



## POLICY IDENTIFICATION PAGE

This policy has been drafted in accordance with the principles of the Human Rights (Jersey) Law 2000 and Discrimination (Jersey) Law 2013.

Is Public disclosure approved?      Yes       No

**Policy title: Crime Investigation Policy**

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**Underlying procedures:**

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**Department responsible: Uniformed Policing**

**Policy Lead: Chief Inspector Third party data**

**Links to other policies:**



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## **POLICY STATEMENT, PRINCIPLES AND AIM**

**AIM OF POLICY:** This policy sets out the minimum standards for the recording and the investigation of crime and replaces all previous crime-recording policies to date.

An investigation is an effective search for material to bring an offender to justice and is conducted by police officers and Police staff investigators with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it.

**BENEFIT OF POLICY:** To ensure a consistent approach to the recording, investigation and management of all crime reported to the States of Jersey Police and to ensure that residents, businesses and visitors are safe and feel secure.

**REASON FOR POLICY:** To ensure the delivery of effective and sustainable crime investigation and management.

### **1. Crime recording and initial investigation.**

1.1 All crime is to be recorded in line with the National Crime Recording Standard (NCRS) and in accordance with the Home Office Counting Rules (HOCR), which are managed by the Force Crime and Incident Registrar (612088) - (referred to as Crime Registrar within this policy).

<https://www.gov.uk/government/publications/counting-rules-for-recorded-crime>

1.2 **The Combined Control Room** will handle all emergency and non-emergency calls coming in to the organisation via 612612, online and via Social Media Platforms. They will record the incident via iLog and if deemed appropriate after applying the THRIVE (see separate THRIVE policy document) principles book an appointment for follow-on investigation by the Resolve Team (see separate Resolve Team policy document) or most appropriate team/department. The Resolve Team will create a crime master file for all grade 3 pre-arranged appointments.

1.3 If following the THRIVE principles it is deemed that there are no practical or proportionate lines of enquiry or where the incident or crime can be considered as 'low level/low risk' and/or there is no formal complaint the incident will be resolved by telephone and graded 4 and the Force Control Room Officer dealing with the call will create the relevant crime file and their Supervisor will complete the viewpoint file.

1.4 Allocation of Crime allocation of volume crime investigations will predominantly be via the 'Sierra Unit' appointments, which will be managed by the Resolve Team and Officers attending incidents. Where it is deemed appropriate by the Force Control Room Sergeant/Patrol or Community Sergeant for an Officer to retain and own the enquiry that Officer will be required to



manage and progress the investigation and his or her own workload with suitable Supervisory oversight.

1.5 Serious, Complex and High Risk Safeguarding investigations will be allocated to the most suitable Officer/Department during the Daily Management Meeting (DMM) with oversight of Chief Inspector, Duty Officer and Force Crime and Incident Registrar.

1.6 At weekends, the Duty Officer who may wish to liaise with the Duty Detective Inspector will decide the allocation. The Duty Chief Inspector will be responsible for making any final allocation decisions if required.

1.7 When an Officer attends an incident they will assess the incident and in line with the National Crime Recording Standard, and create a crime report on Viewpoint before the end of their tour of duty and at the very latest within 24 hours of the report being received. If the crime file is created after 24hrs the OIC will need to record a reason within the late file section and their Supervisor must endorse the reason and sign off. Supervising Sergeants have a responsibility to ensure that a QFI standard of investigation has been conducted and the relevant rationale and course of action recorded.

1.8 An incident will be recorded as a crime (notifiable offence) for victim related offences if on the balance of probability:

- a: The circumstances of the victims report amount to a crime as defined by law (the police will determine this, based on their knowledge of the law and counting rules); and
- b: There is no credible evidence to the contrary immediately available.

A belief by the victim (or a person reasonably assumed to be acting on behalf of the victim), that a crime has occurred is usually sufficient to justify its recording).

For offences, against the State (Regina) the points to prove to evidence the offence must clearly be made out before a crime is recorded.

1.9 If an Officer determines that no crime has been committed then a detailed rationale must be recorded on the incident i-log or crime Masterfile before being signed off by a supervisor.

