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Policing

**OPERATION
HYDRANT**

Coordinating the response
to non recent sexual abuse

Senior investigating officer (SIO) advice:

Investigations into allegations of non-recent institutional child sexual abuse or child sexual abuse by people with a high public profile

Operation Hydrant

August 2020

Operation Hydrant is the national policing operation established to manage and coordinate the increasing demand on police forces to respond to, investigate and manage non-recent child sexual abuse in institutional settings or abuse alleged to have been perpetrated by persons of public prominence.

Investigating non-recent abuse, particularly of this nature, often presents significant challenges. Reduced forensic opportunities, difficulty of memory recall, a requirement to support victims and witnesses, together with significant interest shown by the media, are all factors that will affect such an investigation.

This advice draws on the experience of SIOs who have led investigations of this type and experts who specialise in this area of investigation.

Contributors include Operation Hydrant's cadre of SIOs who have experience dealing with these complex cases, and who volunteer their time to mentor, support, or share their learning with colleagues.

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1. Making and receiving a report

SIOs have a crucial role in managing these investigations. They are responsible for developing and implementing policies and strategies that deliver an efficient and effective investigation, balancing the needs and rights of both the victim and the suspect. An investigation should gather all evidence, both towards and away from the allegation, to enable a judgment to be made by the investigating officer, Crown Prosecution Service (CPS) or court.

The first step in the process of the investigation is for a report to be received. In some cases, there will be an established investigative team already dealing with a criminal enquiry. The SIO is responsible for ensuring that, in cases where an investigation team is established and receives the report, those who receive the report gather all relevant information and evidence.

In other cases, an investigation may not be established or an allegation is made to a third party or another force. Where reports are received elsewhere in the service, the SIO will need to ensure there is a timely assessment of available evidence, gaps and risk of harm. Those cases where a current risk of harm to the victim or others from the suspect remains should be prioritised for action.

Key points

- Victims of non-recent child sexual abuse may not have reported allegations before for a number of reasons.
- Police officers or staff receiving allegations of child sexual abuse must identify and respond to any immediate apparent safeguarding risk.

1.1. Influences on reporting

Individuals may decide not to report these offences for a number of reasons:

- fear that they were responsible
- fear of reprisal
- fear of impact on their family
- a degree of grooming and control by the abuser
- shame or fear they may not be believed

- loyalty issues
- a sense of isolation
- the intimate nature of such an offence
- not understanding that the incident is abuse
- lack of confidence in the criminal justice system
- feeling a different culture existed in previous decades
- memory recall.

The reasons why victims may delay reporting the offence are relevant in relation to identifying appropriate support services ([1.1.2 Signposting support services](#)).

Victims of child sexual abuse who report as adults may demonstrate trauma symptoms and have a lowered emotional resilience; therefore, a skilled and empathic response is required from the moment a report is first received and throughout the investigation.

Delayed reporting does not suggest a false allegation. Victims who came forward during other investigations reported that their allegations were triggered by becoming aware that the abuser was being investigated for a similar matter, or suspecting that the abuse is continuing against others. A victim may come forward for a sense of closure, a chance to be vindicated, or to acknowledge the impact that the abuse has had on their lives. They may wish to set the record straight and they may feel a sense of duty to report to offer support to others by providing corroborating evidence (NSPCC, 2013).

1.1.1. Report takers' responsibilities

A report may be received in isolation, or may be part of a wider operation. Forces have clear structures and trained staff to respond to reports of non-recent child sexual abuse.

Whether part of force control room staff or working as part of a charity support-line team, the report taker must be able to take a brief account from the person making the report. As a first account, the focus should be on obtaining enough information to ensure a person's safety and establishing the details of the allegation.

Provisions to protect vulnerable people or reduce risk should be put in place for all victims regardless of mental capacity or the historical nature of the abuse. Report takers should seek the advice of a public protection unit in cases of doubt.

The call taker or person receiving the referral should ensure there is no immediate risk to the victim (eg, ongoing abuse or suicide risk). They also need to be sure that there is no immediate risk or concern in relation to a third party (eg, the suspect or named individual

may have access to children through a family member or still be in a position of trust or authority where they have access to children, such as a teacher or doctor).

