

West Yorkshire Police and Crime Panel

August 2022

Investigations and Outcomes

1.0 Introduction

1.1 This paper is an update on the paper submitted in July 2021 to explain the ongoing work and progress with improving investigations and outcomes with the objective of continuing to improve the HMICFRS grading which in 2021 moved from REQUIRES IMPROVEMENT to ADEQUATE and ultimately providing a better service for victims of crime in West Yorkshire and bringing offenders to justice.

1.2 This paper will provide an update on work carried out in the last 12 months on:

- The Investigations Review / Victim Journey Team incorporating the Strategy for Violence Against Women and Girls (VAWG)
- The Safeguarding Review (now referred to as The Safeguarding Implementation Project)
- Outcomes and Finalisations

2.0 Investigations Review / Victim's Journey Team

2.1 The Victim Journey (VJ) Team, started in 2019, is now a well-established team that is working jointly on delivering the ambitious Strategy for Violence Against Women and Girls (VAWG). Together with close working with the Force Crime Registrar (FCR), the team continue to improve investigations and outcomes for the Force

2.2 Previous Areas for Improvement (AFIs) from HMICFRS were:

AFI 1 - The force should ensure that all evidence is retrieved at the first opportunity and initial statements are completed to a high quality to maximise the likelihood of investigations being conducted successfully

AFI 2 - The force should take steps to understand its investigation outcome data and to ensure that it is pursuing justice on behalf of victims of crime

AFI 3 - Ensure that supervisors are equipped with the necessary skills needed for effective supervision of investigations and that there is sufficient capacity within the sergeant rank for intrusive supervision to take place

2.3 Whilst these AFIs have been signed off, the Force decided to maintain them as risk areas in order to maintain focus, embed processes and continue to improve performance

2.4 There has been a challenging programme of activity which has continued over the past twelve months to support officers and staff and continue to drive performance

2.5 AFI 1 - The force should ensure that all evidence is retrieved at the first opportunity and initial statements are completed to a high quality to maximise the likelihood of investigations being conducted successfully

Continued progress to date:

- Each month Districts quality check a sample of statements through an online portal, checking for standards, quality and ensuring lines of enquiries have been considered. Feedback is given to the individual and since its inception in November 2021, there has been a huge improvement in the quality of statements with every month over 90% being good or satisfactory.

2.6 AFI 2 - The force should take steps to understand its investigation outcome data and to ensure that it is pursuing justice on behalf of victims of crime

Continued progress to date:

- A Positive Outcome Delivery Group has been set up with subject matter experts (SMEs) including the FCR and lead for the Force Crime Management Unit (FCMU) to review, improve and innovate outcomes
- A workshop on Outcome 17 to identify issues and share learning
- The introduction of a crime tracker to highlight collapsing timescales for crimes relative to Outcome 17
- N8 Application for funding for research on the following:
Understanding racial disparities and outcome 16 and how we can better engage and support victims of Domestic Abuse (DA)
- Regular audit work through the VJ Team, Internal Audit Team and bespoke preparation for the Local Accountability Meeting (LAM) – all reviewing and identifying areas for improvement with regards to outcomes

2.7 AFI 3 - Ensure that supervisors are equipped with the necessary skills needed for effective supervision of investigations and that there is sufficient capacity within the sergeant rank for intrusive supervision to take place

Continued progress to date:

- The introduction of a Supervisors Allocation and Investigation Plan template ensures that all requirements have been considered such as completing the Victim Needs Assessment (VNA), referral to Victim Support and other Services and Victim's Voice recorded

- A PowerPoint presentation and accompanying guide has been created for Sergeants to assist with day-to-day activities and responsibilities

Work is ongoing to rewrite the Sergeants Operational Activities Course, for newly promoted Sergeants, which will cover the Victim's Journey. A rolling scenario will cover several offences covering the VAWG definition and volume crime to exemplify all the processes and responsibilities from the initial call to allocation and secondary investigation and through the CPS process for a charging decision.

Whilst this course is for newly promoted Sergeants, every Sergeant will be expected to attend as part of upskilling. The course will follow the CoP objectives and the course could be revolutionary and shared nationally as good practice if successful when reviewed and qualitative assessed, knowing that all Forces are experiencing the same challenges with inexperienced supervisors lacking in confidence to direct and/or promptly finalise a crime.