1.10 The fact that a victim may not wish to make a formal complaint about an alleged crime does not mean that the crime should not be recorded on Viewpoint. In all instances when on the balance of probabilities a crime has been committed, a crime file will be recorded.

1.11 Force Control Room staff will create a link on the iLog to the IP's nominal so that any series or analysis can be assessed if needed at a later date.

1.12 Officers dealing with grade 1, 2 and 3 if dealt with outside of the Resolve Team will record their own crimes on Viewpoint and all crimes recorded should be investigated to a minimum standard using the quality focused investigation (QFI) format as required. The QFI should in all circumstances be completed unless for



some reason a field cannot be completed and then a suitable reason should be put in the field. These are designed to support performance improvement in investigations and should underpin effective enquiries at each stage of the investigative process.

1.13 **Parent, Carer and Professional 'Third Party' Reports** - Crimes are often reported by individuals acting on behalf of victims. These may be referred to as 'Third Party' reports and commonly such reports include the following:

- Persons acting in a professional capacity e.g. doctors, nurses, social workers and teachers reporting crimes, (often of a safeguarding nature), on behalf of victims of any age; or
- Parents or Carers acting as a guardian or responsible adult, reporting crime in the best interests of and/or to ensure that a child young person or adult at risk has appropriate access to police services.

1.14 When such persons reports crimes, they should always be regarded as acting on behalf of a victim. Where there is no doubt as to their status and/or position or the veracity of their report, those reports must be recorded as crimes.

1.15 Such recording must occur regardless of whether the victim is aware of the relevant third party's intention(s) or has given their permission for the reporting individual to speak to the police and irrespective of whether the victim subsequently confirms that a crime has been committed.

Clarification:

- Where there are grounds to suspect that a 'victim related crime' may have taken place but **no victim (or person reasonably assumed to be acting on behalf of the victim** or reporting in circumstances outlined in NCRS paragraph 3.6 ii) can immediately be found or identified, the matter should be recorded as a crime related incident (iLog) until such time as the victim is located or comes forward.

1.16 **Offender Aged less than 10 Years** - All reports of crimes made where the offender (if age known or otherwise) is under the age of 10 years must be recorded as a crime. It is a matter for Chief Officers to decide the extent to which any such report is investigated.

1.17 **Mental Capacity** - All reports of crime made where the offender lacks the mental capacity to form the necessary criminal intent (the 'Mens Rea') must be recorded by the police.

1.18 The Core Investigative Doctrine provides definitive national guidance for all investigators on the key principles of criminal investigation, irrespective of the nature or complexity of the investigation.



1.19 The Practical Advice on Core Investigative Doctrine is a strategic overview of the investigative process, providing a framework for investigative good practice. Its purpose is to provide investigators with the skills and knowledge they require to conduct investigations in a competent manner, inspiring confidence in the investigator and the wider criminal justice system.

[ACPO Core Investigation Doctrine 2005](#)

## 2. **Criteria for occurrence report;**

2.1 Where no prima facie offence has been committed or an incident can be fully closed out on an iLog, there should be no need for an officer to complete an occurrence report. In response to an incident, the OIC should record one of the following core outcomes:

- Recorded crime & investigation
- Intelligence Report completed & submitted
- Process file
- A full outcome record on an iLog at time of closure
- A Child/Adult protection notification,
- Domestic report.
- Missing Person report
- Sudden Death report

2.2 An occurrence report may be appropriate in the following circumstances;

When 1 to 8 above is not applicable, no crime is identified but there is correspondence, property or other enquires / actions that need to be managed via viewpoint then an occurrence report should be used, but this should be the exception.

*Example: UK enquiries, where the offence is committed in the UK and a UK Police Force is seeking assistance with either the suspect or witness that lives in Jersey.*

2.3 When suspected controlled drugs are seized this will be recorded as a crime before the analyst returns confirmation that a controlled substance is present. If the analyst confirms that a controlled substance is not present, this will be reflected in the crime file, which will be concluded by the Force Crime and Incident Registrar.

