategic management group chair is responsible for ensuring consideration is given as to whether the criteria of a Serious Incident Notification<sup>1</sup> and/or scoping for a Serious Case Review is required and actioned accordingly.

#### **5.0 Relationship with third sector agencies**

- 5.1 Third sector agencies could be involved at senior management level in the strategic management group meetings. At other times, liaison should be maintained through senior and frontline LA children's social care staff. Advice may be sought on specific issues (e.g. the availability of local counselling or support services). Protocols about access to third sector agency files should be agreed and access to services, if for example, fast track

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<sup>1</sup> Working Together 2015, Chapter 4 Learning and Improvement Framework

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arrangements are required e.g. therapeutic services, counselling

## 6.00 Setting up an investigation

### 6.1 Initial strategy meeting / discussion

Where a professional becomes concerned that a case may be organised or complex in accordance with the definition set out in this document, the professionals must immediately inform their child protection manager, a LA children's social care (CSC) strategic lead and a police team Detective Inspector to share their concerns. **A strategy discussion must be held within 24 hours of the referral being received** between a Families First / Stoke-on-Trent Children and Families strategic lead and a senior police officer of at least the rank of Detective Inspector. **A strategy meeting will need to be convened within 72 hours to share information and to agree next steps.** An appropriate Crown Prosecution Service (CPS) representative should also be invited to attend this meeting. (Appendix 1 – Step 1 & 2)

**6.2 It is the responsibility of the strategic managers within CSC and the police to decide and agree which named representatives are required to participate in the strategy meeting.** This should include an appropriate lead communication officer to provide advice as required.

The strategy meeting / discussion must:

- Assess the information known to date;
- Decide what further information is required at this stage;
- Arrange for the gathering of all relevant information;
- Establish whether and to what extent complex abuse has been uncovered;
- Undertake an initial mapping exercise to determine the scale of the investigation and possible individuals implicated;
- Consider the requirement or necessity of an organisational chart to determine networks of abuse and association of victims, witnesses, alleged perpetrators.
- Consider a plan for the investigation and each agency to consider the resource implications to be presented to the management and resources strategy group, including resource implications;
- Consider any immediate protective action required, including risk assessment for staff involvement; and
- Agree what records and information needs to be secure / restricted.
- The strategy meeting / discussion may include the referrer if appropriate, a legal adviser and anyone else considered by the police and CSC strategic leads to be relevant to the meeting.
- Having considered and discussed the information those persons must, if in their view the suspicion gives reasonable cause to suspect organised and complex abuse, pass the information on to the relevant local authority's Director of Children's Services and the Assistant Chief Constable (ACC) for Staffordshire Police.

### 7.0 Professionals who need to be informed

7.1 The Director of Children's Services must inform the LSCB Chair, the local authority's Chief

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Executive; the senior communication lead officers for both the police and LA; and senior managers of all relevant agencies.

## 8.00 The strategic management group (SMG)

- 8.1 To ensure a co-ordinated response a SMG meeting chaired by the police (or rarely by LA CSC) must be convened within 5 days of the receipt of the referral. The SMG must act as a steering group to formulate and coordinate the required response. It must be a primary responsibility of this group to ensure that the welfare of children and any vulnerable adults are paramount at all times. A police 'GOLD' serious incident meeting may need to be held in parallel with the SMG process.
- 8.2 The membership of the SMG must comprise of senior staff that are able to commit resources on behalf of their organisation. The SMG must have the following core membership that should remain constant throughout the investigation (although there may be a need to add or co-opt in other personnel as the investigation progresses):
- Director or deputy director of the relevant LAs CSC service;
  - The Detective Superintendent of the Protecting Vulnerable People Unit in the police;
  - The police senior investigating officer (SIO – they are the link between the SMG and the investigating team);
  - The relevant LA CSCs lead manager;
- 8.3 The group may also include the following members as necessary:
- LA senior legal adviser;
  - Senior health representative (e.g. designated nurse and / or designated doctor for safeguarding children);
  - Communication officers;
  - Other individuals and agencies as appropriate (e.g. probation, NSPCC, third sector organisations and support from specialist advisors such as the Child Exploitation and Online Protection Agency -CEOP).
- 8.4 Links will also need to be established with the relevant LAs Chief Executive to consider potential resource pressures.
- 8.5 At the initial SMG meeting a protocol for information sharing across all agencies along with a clear media strategy should be agreed upon. It is important to any other relevant agencies at this early stage so that senior managers can identify the need for, and arrange the provision of and allocate appropriate resources to, any support services identified. These may include community and specialist health services (e.g. mental health services, counselling services and sexual health services); although the specific services required will be dependent on the nature of the investigation. For example, adult medical and mental health services may be required, or the involvement of prison or probation services may be necessary where potential abusers and / or victims are under the supervision of those agencies.
- 8.6 At the first meeting of the strategic management group, the terms of reference must be agreed and minuted. At all subsequent meetings held in accordance with this guidance



minutes must be prepared fully, detailing all policy decisions and actions. Appropriate information security processes should be applied in the recording and sharing of information; **all minutes must be classified as CONFIDENTIAL AND RESTRICTED** and all copies of the minutes should be individually numbered. Any additional copying of the minutes should only be allowed on the express authority of the SMG Chair. All minutes will be disclosable during the criminal court proceedings.