2.8 Workstreams completed

- Officer Update template launched (March 2022) on Niche to prompt investigators to ensure that all key aspects of an investigation have been considered (Victim's Voice, statute barred, Evidence-Led Prosecution (ELP) etc)
- Tip of the week set up on Investigations Homepage

2.8.1 Investigation Campaign

In June, an Investigation Campaign was launched to share key messages to staff to improve investigations by getting the basics right and first time. Using the embedded and recognised logo, "We are all Investigators" an additional strapline of, "Involve, Inform, Investigate" headlined each week with relevant key messages under each of the headings. Activities flooded the Force in various formats to maximise audience and ensure interest from all

- Intranet messages
- Videos
- Briefing items
- Postcards
- table toppers of key information
- Screensavers

A Clinic was set up in each District on one day over the three-week period where SMEs from various departments provided support to staff in the following areas:

- Investigations
- Data Quality
- BWV
- DMIs (Digital Media Investigators)
- CSI

2.8.2 Training

There has been a fantastic programme of training events through the VAWG Strategy to help improve investigations:

- Victim Focus Training - understanding misogyny, trauma, compassion fatigue and Rape myths. Face to face training for 300 people. Includes call handlers, through to Criminal Justice and includes CPS
- Victim Focus Next Steps Delivery by Dr Jess Taylor at West Yorkshire Police Senior Leadership Forum 21st July 2022
- Spiral of Sexual Offending - delivered by Dr Joe Sullivan online event (100 delegates)
- Stalking Delivered by Paladin (1-day training) for 60 delegates
- Stalking Delivered by Suzy Lamplugh Trust (Investigations) For 24 delegates
- Karma Nirvana Refresher Training – Honour-Based Abuse (HBA) & Forced Marriage 33 delegates
- Karma Nirvana Training - HBA & Forced Marriage 20 delegates
- Karma Nirvana Awareness Training - HBA & Forced Marriage (Unlimited)
- Prof Jane Moncton Smith - DA Homicide Timeline (100 delegates) - one day presentation to 75 people from all regional Forces and partners, delivering learning on the 8 stages of Domestic Abuse that can lead to homicide
- RaSSO CPD – attended by 60 officers, staff and partners where the following topics were presented:
 - Ady Lowe Isva Services and Linda Mclean (Staying Put)
 - Kim Foley – CPS
 - Emma Hatfield – Mountain Health Care
 - Faye Ball- Welfare and well being
 - John Rose- Witness Services
- SSAIDP (Serious Sexual Assault Investigation Development Programme)
- as well as enhanced training being delivered through the safeguarding review – Supervisor training and ABE training.

2.9 Workstreams Ongoing

2.9.1 Investigations Governance Group (IGG)

The IGG monthly is a well-attended positive monthly meeting where strategic direction drives business. District Crime leads are held to account for monthly dip samples where performance for

investigative lines of enquiries is scrutinised. There have been some positive changes for example: Golden hour activities increased by 55%, BWV declaration by 31% and interview procedures increased by 75%.

2.9.2 Investigations Improvement Meeting (IIM)

Similar to the IGG, the IIM is a tactical meeting with Inspectors from the Continuous Improvement Teams (CIT) and District Investigation Teams (DIT) who manage and investigate volume crime. They are briefed on the key issues affecting performance and drive locally at each District

2.9.3 Audits

Every 2 months the VJ Team carry out an audit of 25 crimes to review VAWG offences. Over a six-month period, reviews are split into 3 categories to cover the victim's journey:

1. Initial call to allocation
2. Secondary investigation
3. Finalisations and outcomes

Every 2 months 50 crimes are audited by Internal Audit for the Victim Service Assessments (VSA) using vulnerability offences as thematics due to volume and risk. We have also requested a VSA review of Burglary in the Winter.

These audits are showing improvements in some areas and of note notable improved performance with the Victim Needs Assessment (VNA) being use (previously known as INA – Initial Needs Assessment).

Oct 2020 - All crime Initial Needs Assessment (INA) compliance was at 88%

June 2022 – All crime VNA (previously called INA) compliance is at 97%

Oct 2020 – Domestic Abuse INA compliance was at 76%

June 2022 – Domestic Abuse VNA compliance is at 95%.

These audits are then discussed in the IGG and IIM to highlight key areas for improvement strategically and tactically.

Of note the latest progress VAWG report by HMICFRS has highlighted our positive audit processes attracting media opportunities from the BBC.

2.10 Positive Outcome Delivery Group

This monthly group meeting has been established to review, improve and innovate outcomes in preparation for the next HMICFRS inspections in 2023.