## 3. **Power of Arrest Guidance**

3.1 Article 16(2) States of Jersey Police Force Law 2012, provides officers with the following power of arrest.

*'A Police Officer may arrest a person the Police Officer has reasonable cause to suspect has committed, is committing or is about to commit, an offence'*

The key word here is 'may' – not must or should arrest that person.



3.2 All officers understand the significance of taking a person's liberty from them.

In determining the execution of this power, officers are encouraged to make use the following Human Rights principles including; **necessity, justification and proportionality.**

3.3 Consider the severity of the offence, the prevailing circumstances and the profile of the suspect. It won't always be necessary or perhaps proportionate to arrest someone for example for minor offences and where the identity of the suspect is known. Are you able to secure & preserve any evidence of the offence? Perhaps the offence could be dealt with in an alternative way – for example by initial warning and appointment.

3.4 Although dated and now approaching 50 years old, including the word 'may' arrest within this power has stood the test of time and provides the necessary discretion and flexibility officers should always adopt when considering how to deal with an offender.

#### **4. Investigation / Responsibilities**

4.1 In all circumstances a Sergeant or civilian equivalent, or an Inspector, will review and put an entry on every newly recorded crime during the OIC's tour of duty. The supervisor will in all circumstances read the crime file in its entirety to ensure initial investigative opportunities have been identified, considered and where appropriate actioned in a timely manner. The Supervisor will identify further actions that need to be taken for the incident to be progressed appropriately. This will ensure that any crime that requires immediate progression is picked up for handover to the on-coming Team, flagged for DMM by an Inspector or referred to a specialist department.

4.2 A further review of the investigation by a Sergeant, civilian equivalent will take place during every 14 days and a suitable entry made on the crime incident file. After 28 days a review will be carried out by an Inspector or equivalent civilian Supervisor.

4.3 All recorded crimes should have a completion target date of 28 days. This can be extended in the case of serious crimes where protracted enquiries are ongoing; however, a Sergeant, civilian equivalent or an Inspector must make an entry on Viewpoint to explain why the 28 days have been exceeded and set a new review date to a maximum of a further 28 days.

4.4 In all instances crimes should not be finalised until all proportionate investigative avenues have been considered and/or explored and all persons whether they be a suspect or witness have been spoken to. This does not preclude a Supervisor exercising their professional judgement in cases that do not warrant an in depth police investigation. There is an expectation that Supervisors



will use professional judgement in cases where the most positive outcome would not justify the police time / effort and resource.

4.5 All crimes must be signed off by a supervisor, which will include a detailed closure rationale. Once all lines of enquiry are complete, the Force Crime and Incident Registrar will finalise the crime and record the appropriate recognised Home Office outcome.

4.6 All crimes recorded on Viewpoint will be monitored by the Force Crime and Incident Registrar to ensure adherence to the National Crime Recording Standard and Home Office Counting Rules. The Force Crime and Incident Registrar will determine at the time of recording if the crime type is correctly recorded in line with the details of the victim's account, if deemed necessary the crime may be re-classified following the guidance set out with the NCRS and HOCR. The Force Crime and Incident Registrar will record a detailed rationale against the Masterfile for any crime re-classification made. The Force Crime and Incident Registrar will not be expected to give a view on investigative lines of enquiry that sit outside the Resolve remit. Additionally under no circumstances should the OIC or Supervisor re-classify a recorded notifiable crime without first consulting with the Force Crime and Incident Registrar.

4.7 Officers attending a crime must in all circumstances, unless it is obvious from the absolute outset that there are no viable lines of enquiry, either take a statement at the time of the incident, or make arrangements to take a statement as soon as is practicably possible thereafter.

4.8 The THRIVE principles have superseded the screening out policy. If having applied the THRIVE principles and the Officer's/Supervisor's professional judgement has identified that there are no viable lines of enquiry the investigation can be completed and the crime can remain undetected. It is imperative that the IP is informed that the enquiry has come to a conclusion and that this update is documented on the Master File.

## **5. Investigation ownership**

5.1 An OIC will be responsible for managing and owning their own investigations from the outset in conjunction with the respective supervisor. Early and effective dialogue between the OIC and supervisor is key to ensuring that the investigation rests with the right person who is able to progress the file in a timely, efficient and progressive manner. The OIC is responsible for checking that on creation of a new crime that the suspect(s) is not already being dealt with by another OIC and that the suspect(s) does not have any outstanding warnings. The OIC is also responsible for ensuring that the suspect(s) is not already within the Criminal Justice System, if so then the OIC is to alert the necessary stakeholder.