8.7 The SMG meeting must take ownership of the strategic leadership of the investigation and agree a plan that includes:

- A decision on the scale of the investigation and the staff required for joint investigation group;
- The consideration of any cross boundary issues and planning of appropriate liaison and sharing of resources for inter-agency working;
- The identification of staff in both LA CSC services and the police of sufficient seniority and experience to manage the investigative process;
- The agreement of the staffing of the investigation, allocation of tasks and the membership of the investigation management group (including the line management responsibilities);
- Arrangements for medical staff to conduct assessments;
- Arrangements for sufficient administrative staff and information technology resources to support the investigation;
- The arrangement and resourcing of access to expert legal advice (e.g. in-house police legal team, LA legal service, including Information Governance, early CPS advice);
- Sufficient support, supervision and de-briefing of staff involved to address the impact of stress on frontline workers from any agency involved;
- The availability of expert advice where necessary;
- Timescales for the stages of the investigation;
- The management of public relations and media interest in the case;
- Child witness support, if relevant.
- Pre Trial Therapy, in accordance with <https://www.cps.gov.uk/publications/prosecution/therapychild.html>
- Whether there are likely to be concurrent care and criminal proceedings necessitating joint hearings. To consider whether or not a request should be made to a Family Judge to liaise at Judicial Level to facilitate joint hearings with the intention of supporting welfare and disclosure. Please refer to Part C of ([http://www.cps.gov.uk/publications/docs/third\\_party\\_protocol\\_2013.pdf](http://www.cps.gov.uk/publications/docs/third_party_protocol_2013.pdf))

## 9.00 Tasks and functions of the SMG

9.1 The tasks and functions of the SMG may vary from case to case but should also normally include the following actions.

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- 9.2 The agreement of protocols:
- To govern the future handling of the investigation (e.g. on media communication and victim / witness support);
  - For the sharing of information, to ensure that the investigative team secures full access to records from all agencies affected by the investigation and individuals holding important information, and to commit all parties to providing the necessary help with obtaining records from any outside organisations;
  - To ensure staff safety in carrying out the investigation.
- 9.3 To help to ensure that any current risks to children that emerge during the course of the investigation are acted upon immediately, the SMG should develop a risk management protocol and regularly review risk indicators in relation to the subject children (see Appendix C of [Complex Child Abuse Investigations: Inter-agency Issues \(DH / Home Office, 2002\)](#) for a risk management protocol). This protocol should detail elements of a robust risk management process to be implemented for the duration of the investigative activity and establish effective mechanisms for communication between the investigative team and the relevant LA CSC service.
- 9.4 Safeguards should be in place to help to guarantee the integrity of the investigation and must take into account the need to exercise particular care to guard against the risk of eliciting false allegations against innocent people. The SMG should carefully monitor the approaches used in contacting further potential witnesses and the conduct of any subsequent interviews and ensure that any doubts about the validity of evidence are fully addressed. The overall process for gathering corroborative and additional evidence must be subject to rigorous scrutiny by the SMG. Issues to consider might include the complex nature of the investigation; the time that may have elapsed since the alleged offences occurred; and the motivation and potentially vulnerable nature of the victims / witnesses.
- 9.5 The SMG should also agree on the management of questions of potential financial compensation for victims and clarify that members of the investigative team should not instigate any discussion of the issue / and should avoid discussing it if it is raised by any victims or witnesses in the course of the investigation. Practical guidance should be given to interviewing officers in line with this policy.
- 9.6 The SMG is also responsible for monitoring and reviewing procedures used for the gathering and recording of evidence to ensure that they are tightly controlled and supervised and to safeguard against potential criticism that investigating officers prompted the witnesses. Guidelines on appropriate methods of evidence gathering and recording are detailed in the following Association of Chief Police Officers of England Wales and Northern Ireland (ACPO)'s document:
- <http://ceop.police.uk/Documents/ACPOGuidance2009>
- <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/child-abuse/complex-investigations/>
- 9.7 The SMG should ensure that agreed procedures are followed robustly and consistently. The SMG should ensure that appropriate recording takes place of material that is obtained during the course of the investigation and also the safe and secure storage of records. This can be achieved through the early appointment of a disclosure officer in accordance with the [Criminal Procedure and Investigations Act 1996](#) and the accompanying code of

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practice.

- 9.8 No agency should underestimate the level of media interest in complex abuse investigations. The SMG should agree a strategy to ensure that contact with the media is properly managed and co-ordinated throughout the investigation and any subsequent criminal proceedings. A nominated lead communication officer should be appointed and this will allow frontline workers and other staff involved with the investigation to concentrate on the investigation itself. **It is vital that all statements to the media are cleared, via the Senior Investigating Officer, at the level of the SMG; the SIO must always be made aware of any pre-sentence communications to ensure that the integrity of the prosecution is maintained.**
- 9.9 Careful consideration must be given throughout the investigation to the health will be acting as witnesses. As far as possible, the SMG will also need to ensure that any witness's ability to give evidence in criminal proceedings is not prejudiced by the provision of such assistance, and that guidance on pre-trial therapy is taken into account. In some circumstances, it may be appropriate to employ dedicated personnel tasked to liaise regularly with victims and / or witnesses to ensure that they are kept up-to-date with the progress of the inquiry and to ensure their wellbeing.
- 9.10 The provision of appropriate accommodation facilities and trained interviewers for all witnesses should be secured to give special attention to the needs of witnesses who are children, have children, are a vulnerable adult, as well as any person who may be the subject of intimidation.
- 9.11 The SMG should ensure that the [Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, including Children](#) is followed.
- 9.12 Checks should also be made with the LA CSC representative on the SMG to clarify and confirm if the subject child/ren (and any other associated child deemed to be at risk) have been removed from their families; if an appropriate placement has been found; and if their welfare and safety needs are being fully assessed in accordance with Working Together to Safeguard Children 2015
- 9.13 The SMG should ensure that appropriate professional medical, physical and emotional support is being provided as needed and check what other partner agencies can do to help. If the alleged abuse occurs in a residential setting the SMG must ensure that the victim and any other children who may be at risk of harm are safeguarded and, if necessary, that suitable alternative accommodation is provided. Equally, children may require safeguarding in a range of non-residential settings such as foster care, day care, schools and hospitals etc.
- 9.14 Considering the need for a review of the case as a means of identifying and acting on lessons learnt as the investigation proceeds and at its close. If a formal review is necessary, this will normally be a formal serious case review coordinated by the relevant LSCB in accordance with Working Together 2015 and LSCB procedures:  
Staffordshire LSCB: [Joint SCB How to do it toolkit](#)  
Stoke-on-Trent LSCB: [Joint SCB How to do it toolkit](#)
- 9.15 However, in exceptional cases, a public inquiry may be necessary. The SMG should liaise with the [Department for Education \(DfE\)](#) when determining the question of a review.