As well as training to relevant teams and reviewing of the templates, FCMU are playing a bigger role in taking responsibility to check the correct outcome has been applied.

Innovation includes a new process being piloted in Calderdale. Any victim of Domestic Violence and Abuse (DVA) where an outcome 16 has been applied (victim disengages), will be revisited upon further offences to reengage and explore other outcome opportunities include a TIC (Taken Into Consideration). This is a positive outcome and detection against the perpetrator but avoids the victim having to go to court and give evidence against their (ex) partner. This pilot will commence on 5th September 2022.

2.11 Training for 2022 / 2023

There are numerous training events planned through the VAWG Strategy which will assist with investigations over the next 6-12 months:

- DA Matters – a national course now mandated by the Home Office where 3,500 officers and staff will be trained in
- Homicide Timeline on-line training -
- Active Bystander
- Further work re misogyny and victim blaming, victim trauma through Dr Jess Taylor
- DA CPD day is being planned for Autumn

2.12 Operation Jovesea – VAWG week of Action

Force VAWG week of action planned for Fresher's Week (w/c 19th September) where there will be a variety of activities including:

- Pilot a dedicated resource to attend RaSSO offences with a Specially Trained Officer (STO) supported by an ISVA
- Have IDVAs to help deploy to live DA crimes
- O16 revisits (with IDVAs and ISVAs)
- CPS locally to help with cases
- Use of Catch and Control/DA IOM Officers
- Coordinated arrests
- Protective Order enforcement
- Registered Sex Offenders visits
- Ops support to provide staff
- Jemlock to do perpetrator patrols in NTE

2.13 National Working Group (NWG) (Investigations)

The NWG, which was started and is still chaired by West Yorkshire Police, goes from strength to strength and is now attended by over 30 Forces and CJ partners including HMICFRS, College of

Policing (CoP) and National Police Chiefs Council (NPCC). The NPCC PIP (Professionalising Investigation Programme) lead has asked that the group be integrated into the PIP board which formalises the governance of the group.

For four months the NWG was changed to focus on the VAWG strategy. National taskforce Pillar leads were invited to present the national picture to Forces who then shared their own their ongoing VAWG projects and activities – sharing best practice and ensuring some consistency nationally. This lead from West Yorkshire Police again demonstrates our strengths as an exemplar Force.

3.0 The Safeguarding Implementation Project

3.1 The Safeguarding Review is now completed, staffing has been significantly increased and the implementation project will support sustainability, welfare and development of staff.

From a constable perspective there should be an immediate benefit in terms of capacity, capability will take longer particularly in Domestic Abuse, as the vast majority of the officers who have moved into the Domestic Abuse teams are relatively young in service and come from frontline roles (Patrol / NPT). The aspiration is to retain permanent staffing within the Domestic Abuse teams, to enhance competence through relevant training/Trainee Investigator (TI) scheme.

We should see some of the inexperience issues mitigated in part by now having Detective Sergeants instead of Police Sergeants.

Capability in Child Safeguarding should increase with the focus on SCAIDP (Specialist Child Abuse Investigation Diploma) training and accreditation.

Adult Safeguarding has reasonable competency but higher levels of inexperience or officers in the early TI stages.

3.2 Wellbeing Tracker

Individuals self-assess a number of areas that impact work wellbeing; travelling, workload, working environment, physical health, home life, and whether or not these areas are comfortable, irritating, frustrating, creating pressure, or stressful. These can then be discussed with Supervisor as part of the IAM process, with strategies / signposting put in place to mitigate these areas from stressful / pressured, to comfortable.

This is going to be cascaded initially across the Safeguarding POLIT teams, once reviewed, the aspiration is for all areas of Safeguarding to use this.

3.3 Resourcing

Staffing in safeguarding units has now increased by:

12 Sergeants

66 Constables

The Force is at 98% staffing across District Safeguarding Teams and will be at 100% by September 2022. The challenge is now sustainability of these staffing numbers, as the moratorium has been lifted, and departments external to Safeguarding are also suffering from resourcing pressures. Part of this sustainability will be to ensure officers have the capability to perform their role, through strategic training analysis, and creating sustainable training pathways. These are the next steps, improving capability to enable effective and efficient investigation management, reducing crimes per head and the longevity of investigations, thus improving wellbeing of officers. This will be the focus over the next 6-12 months to ensure this becomes business as usual.

Structures are in place at each District for the investigation of non-recent complex CSEA. There are still concerns in relation to capacity due to the number of outstanding PIP2 Police Staff Investigator (PSI) vacancies. Work continues to resolve this matter.