5.2 In cases where a suspected volume offender commits 3 separate or more offences in a short period of time that remain open at the same time, the original case officer for offence 1 will be designated as the lead investigator for all and subsequent offences. This will be identified by the Crime Registrar and or CJ Manager and made clear on the suspects nominal – Supervisors will ensure that the OIC is given the appropriate support and time to progress and conclude all enquiries.

5.3 Using the THRIVE principles diary appointments (Sierra Unit Grade 3) will be initially picked up by the Resolve Team and managed by the Resolve Teams Sergeants. Where the primary investigation has been completed, led to the identification of a named suspect and the case is at a stage where a suspect interview is required, a Resolve Sergeant will review the file and prepare a handover request to the most appropriate operational team. The handover should contain the victim complaint statement, reasonable number of witness statement/s, any digital media and any forensic examination results if applicable. Any further enquiries will remain with the new OIC, the file will not be handed back to the Resolve Team.

## **6. Victim and Witness Care**

6.1 In order to improve the quality of service to victims of crime we must ensure victims and witnesses are treated fairly and with respect, according to their needs and irrespective of race, religion, background, gender, age, sexuality and disability. In addition, we must ensure they received the standards of care they are entitled to as set out in the Victim & Witness charter.

6.2 Officers must keep victims updated on the progression of their investigation. They must agree a contact plan with the victim which sets out how often they will be updated and by what means. The contact plan and all updates must thereafter be recorded on the Masterfile using the Victim Contact tab. Officers must inform victims of the conclusion of the investigation and whether the defendant has been charged, released on bail to attend court and what relevant bail conditions apply or whether the defendant has been held in custody.

6.3 All victims who report a crime to the police can make a Victim Personal Statement (VPS) at the same time as giving their witness statement. A VPS is usually taken by the police but it can also be recorded by an organisation such as Victims First Jersey. A VPS gives the victim the opportunity to explain, in their own words, the impact that the crime has had on them.

6.4 Victims First Jersey will contact all victims of crime within 48 hours of reporting a crime. This is a service based at Dewberry House that will provide victims and witnesses with practical and emotional support. They will undertake a needs assessment with all victims of crime and refer those who require enhanced support and advocacy to specialist services. These include the Sexual Assault Referral Centre (SARC) and Jersey Domestic Abuse Service (JDAS).





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6.5 Victims First Jersey will contact all victims and witnesses after the first court hearing to let them know the outcome. They will inform them about what happens next and any trial date. They will keep victims and witnesses fully informed of the progress of the case once the defendant has been charged. Victims will be given the name and contact details of a Witness Care Officer who will be their single point of contact for all enquiries or concerns that they have.



## **7. Serious & Complex Crime Investigation**

7.1 Following a THRIVE assessment; some crimes will be assessed as being either serious, complex or of a high safeguarding risk. Whilst not exhaustive, examples of these crimes are as follows:

- Rape and all serious sexual assaults
- High value or serious aggravated robbery, kidnapping / abduction and false imprisonment
- Attempted murder and grave & criminal assaults involving serious aggravating factors for example use of weapons or significant bodily harm
- Major Public Disorder
- Complex and high value financial crime
- High risk Domestic Abuse / harassment
- Serious and organised drugs trafficking offences
- High value or significant impact digital enabled or dependent crime
- Arson with intent to endanger life
- Incidents of armed criminality
- Suspicious sudden deaths and sudden deaths requiring the services of a Home Office Pathologist. Child Abuse Offences (see Procedure for Investigating Child Abuse and Safe Guarding Children)
- Any offences which the Detective Chief Inspector (Standby Chief Inspector) or in their absence the Duty Detective Inspector considers warrant the formalised level of investigation and supervision afforded to serious or complex crimes
- Any attempt or conspiracy to commit any of these offences

7.2 All such THRIVE assessed crime will be investigated by Crime Services, with or without the assistance of Community Policing (for example pro-active team) depending upon the particular circumstances of the crime or incident in question. If, following the THRIVE assessment, the determination of the crime or incident is not straightforward then a decision as to allocation will be made at the Daily Management Meeting by the Chair (DCI CIU) or, if during a weekend, the standby Chief Inspector in conjunction with the Duty Officer and on call Detective Inspector.