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- 9.16 Suitable arrangements should be made for the victims and their families during the course of criminal proceedings and the SMG must have particular regard to the post-testimony trauma experienced by many witnesses. Consideration should be given to appropriate court, child and family, and /or adult survivor support as appropriate to the circumstances of the investigation (this decision and support should be kept under review at all times). The SMG group should consider what resources are necessary to support such activities and will need to receive regular reports from the representative of the child and family support group.

A further consideration is the appropriateness and coordination of direct contact with parents of the subject children / relatives of adult survivors, to help keep them fully and consistently informed as to the steps being taken by the relevant agencies and the support available to them. If parents/relatives are witnesses they will not be able to be present during their children's ABE interviews.

- 9.17 The SMG must also consider whether independent or third sector agencies operating in establishments (such as a residential home) should be directly involved in, or have knowledge of the strategic management of the investigation. This consideration should include communication with the establishment's regulatory body (such as Ofsted).
- 9.18 A clear policy that is consistent for each suspect will need to be established in respect of who should be the subject of a prosecution. A decision on whether or not to prosecute rests with the CPS. It is good practice (where possible) to agree with the CPS an initial nominated person for all such cases to help promote consistency with decision-making, although in large CPS areas there may be a need for a number of prosecutors to deal with such cases.
- 9.19 An individual must be designated to act as co-ordinator between the SMG and the joint investigative group identified in the plan. This co-ordinator is responsible for managing the joint investigative group and for preparing a report at the conclusion of the case.
- 9.20 The SMG must agree a schedule of dates for future meetings in order to:
- Monitor the progress, quality and integrity of the investigation;
  - Review risk indicators for the children / vulnerable adults involved;
  - Consider resource requirements;
  - Consider the appropriate timing of the termination of the investigation;
  - Plan a de-brief meeting with the joint investigation group to identify lessons learnt.
- 9.21 A dedicated team of police officers should be formed to deal with a cross boundary enquiry.
- 9.22 The SMG must remain in existence at least until the court or the CPS has made a decision about the alleged perpetrators. The SMG must also report in writing to the LSCB Chair to enable there to be consideration as to whether a formal serious case review needs to be initiated.

## 10.0 Joint investigation group

- 10.1 The SMG should identify those people from within and outside their organisations who have the required expertise for dealing with a complex abuse investigation. This will include experience of investigating allegations of abuse; compiling profiles and understanding

methods of abusers (in cases of sexual abuse); child protection processes; children's welfare; legal processes; disciplinary proceedings; and working with child victims, adult survivors and their families. See appendices for a suite of templates

- 10.2 This joint investigative group, led by the police senior investigating officer should consist of experienced personnel from the police Child Protection Unit and LA children's social care (or independent agency social workers).
- 10.3 Membership may also be drawn as necessary from the appropriate health professionals (in particular the forensic medical examiner (FME), the designated and named doctors and nurses for safeguarding children and appropriate mental health specialists), education (head teachers and class teachers), CPS, LA legal services, probation and victim support services.
- 10.4 In selecting staff to be involved in the investigation it will be essential to identify individuals in whom it is possible to place absolute trust and who display sensitivity, honesty, empathy and personal maturity. This process will require the careful checking of references and employment history. It is vital that all investigators are and can be seen to be independent from those parties who are the subject of the investigation. Members of the investigation team could include existing members of the agencies conducting the investigation (as long as such individuals do not have any connection with the matter being investigated and appropriate arrangements are made to cover their normal duties while they are working on the investigation); appropriately qualified agency staff brought in on long-term contracts for the duration of the investigation; or an outside organisation.
- 10.5 All staff must be skilled and experienced and have the appropriate qualifications to contribute to the child abuse investigation. Where victims or witnesses are identified as having special needs such as learning impairments or communication difficulties, more specialist staff may be required.
- 10.10 In selecting staff, consideration should also be given to requirements arising from the individual needs for the relevant child/ren e.g. first language, gender, race, culture, sexuality and where relevant disability.
- 10.11 The size of the group will depend on the scale of the investigation, but in the majority of cases both the police investigation team and the relevant LA CSC service should provide at least line manager and two members of staff experienced in interviewing children and trained in [Achieving Best Evidence in Criminal Proceedings, 2011](#).
- 10.12 Consideration should be given to the employment of a trained archivist or researcher if required, to undertake duties such as tracing of inquiry subjects. Employment of such an individual may greatly enhance the operation of an investigation given that there may be a large amount of paper-based files used as sources of information. These files will vary in age, format and quality so that for the purposes of information the development of a specialised file system may be invaluable.

## **11.0 Practical arrangements: security, accommodation and communications**

- 11.1 The police should coordinate the required administrative support, information technology and accommodation requirements in regards to the criminal investigation process. These requirements must be clarified at the outset and including agreement on the storage of confidential records.

- 11.2 A key issue in any complex abuse investigation will be ensuring the security of the investigation. Therefore, when a chair of IMG/SMG are appointed each are responsible for ensuring confidentiality and disclosure agreements are understood and adhered to.
- 11.3 The enquiry may be managed on the Home Office Large Major Enquiry System 'HOLMES' a comprised management tool for running large / complex enquiries.
- 11.4 Those managing the investigation need to be aware that there may be attempts to sabotage the investigation, to destroy materials or to interfere with or intimidate staff working on the investigation. Appropriate steps should be taken to minimise these risks.
- 11.5 The location of the group must take account, both geographically and organisationally, of the need to maintain confidentiality. This is especially crucial where the investigation concerns staff or carers. Appropriate facilities must be available for video interviews and paediatric assessment.
- 11.6 Certain investigations may involve an element of whistleblowing. In this context it should be possible for individuals to approach the investigative team with confidence as to their anonymity and personal safety. A secure telephone line and discreet access to the investigation team may help staff (and the public) to come forward and ensure confidentiality.
- 11.7 However, it should be made clear that it is not possible to give an unequivocal guarantee of confidentiality during any potential subsequent court proceedings.