3.4 Training and CPD

An Inspector has been seconded to Safeguarding Central Governance to support the implementation actions.

Training Needs Analysis will be conducted for those officers who have moved into Safeguarding as part of the uplift, this will shape the training plan and negotiations for courses with Learning and Organisational Development (L&OD) for year 2023.

3.4.1 Accreditation

There is a monthly accreditation board holding all District Detective Chief Inspectors to account in terms of crime accreditation, including Tier 2, VRI, SCAIDP, SAIDIP

3.4.2 Protected learning time

Officers who have attended the SCAIDP course now have 40 hours learning time to complete.

3.5 Workstreams completed

- Comms in various formats (intranet, briefings, Buzz, IGG, IIM) re the requirement to obtain a Victim Personal Statement (VPS) from a victim of Rape as soon as possible after the incident
- The MG 3 has been amended and updated to reflect above so that the RaSSO gatekeeper can return if not completed
- Workload review of crimes at WD Safeguarding to support staff, District and understand key themes and issues. Hot debrief given to the SLT with recommendations for immediate improvements. This will be repeated in all Districts in September.

4.0 Outcomes and Finalisations

See Appendix A for list of outcomes and definitions

The following work has been completed on the outcomes in the past year:

4.1 Outcome 10

This outcome area was audited at the beginning of the year as a result of a request from Safeguarding Governance and HMICFRS Liaison Officer in November 2021.

5 of the 20 crimes dip sampled for outcome 10 were correct.

It was identified that training and guidance was required so that all functions of FCMU were equipped to review, assess and manage the correct outcomes, ensuring differences between Outcome 10 and 21.

Up to date guidance was provided to the FCMU, and further training on outcomes is currently being planned for September 2022. Further dip sampling will be conducted to measure performance improvement.

4.2 Outcome 12

Outcome 12 can be used when there is evidence from a doctor/care workers attached to the OEL (Officer Enquiry Log) confirming that someone was mentally/physically unwell and as a result could not be prosecuted for an offence.

13 of the 20 crimes dip sampled for outcome 12 were correct.

There are some occurrences where officers have not provided sufficient information to support the health issues.

Clearer guidance has been provided to the FCMU which stipulates what is required to be able to utilise outcome 12. Again, outcome training is planned for August/September time, and further dip sampling to be done to see if there is any improvement.

4.3 Outcome 17

The outcome 17 workshop occurred at the start of 2022. A dip sample of Domestic Abuse crimes that had been finalised with an Outcome 17 in September 2021 was conducted and presented to the Local Accountability Meetings (LAM). 50 cases were reviewed initially but then a further 5 per district were reviewed.

4.3.1 Outcome 17 – Domestic Abuse Review

In September 2021, the findings of an Internal Audit Review of Outcome 17 for Domestic Abuse cases were presented to the LAMs. The review looked at 50 cases filed outcome 17 and the District considerations were presented to the LAM.

- District to review the process they have in place to ensure the Statute Barred Crime Tracker is being utilised to identify offences prior to them going statute barred
- District to review their use of the S47 Assault data provided to them highlighting offences still open after 4 months. This data provides an opportunity for Districts to identify those offences that would be consider S39 Assault by CPS charging standards
- Districts to satisfy themselves that Supervisory reviews are highlighting statute barred offences and the OIC is aware of the timescales to achieve the best outcome for the victim

A further review of 25 crimes, 5 per District, has been completed by the OFCR to assess the progress made.

4.3.2 Summary

- Either way offences are not identified by the OIC when there is clear evidence of these offences in the crime report. Theft, damage, Malicious Communications, and fraud offences were missed and have been returned for further review
- There was evidence of CPS authorising charge/summons in 2 cases but the summons not being actioned
- Stalking offences were filed statute barred incorrectly and continued harassment cases were not identified and incorrectly filed
- Offences were incorrectly identified as common assault when the injuries were consistent with more serious injuries of S47 AOABH (Assault Occasioning Actual Bodily Harm).
- The supervisor reviews were mixed. In some cases, there was clear direction that the offence had a time limit, however many cases had no mention at all.
- Finalisation reviews by supervisors need to provide a review of the crime and ensure the correct outcome is applied.

As a result, the outcome 17 workshop was created, with representatives from all departments/districts present. It was established that the tracker was not being utilised by all districts frequently. If case files were not put before PDM/CPS within a quick timescale then the cases would go statute barred.