1.1.2. Signposting support services

SIOs should support forces as early as possible to develop a process to allow report takers to signpost victims to local specialist agencies dealing with non-recent child abuse. The following are examples of potentially relevant organisations:

[National Association for People Abused in Childhood \(NAPAC\)](#)

[National Society for the Prevention of Cruelty to Children \(NSPCC\)](#)

[Mothers of Sexually Abused Children \(MOSAC\)](#)

[Survivors' Network Support Line](#)

[Victim Support Survivors UK](#)

[Parents Protect](#)

[Parents against CSE \(PACE\)](#)

[The Survivors Trust](#)

[Rape Crisis](#)

[Safeline](#)

The organisations named above are only a few of the available options. Investigators should consider identifying specialist agencies to support specific victim needs on a case-by-case basis. Local witness care units should be able to provide advice on the support available (for further information, see **[Department of Health \(2016\) Care and Support Statutory Guidance – updated 2018](#)**).

1.1.3. Third party reporting

In high profile investigations, reports may be received from third parties with or without the knowledge of the victim. SIOs should consider how police first responders can deal with these allegations. SIOs may consider different options and should ensure that, whatever option is selected, clear advice is given to all those who may receive initial reports:

- Clear advice on where to refer people seeking to report.
- Steps needed to reduce or remove immediate risk of harm to a victim or others.
- Referral to welfare agencies.
- Confidentiality.

There will be occasions where the initial report contains limited information and intelligence regarding the reported abuse. The SIO will need to be sure that thorough intelligence checks

are carried out prior to any approach to the victim so as to assess potential vulnerabilities that may exist.

If a crime is reported from a partner agency, it should be recorded in line with the HO CRS.

The SIO should consider developing a memorandum of understanding with organisations that may receive reports, which deals with how information is accessed, managing any sensitive issues. For example, notes made by a social worker in which a victim has given an early account of an inappropriate relationship with a suspect may prove to be of significant evidential value.

1.2. Reporting strategy

SIOs should develop a reporting strategy where there is a likelihood that a number of reports about a person or location will be received. The strategy should support those who might receive those reports and may include:

- instructions to call handlers receiving a cold call
- instructions to an initial investigator with particular reference to taking initial accounts
- using the media/publicity to generate reports (in line with [APP on media relations](#))
- notification to appropriate support services
 - consideration of whether suspect details should be put into the public domain (see [App on media relations](#))
 - consideration of how to avoid 'trawling', see [section 2.1.2](#) for specific advice.

The strategy should achieve a consistent and supportive response to those making reports of incidents. The following actions and mechanisms will assist with providing a consistent response:

- Take immediate steps to assess and manage risk, including signposting victims to support options.
- Using a [master script](#) (accessed via the restricted [Knowledge Hub: Operation Hydrant community](#)) can promote consistency. Elements include:
 - offering victims a choice of where they wish to provide their initial account and statement
 - explaining the next steps and reasons for different stages in the process, see [Ministry of Justice \(2015\) Code of Practice for the Victims of Crime](#)

1.2.1. Extended support

SIOs should consider any support required for officers, staff and people from other organisations who may receive and action initial reports of abuse. It will be important to address:

- immediate safeguarding needs
- welfare support requirements for those receiving reports
- initial investigative steps that will set the investigation on firm ground.

1.2.2. Mass reporting

It is possible that publicity about an investigation could bring about a large number of reports. Reports may be made to police and other organisations, such as charities.

There may be a delay in police investigators taking initial accounts, and those who are likely to receive allegations should be informed of probable next steps and timescales. This is so victims can be given clear and accurate information.

1.2.3. Risk assessment and management

SIOs should consider the advice they should give to those receiving allegations about risk assessment and management (see [3 Investigation management](#) and [1.2 Reporting strategy](#)).

In all cases, a victim engagement strategy should be developed early, regardless of the type of report (alive or deceased suspect). This strategy should clearly inform victims of when they are likely to be re-contacted and establish how they would like to be contacted, bearing in mind the impact of reporting and that the victim's family may not be aware they were a victim of child sexual abuse. Any timeframe given to a victim regarding re-contact should be realistic, achievable and should be met.

The SIO strategy for managing mass reporting may include:

- establishing a helpline with a national charity – this form of partnership can bring benefits to the victim and the investigation where a national approach is required, can give individuals the confidence to speak about their experience and can provide an effective information flow/line of communication
- creating a script or questions list to enable categorisation of cases so that risk of harm and immediate lines of enquiry are identified

- providing the charity or other call handlers with a background briefing, ensuring that the details support those receiving calls to respond sensitively and obtain information and evidence, but that avoids the potential for inadvertently providing information to the caller that is not already in the public domain
- developing a risk assessment strategy to ensure safeguarding protocols are in place – for further information see [APP on information management](#)
- establishing crime-recording obligations.