## 12.0 Investigation management group

- 12.1 An investigation management group should be set up under the SMG and consist of designated managers from the relevant agencies. Meetings of this group should always be fully minuted. The chair of this group will be appointed by the SMG. The investigation management group and membership should include representatives from LA CSC, education, health, and local authority legal services. Other agencies should be invited to be members of the group as appropriate. Consideration to deploy a Family Liaison Officer (FLO) should also be given by this group, including the most appropriate person in regard to relationship with victim/witness
- 12.2 The tasks and functions of the group may vary from case to case but should normally include the following matters:
  - To provide a forum where professionals can meet, exchange information and devise tactics for the implementation of agreed strategy on a day to day basis to progress the investigation;
  - To ensure a consistent strategy for interviewing victims within and outside council areas;
  - To consider if specific safeguarding referral processes to MASH or other services are required, in relation to the investigation process (see links at the end of this document to Appendix 3 );
  - Each IMG meeting should ensure a review of risk is considered for all children involved in the investigation, including children or siblings of alleged perpetrators, those children identified as witnesses, victims or potential victims of abuse;

- To keep the strategic management group informed of any resource shortages experienced by professionals;
- To ensure a consistent and appropriate inter-agency approach to practical and emotional support for victims, witnesses and their families throughout the investigation, including facilitating such services where victims, witnesses or their families fall outside of the jurisdiction of the investigating agencies. This should include consistency of support via, social worker, investigating officer and family liaison officer
- Arrange alerts of investigation to other agencies/LA's when this crosses council or police boundaries – agreeing who takes lead doing so i.e. police, social care or health;
- To co-ordinate inter-agency response to families and provide consistent information;
- To co-ordinate inter-agency response to families of alleged perpetrators, considering potential risk to children of, siblings or children associated to;
- To ensure all staff working on the investigation are given support and ensure welfare concerns are addressed through a health and safety risk assessment;
- To ensure that issues which need to be shared by other agencies not represented on the SMG or investigation management group are communicated to those agencies and addressed;
- To ensure that all staff involved in the investigation are clear about the parameters of shared information, data protection and confidentiality between the various agencies and observe the terms of the information sharing protocol agreed by the SMG. It should be clear that investigators will have full access to records and individuals holding important information;
- To ensure that relevant intelligence has passed between agencies and to the police. Intelligence should also be passed to the force intelligence centre as appropriate;
- The multi- agency team to receive via the IMG and contribute to the police led community impact assessment, where required within an investigation;
- To report to SMG on the progress of the joint investigation highlighting barriers, opportunities and progress;
- To receive strategic guidance from SMG as required.

## 13.0 Joint investigation team responsibilities

13.1 The joint investigation team (supervised by the investigation management group) is responsible for:

- Planning the overall investigation, involving record checking, evidence gathering, planning and undertaking a series of interrelated interviews and surveillance if required;
- Considering the implications of crossing geographical boundaries;
- Holding planning meetings for individual pieces of work (e.g. video interview of a child and / or to protect a child);

- Gathering other evidence including forensic evidence, interviews with alleged abusers, witnesses and other corroborative evidence;
- Communication and liaison with other agencies on a need to know basis;
- Identifying when and where specific accommodation requirements are needed for interviewing and meeting with children away from statutory buildings;
- Convening interagency meetings and / or child protection conferences as appropriate;
- Co-ordination and timing of therapeutic services;
- Regularly updating the SMG on the progress made and recommending when to close the investigation;
- Consideration of arrangements for court hearings and support to children and families;
- Assessments for special measures and witness care to be carried out during the investigation to support victims, witnesses and their families;
- Professional within each agency should continue to act within their own procedures;
- Recommendations as to the placement of children and any contact involving children and their siblings, relatives or other adults.
- Ensure timely and accurate record keeping (See Appendix 4)

## 14.0 Crossing geographical and operational boundaries

- 14.1 It may be recognised at the outset or during the investigation that there are suspected or potential victims in more than one geographical area.
- 14.2 At the outset, the responsibility for managing the investigation lies with the police in the locality where the abuse is alleged to have occurred and/or where the alleged perpetrator(s) are alleged to operate. Where it is suspected there are victims, witnesses or alleged perpetrators of abuse in another LA or force, a joint approach should be made to the appropriate authority by the SMG to Director of the LA/equivalent in police etc. Where a safeguarding risk is identified the normal referral process should not be delayed.
- 14.3 Once it is recognised that there are suspected or potential victims in other areas, a joint approach should be made by the SMG to the appropriate LA CSC services and police teams. A standard letter outlining relevant detail relating to the investigation and cross border county issues should be sent via SMG chair as required.
- 14.4 The original joint investigation team should undertake the investigation on behalf of the other geographical areas. Other LA children's social care services must consider the funding of this service covering children in its area.
- 14.6 A senior manager from each area should join the initiating SMG to discuss this and agree any resource implications involved.
- 14.7 If the number of victims outside the geographical boundaries of the original joint Investigative team increases to the extent that it cannot respond, then a joint investigative team in the new geographical area should be established.
- 14.8 It is essential that there is a joint SMG to provide overall planning. If it is necessary to have

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more than one joint investigative team, there must be close working between co-ordinators and clear processes for full information sharing.

## 14.9 Referrals to police from children's social care

This will be via the MASH and will follow the attached flow chart (Appendix 3). Referrals to Children's Social Care (Staffordshire County Council and Stoke on Trent City Council) need to be received before children's social care can be involved in any joint work regarding a child or young person.

## 15.0 Access to records

- 15.1 One of the most difficult issues in complex abuse investigations relates to the tracing, use, management and disclosure of documentary information relevant to the investigation. The joint investigative team should consider what information is required and where it is likely to be and take immediate steps to secure it within each agency. The investigative team will also need to access a variety of records during the investigative process.
- 15.2 It must be recognised by those seeking to trace victims that some may be very reluctant to co-operate with any inquiry and provide information. Staff records usually prove somewhat easier to trace due to pension rights, but casual and voluntary staff can prove elusive. A vast range of documentary information will exist on residents' personal files, staff personnel files and general establishment records and registers. It is crucial that the location of these is quickly identified so that they can be secured. Clear protocols and procedures for investigative access to this material will need to be established and enforced. Information governance leads from the police and the LA will need to provide guidance and support with the production of such protocols.
- 15.3 The inquiry will need to take into account the relevant dates of service of the alleged perpetrator at the establishment to which the allegations relate and those at all other places of work throughout their entire service. The process of collating all relevant service dates, records of residents and members of staff for each establishment can be extremely difficult in practice.
- 15.4 The Independent Inquiry into Child Sexual Abuse (IICSA), set up under the Inquiries Act 2005, has requested that all public authorities - 'retain any and all documents; correspondence; notes; emails and all other information, however held, which contain or may contain content pertaining directly or indirectly to the sexual abuse of children or to child protection and care.'