4.4 Outcome 18

DA Outcome 18's are currently under review. There is currently an audit for domestic-related outcome 18's, as in theory, these should be few in number. This dip sample work is in its early stages and is still ongoing however early indicators are that this area of work, needs to be reviewed in depth.

To date approximately 50 crimes have been audited and a high percentage of them have been finalised outcome 18 incorrectly and have had to be corrected.

Common themes:

- Suspects details on the OEL but not on the front screen
- OIC's not searching thoroughly for the suspects on Niche so stating that they cannot locate them on niche so do not add them to the front screen, however simple searches have located them
- Suspects attached to the front screen
- Suspects shown as subject on the front screen
- Officers/Staff confusing the 4 + 1 rule for a golden nominal, with what is required for HOCA for a suspect to be linked to a crime
- Crimes not being tasked to the FCMU for a CDI (Crime Data Integrity) check

This work is ongoing and will continue, however more audits need to be completed and a plan of action needs to be agreed at the Positive Outcome Delivery Group with regards to how this issue can be remedied. Outcome 18's should be filed by supervisors at districts, on crime occurrences that have been CDI checked by the FCMU and sent for investigation. FCMU should be finalising outcome 18 on crimes that are being closed after initial contact has been made and that are not being allocated to district for a further investigation.

4.5 Outcome 22

Outcome 22 continues to be challenging and it is misused across the Force. Officers/Staff at district do not follow the instructions for outcome 22, which makes it difficult for the FCMU to decipher which intervention program has been utilised so that they can claim the outcome when the crime is finalised, this means there is a delay in the outcome being claimed and re-work tasks sent back to district, which unnecessarily increases demand on both FCMU and districts.

The OFCR dip sampled Outcome 22 in May 2022 in relation to online CSE offences.

A total of 29 crimes were found in relation to Online CSE offences recorded this year (At the time the dip sample was conducted)

The audit highlighted 5 crimes where Outcome 22 was not appropriate

Whilst the remaining 24 crimes were appropriate for Outcome 22 using the Intervention 22 programme, there would appear to be an issue with the appropriate procedure not being followed.

This will be audited again over the coming months but take a sample from a different crime type. However, a reminder needs to be sent to districts and placed on the intranet page news items regarding the outcome 22 process in an effort to try and improve compliance.

5.0 Summary

The Force is continuing to make progress in investigations through the victim's journey to improve performance in positive outcomes. As an exemplar Force, West Yorkshire Police is leading the way nationally with the VAWG Strategy, and the additional funding collaboration means further training can be offered to support officers and staff in the continued development to provide the best service possible to the communities of West Yorkshire.

The uplift to Safeguarding Units will soon see some tangible improvements through reduced workloads and improved performance. There will be a regular review of resourcing and demand to ensure the sustainability of the teams, staff welfare and continued improved performance.

Outcome data demonstrates that West Yorkshire Police is on the whole akin to the national average except for Outcome 15 although the rationale for using Outcome 15 would stand up to scrutiny West Yorkshire Police can be reassured that the outcomes, on the whole, are being used as they were intended. The Positive Outcome Delivery Group will review and improve the use of all outcomes. West Yorkshire Police is leading nationally with charges for Rape evidencing that our processes for investigation, RaSSO gatekeeper and relationship with CPS is outstanding.

Appendix A

Outcomes 1 - 22

HOCR Outcome	West Yorkshire Outcome	Outcome Details	Checklist	Suspect Link
1	1	Charged	Charged with same offence as crime classification	Charged
1	1	Summoned/ Postal Requisition	Summons for same offence as crime classification	Postal requisition
1	1A	Alternate Offence Charged	Entry from a DDM to the effect that the facts on which the offence charged are based on the same facts as the crime recorded.	Alternate Offence Charged
1	1A	Alternate Offence Summoned/ Postal Requisition	Entry from a DDM to the effect that the facts on which the offence charged are based on the same facts as the crime recorded.	Alternate offence Summoned/ Postal Requisition
2	2	Youth Caution	Youth has been cautioned (simple caution) for same offence as crime classification. (Caution must be given in accordance with guidance from Ministry of Justice).	Youth Caution
2	2	Youth Conditional Caution	Youth has been given a conditional caution for same offence as crime classification and there is an entry on the OEL to confirm the conditions have been met. (Caution must be given in accordance with guidance from Ministry of Justice).	Youth Conditional Caution
2	2A	Alternate Offence Youth Caution/ Conditional Caution	Youth has been given a caution or a conditional caution for an alternative offence to that recorded and there is an entry on the OEL to confirm the conditions have been met for a conditional caution. (Caution must be given in accordance with guidance from Ministry of Justice).	Alternate Offence Youth Caution/ Youth Conditional Caution
3	3	Adult Simple Caution	Not used in West Yorkshire	