In line with Home Office Counting Rules, a victim's account should be recorded as a crime to allow the allegation to be investigated further. For each investigation they manage, SIOs should consider the crime recording requirements necessary within the investigation. The Home Office sets standards for the police that govern the manner in which reported crimes are recorded.

The standard directs a victim focused approach to crime recording. The intention is that victims are believed and benefit from statutory entitlements under the Code of Practice for Victims of Crime. This seeks to ensure that those reporting crimes will be treated with empathy and their allegations will be taken seriously. Any investigation that follows is taken forward impartially to establish the truth.

This is entirely consistent with the approach that should be taken at the outset of an investigation into non-recent child sexual abuse, and acknowledges the need to gather all evidence, both towards and away from the allegation.

This is particularly the case where mass reporting is expected, spanning a number of years over numerous force areas. The SIO should consult the force crime registrar at the earliest stage to agree the approach and make a record of the policy relative to it.

1.2.4. Initial response to receiving a report

As SIO it is important to establish:

- Whether it will be possible to see all of the victims and in what timescales.
- That victims are given the opportunity to fully understand what process the investigation will follow. Managing victims' expectations from the outset allows them to gain trust and confidence in the investigation and fully understand the timescales. Victims should be informed, at an early stage, that the investigation will seek all relevant evidence and that the accounts of both victims and suspects will be examined.

- What information can be shared with victims, as victims may choose to subsequently share any information provided on social media or otherwise put it in the public domain (see communications and media) – consider implementing a plan to mitigate and manage any potential risk.
- How evidence is to be recorded.
- Whether to request mutual aid through the National Police Coordination Centre (NPoCC).
- Forensic opportunities (consider a strategy discussion with a forensic examiner – late examination may still offer important forensic and clinical information, address any health issues and allow the therapeutic process to begin).
- The most appropriate people to meet the victims, taking into account a number of issues including team skills – achieving best evidence (ABE), sexual offences investigative techniques, HOLMES-trained staff, PIP 2 interviewers with experience of interviewing vulnerable adults, natural empathy, and staff welfare.

1.2.5. NSPCC

The National Society for the Prevention of Cruelty to Children (NSPCC) is one of the most commonly used points of contact for adult victims/survivors to disclose childhood abuse. NSPCC records and procedures then become relevant to investigation teams.

The following advice is intended to provide investigators with an understanding of what records are likely to be in existence and how the NSPCC protect the anonymity of the caller.

Anonymity Policy

NSPCC Helpline Practitioners will always encourage callers to consent to sharing their identity and contact information with agencies in the interest of safeguarding. Unfortunately, this is not possible when a caller uses an online reporting form and chooses not to provide their contact information.

Regardless of the caller's anonymity preferences, if the NSPCC Helpline is provided with information to suggest that any child or adult is at immediate or imminent risk of significant harm, and it is clear that agencies such as Law Enforcement Agencies (LEAs) or local authorities will be unable to take appropriate safeguarding action without having access to the caller's identity, the NSPCC will disclose all available information at the point of initial referral, without waiting for a request from police.

The three options available to Helpline callers are as follows:

1. Anonymous – no personal details provided by the caller to the NSPCC.

In these cases, there is nothing that the Helpline can reveal to identify the caller. However, the NSPCC will consider a data protection request in respect of call or online contact details to facilitate a subscriber check. Each request of this nature will be considered on its own merits. In some circumstances, NSPCC may resist the request in order to protect the rights of the caller to remain anonymous. However, they are very much alive to any applications that identify any current safeguarding risk or threat to life that may be mitigated by releasing the information requested.

2. Details are provided by the caller to the NSPCC but the caller does not wish for their personal details to be passed beyond the organisation.

For this category, the NSPCC policy is to contact the caller and seek their consent to disclose their details if requested to do so by a LEA. They will generally make up to three attempts to contact the caller before concluding the matter.

3. Details are provided by the caller along with their consent for the NSPCC to disseminate to LEAs.

Contact falling into the third category is straightforward, and the NSPCC will provide everything they have to a LEA.

Third party/evidence of first disclosure

The second issue commonly raised is gaining access to NSPCC records for disclosure purposes, or obtaining evidence where the call was the first known notification of an allegation. NSPCC policy is to record all voice calls and retain all emails and online reporting forms.

Following any contact, the NSPCC call taker will very carefully summarise the call on a 'call log' and whilst this is never verbatim, great emphasis is placed upon accuracy.

To gain access to the material mentioned requires a data protection request, which is subject to the aforementioned anonymity policy.