The request to retain and not to destroy records refers to records in any format including paper records, electronic records in any format, emails and information held in non-standard format.

## 16.0 Information sharing

### 16.1 Confidentiality when exchanging information

- 16.2 Child abuse investigations rely critically on sensitive or highly confidential information being made available to investigators. Agencies must have a protocol in place to address the

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sharing of information. The SMG must ensure the effective use of the protocol for the purposes of any inquiry. All members of the investigation team should be aware of, understand and observe the protocol. It is vital to establish clear understandings about the rules governing disclosure of information to members of the investigating team and those colleagues and supervisors who require access to the information, who must be regarded as forming a circle of confidentiality. Consideration should also be given to the use of confidentiality agreements with regard to individuals employed to undertake the investigation.

- 16.3 The [Data Protection Act 1998](#) (**NB** the new General Data Protection Regulation (GDPR) comes into force in May 2018 and Directive EU2016/680 (The Law Enforcement Directive) which requires a change to UK law governing the use of data for law enforcement to also be in place by next May.– guidance should be taken on the changes that may affect this section) requires that personal information is obtained and processed fairly and lawfully, is only disclosed in appropriate circumstances, is accurate, relevant and not held longer than necessary; and is kept securely. The Act allows for disclosure without the consent of the subject in certain conditions, including for the prevention and detection of crime, or the apprehension or prosecution of offenders, and where failure to disclose would be likely to prejudice those objectives in a particular case.

## 17.0 Risk assessment of alleged perpetrators

- 17.1 There needs to be an exchange of information in order to manage the risk to the public, and it is important to ensure the maximum confidentiality of such exchanges. Only relevant information should be shared in relation to alleged perpetrators, victims, witnesses and families. The police should share information relating to the alleged offence and any other relevant information. LA CSC service should share information about the known conduct and current professional / domestic circumstances of alleged offenders and where applicable, victims.
- 17.2 Any other information relevant to protect the public from the commission of further offences should also be shared. Children currently living with an alleged perpetrator or to whom an alleged perpetrator has unsupervised access may be at risk of harm. Alleged perpetrators may have contact with children in other contexts (e.g. siblings, through youth work, day care, etc.) or as a volunteer.
- 17.3 When a statement of complaint is received from an alleged perpetrator about an investigating officer, social worker or other member of the investigation team or about a known or perceived risk to the perpetrator, then a risk assessment is immediately required. It is necessary for the level of risk to be assessed so that steps can be taken to ensure that all current risk of harm is considered and minimised. It is not appropriate for a risk assessment to be carried out by officers engaged in the investigation.
- 17.4 The [Criminal Justice and Court Services Act 2000](#) makes provision for Multi-agency Public Protection Arrangements (MAPPA) to be established and places a statutory duty on the police and probation services to manage risk for identified groups of perpetrators. As part of these arrangements, police forces and probation areas must have established procedures for assessing risk and for information sharing. It is important that in cases where an alleged perpetrator is identified, steps are taken for notification to be provided to the multi-agency risk panel.

17.5 The notification by the investigating team should be made to the MAPPA relevant to the area where the alleged offender is currently residing. It will be essential during the course of the investigation for the investigating team and the multi-agency risk panel to have effective lines of communication so that relevant parties are quickly notified of changing circumstances.

## 18.0 Access by the police to LA files

18.1 LA files frequently contain information or evidence relevant to an investigation this can include education, social care and other departments. It is a matter for the police SIO on a case-by-case basis, to decide what access to files is necessary to ensure an effective investigation. In arriving at the decision the SIO should balance the competing issues and ensure that their decision and rationale, including all relevant information which impacted on the decision, is recorded in the 'Decision Log'.

18.2 If files are disclosed to the police, the local authority should be aware that the prosecution may be required to disclose these to the defence in the event of a criminal prosecution. The prosecution is required to provide material to the defence which will form part of the prosecution case. Also, under the [Criminal Prosecution and Investigations Act 1996](#), the prosecution has a statutory duty to disclose to the defence any unused material which may undermine the prosecution case or assist the defence case. This may lead to the disclosure of files in full or in part to the defence. However, in the case of sensitive material, it is open to the prosecution to apply to the court to withhold such material on public interest immunity grounds. In such circumstances, it will be a matter for the court to determine whether such files should be disclosed.

18.3 Both the prosecution and defence may also apply to the court for a summons requiring the production of LA CSC files. In such circumstances, the local authority has the opportunity to oppose the application and it is open to the authority to seek to withhold the material on public interest immunity grounds. Again, the court will determine whether the files should be disclosed.

18.4 Where the police require access to records held by the LA the formal application process should be made.

18.5 [Operation Hydrant](#) is coordinating multiple non-recent child sexual abuse investigations around the country. Relevant investigations are those which involve either people of public prominence and/or abuse which have taken place in an institution.

With regard to access to files Operation Hydrant advises 'SIOs may wish to consider drawing up a service level agreement between the force and local authorities which sets out the CPIA requirements and protocols for seizing, reviewing and retaining material. This can be particularly helpful in investigations with significant amounts of material.'

## 19.0 Information sharing between health, the police and local authorities

19.1 The duty of confidentiality requires that unless there is a statutory requirement to use information that has been provided in confidence, it should only be used for the purposes of which the subject has been informed and to which they have consented. This duty is not absolute, but should only be overridden if the holder of the information can justify disclosure as being in the public interest. Decisions to disclose information without consent should be documented and the public interest justification clearly stated. The tests for disclosure

without consent will often be satisfied in child abuse cases where the protection from harm and the prevention and detection of crime are the reasons for disclosure.