3	3	Adult Conditional Caution	Adult has been given a conditional caution for same offence as crime classification and there is an entry on the OEL to confirm the conditions have been met. (Caution must be given in accordance with guidance from Ministry of Justice).	Adult Conditional Caution
3	3A	Alternate Offence Conditional Caution	Adult has been given a conditional caution for an alternative offence to that recorded and there is an entry on the OEL to confirm the conditions have been met for a conditional caution. (Caution must be given in accordance with guidance from Ministry of Justice).	Adult Conditional Caution

4	4	TIC Recorded	<p>Offender asks for offence already recorded to be taken into consideration by the court.</p> <ul style="list-style-type: none"> • A PACE compliant, reliable admission • A signed MG18 • Corroborated with additional verifiable auditable information connecting the suspect to the crime. <p>All papers must be scanned to NICHE and then tasked submitted to YQ TIC Submissions only.</p>	TIC
5	5	Offender Died	<p>Evidence must be documented and show sufficient to charge. Victim informed that the case will be dealt with no further action. The date and circumstances of the death and information source documented.</p> <p>Task forwarded to the FCMU Finalisation Team.</p>	NFA

6	6	Penalty Notice of Disorder	<p>Used in West Yorkshire for Coronavirus Offences only</p> <p>Fully completed FPN Proforma – which should include the same offence code as the stats class, the ethnicity fields completed, circumstances of the offence and the id verification box to be completed.</p> <p>MG11 outlining the offence and showing the Suspects have been informed they will be issued with a FPN.</p> <p>The description field on the nominal record should be updated to show the defined and self-defined ethnicity.</p> <p>*For historic FPN's no longer available on Niche, please click here and then "FPN Templates". This should be completed in the same way then attached as an external document to Niche under reports tab.</p>	PND
7	7	Cannabis Warning	Not Used in West Yorkshire.	
7	7	Khat Warning	Not Used in West Yorkshire.	
8	8	Community Resolution	<p>Signed CID 23 Scanned onto Niche. Must be given in accordance with College of Policing guidance. This may or may not include RJ.</p> <p>If RJ is going to factor, the officer should ask if the victim wishes RJ and record their views on the OEL. Where the victim wishes RJ, the officer should refer the victim's details to the CSP RJ hubs whose details are recorded on the intranet. The OIC must ask the RJ hub to notify them if the victim has undertaken RJ and upon asking for the crime to be finalised update the OEL that RJ has or has not been undertaken.</p>	Adult Community Resolution or Youth Community Resolution

8	8	Youth Restorative Disposal	<p>Signed CID 23 Scanned onto Niche. Must be given in accordance with College of Policing guidance.</p> <p>The officer should ask if the victim wishes RJ and record their views on the OEL. Where the victim wishes RJ, the officer should refer the victim's details to the CSP RJ hubs whose details are recorded on the intranet. The OIC must ask the RJ hub to notify them if the victim has undertaken RJ and upon asking for the crime to be finalised update the OEL that RJ has or has not been undertaken.</p>	Youth Community Resolution
9	9	CPS Decision Not in Public Interest	An MG3a completed by CPS lawyer showing that CPS Evidential Test met but not in public interest to prosecute must be attached to NICHE. The suspect must be told that they will be recorded as responsible for the crime and that this could form part of DBS disclosure. The victim must be informed.	NFA
10	10	Police Decision Not in Public Interest	OEL entry is required showing how the CPS evidential test is met, and the reasons why it is not in the public interest to prosecute. The Suspect must be told that they will be recorded as responsible for the crime, and that this could form part of DBS disclosure. The victim must be informed.	NFA
11	11	Prosecution prevented - Named suspect Identified – Under 10 years of age at the time of the offence.	There is no evidential test required. Details are required of how identity and age has been verified. Named suspect requires the suspect's true identity to have been established.	NFA