Where caller consent is available, everything is provided (unless it contains material that refers to a third party in which case some redaction may be necessary).

Where consent is not provided, they will consider a data protection request on merit, as discussed under 'anonymity policy'.

Where the NSPCC is requested to provide 'first notification' evidence, this will be provided in the form of a brief statement exhibiting the recording/email as appropriate.

See [Knowledge Hub: Operation Hydrant community](#) for assistance with data protection requests. (Note: the team operates Monday-Friday, 9am-5pm).

SIOs may wish to encourage other receivers of third party information to adopt a similar approach to storage and disclosure of information.

For further information relating to Making and Receiving a Report see:

[APP on information management](#)

[APP on child sexual exploitation](#)

[HOCR crime recording for sexual offences](#)

SIO actions

- Consider where and by whom reports may be received and what support is needed.
- Establish requirements of first responder actions when dealing with third party reporting.
- Develop a reporting strategy where there is a likelihood that a number of reports about a person or location will be received.
- Consider risk assessment and risk management advice that should be shared with those taking reports of abuse.
- Consider how to avoid inadvertent leaks of sensitive information.
- Consider how to avoid 'trawling'.
- Ensure that thorough intelligence is carried out prior to approaching victims.
- Develop an approach to managing mass reporting.
- Make early contact with the force crime registrar.
- Create a victim engagement strategy.

2. Victims and witnesses

Victims and witnesses may have experienced very traumatic incidents. Some may have not wanted to report for a long time because they fear reprisal, or that they will not be believed. Police must seek to support victims and witnesses to give their evidence. This will include testing accounts so that the investigation gathers all relevant evidence, whether it supports or undermines the allegation.

Key points

- Victims should be supported throughout the investigation and the criminal justice process. It is important that a robust process exists for information to be shared between forces, particularly in relation to decisions concerning non-acceptance of special measures by the victim.
- Clarify aims and objectives of the investigation with partners.

2.1. Victim and witness strategy

The purpose of a victim and witness strategy is to ensure that victims are fully supported during the investigation so they can give their account, identify and address any ongoing risks to other potential victims, and support and add value to the operational activity.

2.1.1. Strategy considerations

Risk assessment, victim support and counselling need to be at the heart of the SIO's victim strategy. Owing to the complexities of these cases, investigators should approach a PIP 2 interviewer with experience of interviewing vulnerable adults to provide expertise in developing the strategy. They can help formulate the questions used to approach individuals in a way that avoids affecting future victim/witness accounts.

NCA advisers are also able to offer help and support. The NCA has developed a briefing paper to support SIOs with these particularly complex cases – see [Victim and Witnesses Interview Strategies in Child Sexual Abuse and Exploitation Investigations](#).

A victim assessment and detailed interview planning will support officers in recognising the possible impact of trauma.

Different victims react in different ways, and some may present behaviours which might not be expected. Presenting behaviours should not be seen as undermining the credibility of the victim.

As part of the strategy the SIO should ensure that:

- Victims and witnesses understand that their involvement in the investigation is voluntary.
- Investigators consider whether the victim requires an Intermediary to be able to fully give their account and understand the process.
- Sufficient support is in place prior to discussing the details of the incident – a dedicated officer and specialist services such as ISVAs and SARCs may be more beneficial than generic victim services.
- Investigators avoid unnecessary duplication and distress for the victim.
- Investigators adhere to the [Ministry of Justice \(2015\) Code of Practice for Victims of Crime](#).
- Investigators consider adopting confidentiality agreements and witness contracts.
- What the victim can and cannot share, and with whom must be made clear to them. For example, they need to understand whether (and with whom) they can discuss details of any previous abuse. In addition, victims should be made aware that if they are receiving therapy, this would need to be disclosed to the defence, if a prosecution follows.
- Officers and staff develop a clear exit strategy, which includes the handover of the victim or witness support to a third-sector agency, local authority or health service.
- Officers and staff document a witness contact strategy outlining the method of obtaining accounts. It should consider ABE/significant witness strategies and witness contact strategies and the use of dedicated contact logs for all contact with significant witnesses. Where possible, the same officer should remain the point of contact.

An SIO protocol should be developed and agreed with partners to support individual contact plans. Officers and staff should design a plan/protocol for approaching victims and witnesses for each specific inquiry featured in the investigation. They should take into account relevant advice from the CPS, include the resources allocated to make the initial contact and be in line with the protocol. Note – initial contact can be particularly sensitive.