7.3 For further guidance and advice see the college of policing, on the link below, this provides national guidance on the key roles and principles of criminal investigation.

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/>

7.4 Where any serious crime or incident has taken place a Community Impact assessment (CIA) should be considered. CIAs have value in seeking to address community fears and concerns, protect involved parties and prevent retaliation, and seek to maximise opportunities for public assistance, intelligence and reassurance.

[Community Impact Assessments Policy](#)



7.5 Management of Digital Media - Communications between suspects, complainants or witnesses can be of critical significance whether as evidence in support the prosecution case or as unused material which either undermines it or assists the defence case. This is particularly so where the complainant and suspect have been in a personal relationship, for example, in cases involving allegations of a sexual nature.

7.6 Investigating officers are required to pursue all reasonable lines of inquiry in accordance with AG guidance in order to identify relevant material. This will often include the obtaining and analysis of communication evidence whether it originates from devices belonging to the complainant or the suspect or, in some cases, to third parties.

7.7 Where downloads of telephones or other devices have been obtained, it is crucial that the police examine their content in detail.

Investigators should familiarise themselves with the attached two documents.



ADVICE ON  
COMMUNICATION E



Disclosure-reasona  
ble-lines-of-enquiry

## **8. SEE subjects and Named suspects**

8.1 If a crime involves a SEE subject then any investigation will be treated as a priority unless there are specific reasons as to why it cannot be. The OIC and supervisor have a joint responsibility along with the Force Crime Registrar to identify those offenders who are under investigation for more than one offence by any officer. All such identified individuals should be the subject of a meeting between the respective officers, chaired by a supervisor who will document the meeting and agreed actions on the Master Files, to agree ownership ensuring that effective liaison takes place with the Centeniers / Courts. The Force Crime & Incident Registrar will if deemed appropriate allocated all outstanding crime files to a single OIC for progression.

8.2 The investigation of juveniles who have committed more than one offence or who are committing offences regularly should have a specific named OIC who has responsibility and ownership for managing the offences and liaising with partners.

8.3 An Officer of the rank of Inspector or above can set a specific arrest date to the future, for example on a protracted enquiry with a pre-planned arrest strategy.

## **9. Other outcomes**

9.1 To ensure public confidence in the States of Jersey Police and their ability to investigate and detect serious crime, in every instance where a crime that is categorised as 'serious' or might be of public interest has been reported, and an offender is identified and known, but the complainant refuses to proceed with the



matter or even make a statement, as much investigation as possible must be carried out / considered, to attempt to obtain evidence by other means, other witnesses, forensic, CCTV and interviewing the suspect who may make admissions.

## 10. Crime Management

10.1 After the initial classification and notifying (HO CR) of crime, the Force Crime and Incident Registrar will be responsible for the disposal of crimes when they are completed. (Hard copy files will continue to be managed by the Criminal Justice Unit).

10.2 Departmental supervisors in conjunction with the Force Crime and Incident Registrar will monitor all daily-recorded crime and report any noted series or serious offences having been committed in the previous 24 hours to the DMM.

10.3 **Public Interest Test** - A public interest test should generally only be applied by the Law Officers' Department. However, in some cases of low level crime, when the offence is still proven e.g. minor assault (no injury) or low value larceny and due to the circumstances in the case (time against cost implications, likely outcome) including perhaps the age of the victim (see AGs Guidelines for Youth Prosecution) or offender, a supervisor in liaison with an Inspector can finalise a crime as "not in the public interest to prosecute" ensuring that both the victim and offender are aware. All decision making regarding any finalisation will be clearly documented on the master file.

10.4 Where a crime has been notified (counted) and the investigation has concluded that no crime has been committed the respective supervisor must refer the case back to the Force Crime and Incident Registrar who will review and ensure that the crime meets the cancellation criteria as set out by the Home Office. All decision making regarding any finalisation will be clearly documented on the master file by the supervisor and Crime Registrar.