12	12	Prosecution prevented – named suspect identified but is too ill (Physical or mental health) to prosecute or is confirmed to have died either before the crime was reported to police or before enough evidence to charge could be obtained.	There is no evidential test required. The OIC/supervisor should detail how the decision that the suspect is too ill/confirmed dead has been reached. Named suspect requires the suspect’s true identity to have been established.	NFA
13	13	Prosecution prevented – named suspect identified but victim or key witness is dead or too ill to give evidence).	The OIC/supervisor should detail how the decision that the victim / witness is dead/ too ill has been reached. Named suspect requires the suspect’s true identity to have been established. There is no evidential test required.	NFA
14	14	Evidential difficulties Victim based Victim declines or is unable to support further action to identify the suspect.	No suspect identified and indication that victim declines and is unwilling/unable to cooperate/identify the offender. For Outcome 14 the Police believe the victim knows the suspect or has partial details but are refusing to divulge those details to them.	No suspect link

15	15	Evidential difficulties CPS Decision Named suspect identified	Named suspect identified but insufficient evidence to meet CPS evidential test. Victim supports police action. MG3a from CPS required on NICHE. Named suspect requires the suspect's true identity to have been established. There is no evidential test required.	NFA
15	15	Evidential difficulties Police Decision Named suspect identified	Named suspect identified but insufficient evidence to meet CPS evidential test. Victim supports police action. Named suspect requires the suspect's true identity to have been established. There is no evidential test required.	NFA
16	16	Evidential difficulties Named Suspect identified Victim does not support/has withdrawn support for any police action	The OIC/supervisor should detail on the OEL that the aggrieved does not support a prosecution. A prosecution is not possible, and the reason why (evidential test not met) is because the victim declines or withdraws support for a formal prosecution. Any other police action taken is not relevant. Named suspect requires the suspect's true identity to have been established. There is no evidential test required. Outcome 16 should not be used where the victim cannot be re-contacted, after they have made the initial call for service. Investigators should not "assume" an unwillingness to prosecute	NFA

Clarification: Named Suspect - In Outcomes 11, 12, 13, 15 and 16, the term "Named Suspect" assumes the suspect's true identity will have been established. For other outcomes using this term it is only necessary for police to have sufficient information to identify and apprehend the suspect"

17	17	Prosecution time limit expired Suspect identified	Two circumstances may apply: <ol style="list-style-type: none"> 1) Summary only offences where proceedings have not been initiated in the six months since the offence date. 2) Police, having applied CPS charging standard, conclude that the crime that would have been charged is a summary only offence. There is no evidential test required. 	NFA
18	18	Investigation complete No suspect identified	No suspect identified, or suspect identified and eliminated. ("Eliminated" must be used where it has been established that a suspect did not commit the offence, rather than "NFA" where police had insufficient evidence to prosecute).	No suspect link, or where there had been a suspect, eliminated.
19	19	Action Fraud Crime	For the use of "Action Fraud". Not used by West Yorkshire.	
20	20	Other Agency Dealing	No police investigation will take place (record only). Action resulting from the crime report will be undertaken by another body or agency. The victim (or person acting on their behalf) must be made aware of the action to be taken, and by whom. There is no evidential test required.	NFA
21	21	Named suspect Further investigation could provide evidence sufficient to support formal action. Not in the public interest to pursue. Police decision.	Named suspect requires police to have sufficient information to identify and apprehend the suspect. This outcome is not for use in Serious Crime cases without FCR authorisation. An oel entry should outline the evidence which could be available (e.g., statements, CCTV, downloads) and if it was gathered could be considered to be sufficient to charge. The reasons why it is not in the public interest to gather the evidence and pursue the case.	NFA

			Where police are making a decision against the victim’s wishes, a supervisor review the outcome.	
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22	22	<p>Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.</p> <p>There is no definition of which crime types this can be applied to the PI test (as per CPS) is the determining factor</p>	<p>Individual forces are responsible for managing which schemes and programmes are sanctioned for Outcome 22 use, and there is a responsibility on officers and supervisors to apply the public interest test to each case when recommending outcome 22 to the FCMU.</p> <p>The decision making should be clearly documented as to what education and diversionary activity has been put in place to address the suspects offending behaviour and why the OIC believes this is a more effective outcome than out of court disposals or charge. This rationale should be clearly documented on an OEL endorsed by the OIC's supervisor.</p> <p>The list of approved Schemes/programmes can be found on the following link: -</p> <p>Outcome 22 – Click Link for Further Information on Schemes Available</p>	NFA
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CPS Code for Crown Prosecutors’ Public Interest Test

The following questions form the basis of this decision:

How serious is the offence committed?

What is the level of culpability of the suspect?

What are the circumstances of, and the harm caused to the victim?

Was the suspect under the age of 18 at the time of the offence?

What is the impact on the community?