In order to carry out the tasks undertaken in the victim strategy, it can be helpful to embed a social worker in the investigation team. Their role is to:

- Undertake safeguarding risk assessments in relation to all victims – this will consist of gathering background information available from relevant agencies to inform the assessment process.
- Gather information to support interview planning to ensure an effective approach to victims.

- Carry out a follow-up assessment after any formal interview process to ensure that the appropriate supports are in place.
- Ensure that, if the safeguarding assessment highlights risks, then a referral is made to therapeutic services for advice, and to lead on identifying and securing therapeutic support for those victims who need it. This should be reviewed on a regular basis, and if there is a need for long-term support, this should be sought from the appropriate agencies.
- Lead on making referrals to the appropriate adult services where support is needed from mental health or other adult services.
- Identify a SPOC in local authority services to progress non-criminal safeguarding matters and ensure that local authorities and others respond to relevant practice and duty of care issues within public/private institutions. This may involve supporting internal investigations, engaging local child safeguarding bodies and potentially providing information for internal management review and serious case review processes.
- Access local authority records and support the inquiry team with relevant information.
- Act as an alternative point of contact for victims who do not wish to talk to police officers, given past complaints/experiences, where appropriate.
- Provide safeguarding risk assessments where allegations are made against people in positions of trust with current access to children, linking in with the Local Authority Designated Officer (LADO). The SIO's assessment will need to address the wider risks and will inform the risk management plan that is put in place.
- Provide safeguarding risk assessments and management plans where there are suspects who have access to children in their personal lives and there is a risk of current abuse – some may hold voluntary/community roles, or have access/power over children because of their prominent position.
- Work in partnership with charitable services on public reassurance, victim contact and ensure they are fully involved.

2.1.2. Identifying victims

It is important that, where there is evidence to suggest more victims may have been abused, if possible, those victims are identified so they can give their account and receive support. However, it is also important that, in seeking to identify victims, police do not engage in 'trawling' or give so much information about allegations that it enables false or mistaken allegations of crime.

Care should be taken in media appeals to emphasise that reports of non-recent abuse will be taken seriously and investigated sensitively while not directly asking or implying that victims have to come forward. Victims should come forward by choice and not because they feel compelled or obligated.

Trawling is the term given to the process whereby the police contact individuals even though they have not been named in the course of the investigation and there is little, if any, intelligence to suggest the individual might be a potential victim.

The SIO should consider consulting the CPS for advice if appropriate when developing a victim identification strategy. For example, in some cases involving allegations of abuse in a care home, it had been common police practice to contact all, or a significant proportion of, those who had been resident in the institution at the time the offences were alleged to have taken place, rather than taking an intelligence-led approach towards identifying potential victims. This practice has been criticised heavily in court and led to a number of cases collapsing. This does not prevent officers contacting potential victims on a firm intelligence or evidence-led basis.

See Paragraphs 113-115: [CPS Guidance on Prosecuting Cases of Child Sexual Abuse](#) for more information.

When seeking to identify potential victims, SIOs should bear in mind that confidentiality of the victim is a vital consideration and should only be breached without consent in exceptional circumstances. For example, in some communities, victims of rape or sexual offences can be ostracised or blamed. It can affect a victim's chances of marriage and acceptance within their community. Exceptional circumstances may include situations where safeguarding risks continue for others and, sometimes, the victim.

Investigating officers should not assume that these attitudes apply only in specific communities, but should be sensitive to the views of the victim and others with whom they come into contact during the investigation. Where there are concerns about how supportive a family or community may be and/or the potential for adverse reaction, the officer should

seek advice from knowledgeable and/or senior colleagues. Careful consideration should be given before seeking advice from people within the same community or family, even where there is significant geographical separation.

2.1.2.1. Identifying victims and witnesses from records

Opportunities may exist to identify potential victims or witnesses from records that existed in an organisation, group, home or institution, for example, a school register, church membership record or similar registration records. These could support a targeted approach for the SIO.

2.1.2.2. Telephone response lines

This option is an additional method of contact for potential witnesses, particularly if there has been media interest or an appeal for information. SIOs should consider the extent to which call handlers can be supported to adopt a systematic and consistent approach (see [1.2 Reporting strategy](#)).

Telephone response lines can be answered by, for example, the police, children's social care or a suitable support agency. It depends on the target audience and their respective needs and wishes. For example, callers may phone for support or counselling, rather than to report a crime.

Investigators considering a media appeal, where witnesses are given a number to ring, should contact children's social care and a suitable support agency to ascertain if they can provide a telephone answering service during the same period for people reluctant to speak to the police.