- 19.2 The Data Protection Act 2000 does not apply to the deceased. Access to medical records held by health bodies is governed by a separate piece of access legislation (Access to Medical Records Act 1990) however, other bodies would look to the Information Commissioners Office guidance relating to access to deceased records. The guidance establishes the principle that records should be considered under the Freedom of Information Act 1998 and allow for the s41 confidence exemption to be applied in cases where a duty of confidence can be established. However, advice should be sought from the information governance unit in respect of requests for deceased records.
- 19.3 It may be necessary to share deceased records in the public interest and proportionality should be considered. It is advisable to work with the Information governance unit in such cases.

## 20.0 Disclosure of information to third parties

- 20.1 In the course of an inquiry, information about alleged perpetrators may sometimes need to be made available to individuals not directly involved but who is part of a recognised statutory agency. Nothing in this procedure should restrict the forwarding of information in circumstances where it is necessary to prevent the risk of further offending.
- 20.2 Disclosure decisions outside the framework of the statutory agencies have to be determined by appropriate local multi-agency risk processes relevant to where the alleged offender resides. The principles established in the 'Risk assessment of alleged perpetrators' section on page 20 above should be followed.

## 21.0 Disclosure of unused material to defence

- 21.1 Investigations of this nature are subject to the same rules of disclosure as any other prosecution. The requirements of the [Criminal Procedure and Investigation Act 1996](#), the Revised CPIA Code of Practice 2015 made under that Act, the [Joint Operational Instructions on Disclosure of Unused Material \(2004\)](#) and [Attorney General's Guidelines on Disclosure, 2013](#) all apply. The identification of unused material for the purpose of disclosure is somewhat more complicated than in other police 'HOLMES' inquiries, which usually revolve around only one case. The material should be well documented and, as in all cases, adequately described in the appropriate schedule, including a separate schedule of sensitive material. It is then a matter of scrutinising it to identify which material is relevant, and therefore subject to disclosure or alternatively to possible claims of public interest immunity. The disclosure officer is therefore a key individual who should be carefully selected and should have been fully trained. They can also seek legal advice (including from the CPS if necessary) on complex disclosure issues.

## 22.0 Compensation claims and civil litigation

- 22.1 A proportion of complainants in criminal prosecutions of this nature applies for compensation from the [Criminal Injuries Compensation Authority \(CICA\)](#) and / or sues for damages in the civil courts. In these cases the police will have to enter into correspondence with CICA and / or solicitors. Statements and previous convictions of complainants are the documents most often required by solicitors. Statements should only be released at the

conclusion of all criminal proceedings. But consideration should be given to the time limits which exist for the submission of civil claims. The SIO should consider the competing needs of the individual and the investigation to ensure that applications for civil claims are not prejudiced. The release of other unused material should be considered case-by-case on the basis of a developed policy. As holders of such material, the police should strike a balance to meet the requirements of:

- The rules in respect of discovery in civil litigation (which are quite different from disclosure in criminal cases);
- The complainant and their solicitor;
- The local authorities or third sector bodies subject of the litigation;
- The [Data Protection Act 1998](#). – again please note new guidance.

22.2 Where there are ongoing criminal proceedings, the SIO must consult with the CPS about the release of material in such circumstances, as there is a potential to impact upon the ongoing criminal proceedings.

22.3 Civil litigation of necessity continues after criminal procedures and may have resource implications for the investigating force for a number of years after the criminal investigation is concluded. In some cases, the defence may claim that the victims are motivated to make the allegations by potential financial reward. It is important that the strategic management group's policy and procedures on avoiding discussion of compensation are rigorously followed from the outset of the investigation.

22.4 This will ensure that officers are not open to criticism for offering the prospect of compensation as a means of securing co-operation in an investigation which in turn may damage the credibility of the witness or cast doubt on their motives.

22.5 In the event that the victim or witness raises the issue with the investigating officer and asks for advice about a claim or where they can obtain information, the officer should follow the Force procedures set out in the investigation policy. It is important to know if the investigating officer is made aware that a potential victim or witness is claiming compensation, and for this to be recorded and revealed to the CPS to decide if it is disclosable. Investigators should not discourage victims from making an application for CICA compensation as strict time limits apply. Once a CICA claim has been submitted, an application can be made for this to be deferred if there is an ongoing criminal investigation.

22.6 Where no prosecution has been secured in the criminal court, police in collaboration with the LA may consider the application of Sexual Harm Prevention Order's or other mechanisms to ensure the safety of children in the community.

## 23.0 Referral of information about alleged abusers

23.1 The Waterhouse Inquiry report has noted the importance of adequate referral of information about suspected abusers. It is probable that an investigation will identify individuals who are suspected abusers but against whom prosecutions are not brought. If a suspected abuser is working with children in a child care position, or in the education service, evidence and information should be shared to support disciplinary proceedings and to enable where appropriate, the referral of suspected abusers to the Disclosure and Barring Service (DBS). See your relevant LSCBs 'Management of Allegations against a person who works with children' inter-agency policy and procedure (the relevant links are

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provided on page 5). Referral to the DBS will be appropriate if there are concerns that an individual may have harmed a child or put a child at risk of harm and they and the person they're referring is, has or might in future be working in regulated activity

23.2 Any actions / non-actions, and the reasons for taking them, should be clearly recorded.

## 24.0 Support

### 24.1 Support for victims and witnesses

24.2 A clear victim support strategy and protocol should be agreed at the outset. Support of victims, witnesses and staff will be required at the pre-trial, during the court trial and post-trial stages. Minimum periods for contact should be established. It is clear from experience in previous investigations that many victims and families feel strongly that it is important that they remain in contact with the same staff throughout the investigative process.