10.5 Where a notified crime (HO CR) requires re-classification to another offence it must be first referred by the OIC or supervisor to the Crime Registrar who will review and ensure that any re-classification meets the guidelines set out by the Home Office. The reason for re classification must be clearly evidenced on the crime incident file on Viewpoint.

10.6 All occurrence reports will be assessed by the Crime Registrar and if in their opinion the incident should be recorded as a crime then they will update the Masterfile appropriately for the OIC to action.

10.7 CI Community, supported by the Force Crime and Incident Registrar and Head of CJD will undertake a monthly review of crime files that exceed 28 days to ensure that they are being pro-actively managed and the appropriate Supervisor oversight is recorded.



## **11. Schools Protocol**

11.1 The Schools Protocol exists for dealing with low-level reported crime that occurs on school premises within normal school hours. The aim is to reduce the number of crime reports being submitted for very low-level incidents that can be dealt with by the school with the assistance of the Schools Liaison Officers.

11.2 Full details on the Schools Protocol can be found on the Document Library or by contacting Crime Management.

## **12. Youth Produced Sexual Imagery**

12.1 All reported offences of youth produced sexual imagery (an indecent image, still or video of a person under the age of 16) must be recorded as a crime in line with the Home Office Counting Rules (HOCR) i.e. young people (under the age of 16) sharing indecent images, stills or video's, of themselves or of others (i.e. of others under the age of 16).

12.2 Officers must ascertain whether any aggravating features (e.g. adult involved, presence of violence) and/or known vulnerabilities are present and check the welfare of relevant parties. Advice should be given which enables the effective safeguarding of persons affected and which ensures they do not do anything, which in effect could result in them breaking the law such as taking a copy of the imagery on their own device.

12.3 The relevant background checks should be carried out on the victim(s), perpetrator(s) and location(s) (where relevant). A Child Protection Notification should be created in all circumstances to ensure that PPU and partner agencies are aware and are able to provide the necessary support in addition to the Police.

12.4 An Officer from the Community Team will attend all reports. Full details should be recorded in the presence of a Parent, Guardian or person with Parental responsibility for the Child involved.

12.5 The electronic device or media containing the indecent image will be seized in the normal way and examined by way of the 'Kiosk' by a suitably trained Officer or contact will be made with the High Tec Crime Unit who will normally arrange for the evidence capture to be made within 48 hours where the 'Kiosk' facility can't be utilised.

12.6 The image(s) will be deleted and the electronic device or media will be returned to its owner (this is with the standing authority of DCI CRIME).

12.7 Officers should ensure that the relevant advice is given to those involved in the presence of their Parent, Guardian or person with Parental responsibility for the Child involved.



12.8 The Home Office Counting Rules (HOCR) require that each crime is allocated an outcome at its conclusion. A specific outcome has been created to deal with these types of offences providing that there are no aggravating factors.

**OUTCOME 21**

**'Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect, is not in the public interest – Police Decision'**

12.9 Home Office Outcome 21 will allow for the recording of the crime as having happened but for no formal criminal justice action to be taken, as it is not considered to be in the public interest to do so.

This process will be managed for the Force Crime & Incident Registrar in liaison with DCI CRIME.

12.10 Once an appropriate outcome has been decided by a Supervisor it is vital that this is clearly communicated to the persons affected, their Parents, Guardian, or person with Parental responsibility and school where appropriate. This should also explain the immediate and longer-term implications as this is a common concern cited by those being investigated and their parents.

**13.Future Learning Opportunities**

13.1 The States of Jersey Police has a 'Learning the Lessons' forum that meets regularly. Supervisors who manage cases should consider referring appropriate learning to this forum via CI Community.

**14.Crime Audit Process**

14.1 A quarterly thematic audit process will be conducted by the Force Crime Registrar on a given area of Crime or Operational Process, a specific theme/area will be decided upon jointly by the Heads of Operations and Crime during the monthly Crime Management meeting.



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**ORIGINS / BACKGROUND INFORMATION**