2.1.2.3. Dip-sampling

Dip-sampling has been used in enquiries where there were large numbers of possible witnesses to the conduct of a person over a number of years. The considerable numbers would require significant police resources and, where appropriate, children's social care resources for a potentially lengthy period of time if all potential witnesses were to be seen personally.

SIOs should introduce safeguards to avoid concerns regarding this method. These include:

- recording the rationale for approaches in the SIO's policy file
- having a clear witness/victim approach protocol

- accurately recording conversations with potential witnesses and victims (electronically recorded at the earliest practical stage)
- consulting the CPS with regard to using these methods.

Example

One example would be where a schoolteacher has allegations of long-standing abuse made against them by former pupils. Rather than interview every pupil over the last 20 years, investigators could decide to approach and/or interview 10 to 50 per cent of the total number from across the spectrum of years and ages to ascertain the initial indications. Then, depending on these results, investigators could make a decision, on an incremental or staged basis, to approach and interview further pupils or to cease further action in that line of enquiry.

The approaches may be focused on specific groups, eg, age, period, or randomly. This approach, if adopted with the necessary safeguards, could substantiate comments made by the suspect or victim, and support the police duty to pursue all reasonable lines of enquiry. It may also provide exculpatory evidence, exonerating the suspect(s). The results of dip-sampling are one of the factors that the CPS would take into consideration when making a decision regarding prosecution.

Although personal visits would usually be the preferred option, they may not always be practical or proportionate. If this is the case, dip-sampling large numbers of people using carefully worded letters may be an option. The SIO should document any rationale for a preferred method in their policy file.

Investigators should consider using a profile of potential victims (eg, age, sex, circumstances) when determining the section of the sample on which to focus. A disadvantage of dip-sampling is that witnesses, victims or other suspects may be missed. With limited resources, however, these are aspects that would be considered in the risk assessment when explaining the response in relation to proportionality, legality, necessity and accountability in accordance with the [Human Rights Act 1998](#). The SIO needs to accurately record the rationale.

It may be necessary to conduct limited, superficial lifestyle profiling on the victim in order to establish when and where the best time to approach them arises. Advice regarding **surveillance** authority requirements should be checked locally in-force.

2.1.2.4. Letter drop

The letter drop method of contact is a highly cost-effective approach to tracing potential witnesses. A large number of potential witnesses can be contacted in a relatively short period. It is important to remember, however, that a letter drop is something that may not be suitable for many potential victims. Further, great care should be taken to ensure that the letter is framed in such a way that it would not identify a suspect or identify the recipient as a potential victim of sexual crime if it were intercepted by a third party unwittingly.

In general, there are a number of issues that the SIO may wish to consider:

- whether contact with the intended recipient is guaranteed
- potential for breach of confidentiality
- likelihood of response
- impersonal nature of contact
- potential welfare of the witness
- presumed literacy competence of the recipient
- whether the limited information in the letter is sufficient to allow the individual to recognise themselves as a potential witness to the investigation without 'trawling' or divulging unnecessary information
- potential for self-harm as a result
- suitable safeguards in relation to risks of adopting this process, eg, by providing contact details for support services.

If a letter is sent, investigators should record the date, address and method of delivery and retain a copy of each individual letter.

2.1.2.5. Witness networking

If records and registers are not available from which to identify potential witnesses, there may be a requirement to resort to 'witness networking' to identify potential and actual witnesses.

Network analysis may help the SIO establish links between potential witnesses and determine a prioritisation approach to making contact.

Just as SIOs must take a considered approach to identifying potential victims, the same applies to identifying other potential witnesses so that all relevant evidence is sought.

Using photographs obtained from a source from the period under investigation can be an integral part of this process. The SIO may wish to consider this option when accessing local authority archives.

In general, investigators should not show photographs to any witness until completing the initial statement of complaint.

Although the enquiry team might ask witnesses about the whereabouts of other potential witnesses, they should discourage them from speaking to other witnesses on behalf of the police.

2.1.2.6. Using websites, emails and social networking sites

Creating a website and email address provides an alternative way for potential witnesses to contact the police.

Investigators may also seek relevant information from social networking websites and other open source options. Investigators should seek advice from Open Source experts.

2.1.2.7. Media appeals

The news media can provide a valuable channel for police contact with the public. Although this can have many advantages, the SIO must be aware that this approach can create a significant response which must be managed. It also places the investigation into the public domain and can create a demand for information throughout the life of the investigation.