### 24.3 Support for victims and witnesses during the investigation

24.4 [The Witness Charter Standards of Care for Witnesses, 2013](#) and the Ministry of Justice (2015) Codes of Practice for Victims of Crime sets out the stages of the case when victims, or their representatives, must be made aware of developments. Regular contact also helps to ensure that during the interim period the whereabouts of the complainant are known. **The importance of regular contact with the victim cannot be overemphasised; again consistency of the same person is required.** In large-scale complex child abuse inquiries, there may be merit in setting up dedicated helplines to be available to inquiry subjects, their families and members of the public and/or considering relationships of trust for Family Liaison Officers etc.

### 24.5 Support for victims and witnesses at court

- Police and social workers should be available at court to provide support to witnesses in accordance with the established operational policy, which should take account of the potential for identified police / social work professionals to be called as witnesses.
- Witnesses should be kept apart, and in some cases police officers and victims may also need to be kept apart to avoid allegations of collusion.
- Support for witnesses should be guided by the needs of the witness: the expertise of experienced victim support scheme volunteers, including those from the witness service, should be considered and they should be consulted about other agencies which may be better able to support particular witnesses (e.g. those with learning difficulties).
- In those cases where the police have been providing long-term support (e.g. as family liaison officers), occasionally immediately before the commencement of a trial, the defence object to continued support being given to a witness by specific police officers (where this is longstanding). The withdrawal of trusted support is frequently traumatic for the witness and planning should take account of such a possibility, with consideration being given to support being provided by another organisation.

- It is essential to consider the effect which the provision of counselling and other therapeutic services to victims and witnesses may have on the judicial process. For this reason, it is important that the police and the CPS are made aware that therapeutic support is proposed, is being undertaken, or has been undertaken. The nature of the therapeutic support should be explained so that consideration can be given to whether or not the provision of such support is likely to impact on the criminal case (see also Pre-trial therapeutic protocol).
- The CPS will offer advice as requested on individual cases, on the likely effect of the therapy on the criminal process. However, the decision about whether, and if so in what form, therapeutic support should take place before a criminal trial is not a decision for the police or the CPS. It is for those responsible for the welfare of the child, in consultation with the child's carers and, where appropriate, with the child. Where therapeutic support does take place, it is important that a record of the therapy is maintained so that it can, if appropriate, be made available in the judicial process. In all circumstances, the welfare of the child is the paramount consideration.
- Whenever possible, the allocated LA children's social care team member or member of the court witness service should be present in court when each complainant / witness is to give evidence. They should leave the court with the witness after evidence has been given and should then determine with the witness what immediate support they require. The immediate support should be provided by the social worker, the Court Witness Service member or the linked police officer individually or jointly, or by a counsellor (whichever the witness is most comfortable with).

## 24.6 Pre Trial Therapy

- The need for therapeutic interventions for any child must be prioritised and actively considered throughout the course of the investigation yet managed in accordance with Pre Trial Therapy Guidance. Any SMG decisions in relation to therapy or the exploration of therapy should be referred to the CPS for early consideration. Decisions around pre-trial therapy, unless care proceedings have been issued, remain with those who have parental responsibility for the child. Where the only people who have parental responsibility for the child are alleged abusers then (unless the age of the child means that issue of proceedings is not possible or appropriate) then there is likelihood that care proceedings have been issued

## 24.7 Provision of Therapy for Child Witnesses Prior to a Criminal Trial Practice Guidance

The prosecution in these criminal cases must do what it can to:

- identify cases in which the provision of therapy before the criminal trial might be thought to have some material impact on the evidence;
- assess the likely consequences for the criminal trial in these cases;
- ensure that these cases are dealt with as quickly as possible;
- Safeguard the confidentiality of therapy sessions wherever possible whilst ensuring that the defence and the court are aware of the existence of information which might undermine the prosecution case or assist the defence.

- Upon issue of care proceedings court in those proceedings may direct expert assessment on the basis of the welfare of the child being paramount. The need for a successful prosecution is likely to be a factor considered by the family court but will not be given precedence over the welfare of the child.
- The nature of orders granted by the family court to secure the welfare and protection of any subject child can significantly impact on the course of the police investigation. Care proceedings make the LA a corporate parent in relation to decision making whereas an inherent jurisdiction application, where the child is made a ward of court will have the impact of introducing judicial consideration in relation to the impact of the investigation of the child, particularly in regard to the frequency and nature of interviews of the child, therapeutic input and other factors that may impact on the welfare or wellbeing of the child.

## 24.8 Victim aftercare

24.9 When the case is concluded, the police should gradually withdraw from regular contact with victims. It is impractical, and often unnecessary, to maintain the levels of contact required before a trial. Nevertheless, it is recognised that the trial process can be as traumatic to a complainant as the initial making of their complaint. Social work staff may need to remain in contact for a longer period and gradually devolve any long-term support or counselling needs to appropriate bodies.

24.10 The National Probation Service (NPS) has a statutory duty to contact the victims of those offenders sentenced to 12 months or more for a sexual or violent offence. After a plea or finding of guilt, it would normally be the responsibility of the police to advise the victim that they are passing on the victim's contact details to the relevant probation area and give the victim the opportunity to opt out of the transfer of this information. At the same time, the police should hand the victim a leaflet explaining the NPS's role. Within 8 weeks, the NPS would be in contact with the victim asking, among other issues, if they want information about how the prison system works and/or if they may eventually want to express a view about conditions attached to the prisoner's release. It is for the victim to decide if they wish to be involved in this procedure.

## 24.11 Staff support

24.12 Support for members of the investigative team is the responsibility of the SMG. Clear arrangements should be in place from the outset for both the seconded staff and linked management. These should include debriefing for all staff on the operation. Operational staff should never be in a position where they are investigating colleagues. Particular caution will need to be exercised in approaching individuals who are alleged to have been perpetrators. **Visits should not be made alone and protocols for staff safety and handling violence should be agreed and observed.** Health and safety risks assessment should be regularly reviewed by senior managers of each agency in relation to their staff.

## 25.0 Media handling

25.1 The main task of handling the media should be assigned to a senior manager in each agency who is in close contact with the detail of the investigation. The SIO should have an operational media strategy in place from the commencement of the investigation and it is vital that all statements to the media are cleared via the SIO and that consistency is

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maintained throughout. Staff must have available to them a clear line of referral for any media inquiries in order to ensure that statements are only issued by designated spokespeople. Individual agencies should not express independent views as to the conduct of the investigation.