Is prosecution a proportionate response?

Do sources of information require protecting?

Outcome 21

Outcome 21 is also used operationally as an indication to Disclosure and Barring staff, that care should be taken before routinely disclosing the information. It will not, therefore, normally be appropriate in relation to 'serious' offences such as domestic abuse, hate crime, child abuse or any indictable only matter; nor to any offence, e.g., dishonesty, where the nature of the offending may be relevant to future employment with children and/or vulnerable adults.

If, in exceptional circumstances, use of Outcome 21 is deemed appropriate for a 'serious' or 'relevant' offence, the decision maker must be appropriate for the seriousness of the offence in question and the rationale sufficient for future DBS staff consideration. It will usually be necessary for police to speak to the suspect and/or to their appropriate adult (parent/carer etc) to explain the implications. The FCR must maintain oversight of all records where Outcome 21 is applied.

Appendix B

Recorded Crime Outcomes in West Yorkshire

The Home Office published the latest recorded crime outcome data on the 21st of July 2022 which related to crime outcomes during the 12 months to March 2022. The published data allows for comparisons across Forces as to how crimes are finalised.

The table below reports the number and proportion of outcomes achieved in West Yorkshire and England & Wales during the 12 months to March 2022. During the 12-month period 289,192 recorded crimes in West Yorkshire were finalised with a recorded crime outcome of 1-22.

The recorded crime outcome percentages in West Yorkshire are shown to be relatively consistent with those reported nationally however, the table does highlight some differences in use of the outcome framework.

Outcome Type	Outcome Description	England & Wales (1)		West Yorkshire	
		Outcomes in 2021/22	% (2)	Outcomes in 2021/22	%
1	Charged/Summoned	364799	7.2%	19881	6.9%
2	Caution – youths	7231	0.1%	361	0.1%
3	Caution – adults	49775	1.0%	2349	0.8%
4	Taken into consideration	2681	0.1%	91	0.0%
5	Offender died	1910	0.0%	67	0.0%
6	Penalty Notices for Disorder	9666	0.2%	0	0.0%
7	Cannabis/Khat Warning	8230	0.2%	8	0.0%
8	Community Resolution	136663	2.7%	6217	2.1%
9	Not in public interest (CPS)	3163	0.1%	122	0.0%
10	Not in public interest (Police)	32131	0.6%	715	0.2%
11	Prosecution prevented: suspect under age	8281	0.2%	616	0.2%
12	Prosecution prevented: suspect too ill	18140	0.4%	1079	0.4%
13	Prosecution prevented: victim/key witness dead/too ill	2413	0.0%	82	0.0%
14	Evidential difficulties: suspect not identified; victim does not support further action	298370	5.9%	2498	0.9%
15	Evidential difficulties: suspect identified; victim supports action	752228	14.9%	60061	20.8%
16	Evidential difficulties: suspect identified; victim does not support further action	1177529	23.4%	70716	24.5%
17	Prosecution time limit expired	19816	0.4%	847	0.3%
18	Investigation complete – no suspect identified	1988280	39.5%	117615	40.7%
20	Responsibility for further investigation transferred to another body	64545	1.3%	2442	0.8%
21	Further investigation to support formal action not in the public interest – police decision	57892	1.1%	2498	0.9%
22	Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.	31448	0.6%	927	0.3%
	Total	5035191	100.0%	289192	100.0%

Notes:

(1) Source

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1092650/prc-outcomes-open-data-mar2022-tables-210722-v2.ods

(2) Outcomes as a proportion of total recorded outcomes in the period.

Most notable is the variation in relation to the use of outcome 15 which can be used when a suspect has been identified but evidential difficulties prevent further action being taken.

The outcome 15 disparity is largely explained by the variation in the way a suspect is defined by different forces. Many have created a second category, variously called “Named”, “Mentioned” or “person of interest”, where a possible suspect is linked to the crime report without declaring them a suspect. In West Yorkshire, we have no such second category, and nominals identified as possible suspects are often linked using the “suspect” label, attracting an outcome 15 if the offence is not proven, where in other forces another outcome, possibly outcome 14 or 18, would be used. This variation is currently the subject of discussion at the national “Minerva” group, whose principal purpose is to drive the convergence of working practices across NICHE using forces.

The charts below report the actual number of Charge/Summons achieved by each Force nationally and in the context of the local population. West Yorkshire are reported as achieving high numbers of charge/summons for a range of offences when compared to other Metropolitan Forces and all Forces Nationally.