SIOs must develop a robust communications and media strategy at the start of the investigation. They should refer to [APP on media relations](#), as well as seeking the advice of the force media specialist.

Within the strategy, the SIO should consider how to promote elements of the victim and witness strategies through communications activity, offer support and manage expectations.

2.1.3. Initial contact

Potential victims and witnesses may prefer to be contacted directly rather than by leafleting/letter drop. Direct contact can be resource intensive and requires careful planning. It is a victim-focused approach, however, and is considered by experienced investigators as the best method to use. The SIO should consider carrying out a risk assessment of any potential witness because of potential vulnerabilities and the fact that they may also be victims themselves.

SIOs should consider the early development of a witness and victim approach protocol with partners who will be engaged in the process as this ensures a consistent approach to victim and witness engagement. They should develop this approach in consultation with the appropriate local authority, and include multi-agency information sharing and review processes.

Within certain parameters, SIOs can adapt this approach on a case-by-case basis to suit individual circumstances once an intelligence led assessment has been carried out. Where a protocol includes joint approaches between police and the local authority, the initial visit to a potential victim or witness would enable the initial investigative and support functions to be initiated immediately.

SIOs should ensure that investigation teams are mindful of the importance of timing when making initial contact with victims and witnesses.

Timing should be convenient to the individual as opposed to the investigation.

Victims have often moved on in their lives and have new partners and children who may be unaware of the abuse experienced by the victim. The same situation may exist with the victim's employers.

An initial telephone call to arrange a meeting when the victim is alone has proved successful in a number of cases. Once the contact has been made, officers should establish how the individuals would like ongoing contact to be made. For example, if by phone, they should check which contact number is the best and safest one to use – mobile, home or work number.

Officers should offer to meet at a place of the victim's choosing and ask how they wish to make the arrangements, eg, phone, email, text.

During the initial meeting, the officer should complete a risk assessment and give the victim a contact leaflet outlining:

- contact names and telephone numbers for the investigation team
- contact numbers for witness care and specialist services
- next steps.

Traumatic experiences may be rekindled and impact ability to retain information, so written information may be useful.

It can be helpful to remind the victim to consider questions they may wish to compile ahead of the next meeting.

Support may be required even if the victim does not wish to proceed. Investigators should undertake further risk assessment to find out what additional support may be required.

Having raised the issue of abuse, it is important that appropriate support is identified which is specifically tailored to the needs identified and agreed with the victim, for example, family (where this is suitable), charity, GP and counselling services. In many cases, it may be difficult for the victim to reach out and ask for help.

2.1.3.1. First contact with investigators

The initial contact between investigating officers and the victim or witness is of fundamental importance, as this is when the rapport between the two parties is established. The SIO's primary concern during this phase of the inquiry is the correct identification of potential victims and/or witnesses and subsequent contact with them, many of whom may not have disclosed the abuse to those closest to them.

Officers should make every effort to provide victims with an honest appraisal of the likely consequence of making a report and the potential timescale of the inquiry. Any approach should include contact details for access to support, including local specialist services, ISVAs and national helplines.

The following are options that SIOs may wish to consider to assist with victim and witness first contact:

- sending a letter to individual GPs (taking into account data protection issues) alerting them to a potential need for additional services for their patients
- making case workers in other agencies aware of the situation in order for them to be in a position to deal with additional needs
- managing victim code updates on one document in the major incident room through an arrangement with the force crime registrar.

If a victim is telephoned, it is helpful to check if they are happy to meet with a male or female officer for initial contact. This is an opportunity to manage expectations in general, but also in relation to the way forward, should an officer of the preferred gender not be available.

For large-scale enquiries, SIOs should consider a self-referral process for victims so that there is equal opportunity of access to the police investigation.

2.1.3.2. Assessment

Officers making first contact should assess whether a registered intermediary and/or appropriate adult should be used (see [APP on investigation](#)). In cases of non-recent child

sexual abuse, they should be considered for any case where they could help the police to communicate with a victim, whether or not the victim has a form of disability or is a child.

SIOs should consider deploying a robust victim and witness strategy, making use of a specialist interview adviser and paying specific attention to consistency in approach in conducting pre-interview assessments and recording accounts. The National Crime Agency (NCA) document [Victim and Witnesses Interview Strategies in Child Sexual Abuse and Exploitation Investigations](#) is a useful resource to assist in developing the interview strategy. The [national vulnerable witness adviser](#) can be contacted for advice through the NCA.

Also see [Victim and Witness Evidence module](#) of [APP on child abuse](#) for further information.