- 25.2 There are many legal restrictions governing what might be said to the media during the course of criminal and / or care proceedings, including any injunctions that might be in force. It is therefore essential that consideration is given to obtaining legal advice before any information is released to the media. The investigation team should be aware of the potential dangers of uncontrolled or inappropriate media reporting on future criminal proceedings at the investigation stage. Many sensitive cases which have attracted significant media attention at the investigative stage are subsequently the subject of defence submissions on abuse of process and the inability of the defendant to have a fair trial because of the level and nature of media reporting.
- 25.3 It is essential that victims and their families are protected from the potential trauma that may be associated with media interest in their cases. All press releases should avoid identifying victims so that they may be shielded from media attention unless and until they need to attend court.
- 25.4 Social media channels are a useful method to proactively circulate police messages to support the investigation, and can be used effectively to dispel rumours. Victim forums and general wider discussions of the alleged offences on social media can have significant impact on the operation in terms of challenges made to the reliability of victims' accounts. It is therefore important to steer victims away from discussing matters on social media.

## 26.0 Closure and review of investigation

### 26.1 Exit strategy

- 26.2 Where closing a case, the following tasks should be completed as appropriate:
- Obtain final list of indictments
  - Inform Force Intelligence Bureau for risk assessments and actions under the [Sex Offenders Act, 1997](#)
  - Inform all complainants / victims/ witnesses of the result of the case;
  - Inform all relevant agencies of the result of the case (this must include a briefing to the staff involved in the case as soon as possible);
  - Agree procedure for dealing with victims who identify themselves at a later date and / or victims who remember things after the event;
  - Consider the need to offer continuing support to child victims and their families who have been in contact with the investigation;
  - Consider the need to maintain contact with witnesses, giving particular consideration to child witnesses who have given evidence in court proceedings, and ensure provision of counselling where appropriate;
  - If an offender is sentenced to one year or more, provide details of victims to the probation service and hand out copies of information leaflet to victims;

- Subject to any directions by the court, return exhibits 35 days after conviction or, if the defendant appeals, at the conclusion of any appeal;
- When the threshold is not met or a no-charge decision is made, the victim should not be left with the feeling that they have not been believed but that the decision was taken purely around the lack of evidence. Officers should make victims aware of the Victims' Right to Review Scheme which gives victims the right to ask for a review of a decision not to prosecute a suspect, in line with article 11 of the EU Victims' Directive.

26.3 All agencies should review the investigation once it is completed. The review should identify recommendations for single and multi-agency learning and development. The LSCB may already have conducted a serious case review (although in some cases this may not be completed until the conclusion of court proceedings). It is good practice to conclude all major investigations with an overview report highlighting the prime activities and findings of the inquiry with recommendations for future single or inter-agency learning.

## 27.0 Records to be maintained and file storage

27.1 The [Code of Practice made under the Criminal Procedure and Investigations Act 1996](#) sets out the minimum requirements for record retention in all criminal cases and defines action to be taken by the police in the context of retention and disclosure of material held by third parties. It is considered good practice to maintain a central registry and file storage facility for all cases that come within this guidance. The holding agency should ensure that all documents and files used and / or generated in the process of an investigation are retained securely.

27.2 Agencies involved in such cases have differing requirements and are subject to a variety of regulatory and voluntary file retention periods. It is also necessary to cater for the production of material in connection with civil actions and the [Freedom of Information Act](#). It is recommended that, against the various needs of agencies, all original files be retained for a minimum period of six years from the date of the completion of the investigation (whether or not proceedings are instituted) in consideration of the fact that information contained in these files may be required in subsequent criminal and / or civil proceedings. Such material may also be relevant as supporting evidence for compensation claims to the [Criminal Injuries Compensation Authority](#). Certain material may be relevant to subsequent investigations and / or enforcement action by a regulatory body such as the National Care Standards Commission.

## 28.0 Further information:

28.1 [Guidance on investigating child abuse and safeguarding children- ACPO guidance 2009](#) Second Edition (ACPO NPIA, 2009):

[Complex Child Abuse Investigations: Inter-agency issues](#) (Home Office and Department of Health, 2002)

## Appendix 1 Complex abuse procedures – process mapping

The following flow chart is identified as good practice when considering and implementing complex abuse procedures.

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**Step 1 - Allegation of abuse – strategy discussion to be held within 24 hours – Does this meet the organised and complex abuse (oca) criteria?** "one or more abusers; occurs both as part of a network of abuse across family, community and/or institutions" (para 1.1)



**Step 2 - Strategy meeting to be held within 72 hours** (para 6.0) – ensure all agencies in attendance who may be asked to contribute to oca process, including decision makers (para 2.3) – **Consider and agree if organised and complex abuse criteria met**; this can be considered at any point or stage during an investigation



**Step 3 – OCA criteria agreed; Consider at initial/early stage a dedicated team (police/social care/health);** this ensures consistency and continuity of information and assessment of risk, leadership and understanding networks (para 2.5)



**Step 4 - Complete early mapping of geographical and operational boundaries**– think cross border issues, police, social care and health – are there any conflicts of interest? E.g. allegation against professional/perpetrator/victim conflict (para 2.6 – 2.8)



**Step 5 - Essential – agree confidentiality process, considering recording and disclosure issues** – train staff across agencies (para 2.9)



**Step 6 - Alert LSCB chair in each LA of organised and complex abuse criteria being met**



**Step 7 - Agree information sharing process** – for joint working partner agencies, social care, police, health, education – including CPS (para 3.0)



**Step 8 - Essential - compile a central spreadsheet or database;** inc. details of the enquiry (abusers, victims, potential victims, witnesses) - Consider resource for compiling police profiles (para 2.15)



**Step 9 - Assemble leadership team across agencies** – seniority required; Gold, Silver and Bronze command structure (police), SMG and IMG membership (see separate flow chart) (para 3.6)



**Step 10 - Agree reporting mechanisms** A. LSCB B. – Consider role of third sector and information sharing processes to be agreed (para 6)