2.1.3.3. Telling a victim about other allegations

To enable a victim to give an account of what has occurred, they can be told, in general terms, that a suspect has been the subject of complaints by others. Taking this approach may strengthen the victim's resolve to engage with the criminal justice process. Officers should not, however, disclose details of other allegations.

Officers should normally only provide this information after the victim's initial statement has been taken. In exceptional circumstances and with the authorisation of a police officer of at least superintendent rank, this may take place before the statement or video interview. The SIO should seek advice from a specialist interview adviser when making this decision in line with ABE guidance. For further guidance, see paragraphs 42-47: [CPS Guidelines on Prosecuting Child Sexual Abuse](#).

The officer providing this information to the victim must record it accurately. This is in order to refute any potential challenge later that a victim was told any specific details of accounts provided by other persons.

2.1.3.4. Making contact following third party reporting

It is not usually appropriate to make contact with the victim without the third party's knowledge, but there may be occasions when this is necessary. This could apply where, for example:

- the victim is still at risk from further offending, or the suspect is still offending
- it becomes apparent that there is an immediate risk to life or of serious injury
- the suspect is a risk to children or vulnerable adults.

Investigators should only contact the victim after consultation with the SIO and following a risk assessment. The SIO should consider deploying a specially trained officer for initial contact with the victim.

2.1.3.5. Managing witness collaboration

SIOs should consider how they can alert victims and witnesses to the dangers of discussing details of an investigation. Some investigations have found it beneficial to include a paragraph in an update letter which explains the principles and ramifications of victims and witnesses sharing information, in particular via social media. For further information, see [2.2.2 Information sharing](#).

Witnesses

The approaches described below are extensions of any intelligence or evidence-led means of identifying witnesses. Investigators can contact potential witnesses because they may have relevant information based on the following:

- specifically mentioned or described by another witness or intelligence source
- from the circumstances, including location, relationship, time period and environment
- other information (eg, phone records, files).

The approach will be closely dictated by the investigative parameters in terms of what is required to be captured evidentially.

2.2. Gathering evidence

Victims may not report all details of offences initially. They may take varying amounts of time to make full disclosures. Each case must be carefully considered and assessed as some victims may find repeated interviews uncomfortable. Trust and confidence needs to be built between the victim and investigator, as the role of the police is to help victims give their account as part of the evidence gathering process.

Additional details may emerge via third party agencies or in court (registered intermediaries can be used to facilitate communication in such circumstances). The principles of ABE will be particularly important in cases which meet Operation Hydrant criteria.

Where investigations cross geographic boundaries, the investigating force carries out the investigation, with assistance from the force where the victim lives in terms of conducting interviews in accordance with ABE guidelines.

2.2.1. Investigative focus

In accordance with advice published by the Crown Prosecution Service, police and prosecutors should focus on the credibility of the allegation, rather than focusing solely on the victim. Specifically, the length of time between an alleged incident of sexual abuse and giving the account to the authorities is not a reliable indication of credibility.

In Operation Hydrant cases investigators have found the following points require careful consideration:

- relationship between the victim(s) and the suspect, where the latter has acted in the role of a guardian or carer
- how the first account came to light and any subsequent accounts
- character, credibility, vulnerability and circumstances of the victim(s)
- possibility and motivation of a third party having influence over a victim
- possibility of collaboration and careful investigation of victims account (application of the investigative mind-set)
- when the first complaint came to light, in particular if it was before the police investigation started or before media/public attention
- capturing early complaints to professionals such as doctors or counsellors.

It is likely that cases will require access to third party material when building the evidential case. This includes using expert advisers and their testimonies. [APP on child abuse](#) provides further information relating to investigating the allegation.

Where there are multiple victims, investigators should also consider whether:

- victims have talked to each other and shared their accounts of abuse, and if so, when and why
- there are similarities between the complaints
- there is any evidence which undermines corroboration.

Where victims have discussed their accounts, this may affect the quality of the evidence because of the potential for contamination and should be specifically considered as a disclosure issue.

PIP 2 interviewers with experience of interviewing vulnerable adults will be able to provide advice for resourcing interview teams.

2.2.1.1. Witness memory

Witness memory is a very sensitive and complex element of non-recent child sexual abuse case. Listed below are factors the SIO may wish to consider when assessing non-recent CSA accounts in this context:

- The age from which the memory is recalled – is the account consistent with what could be reasonably remembered from that age?
- Whether memories are continuous, recovered, or triggered.
- Suggestive influences on memory (particularly if recovered) for example therapy, family or friends.
- Is the source of the memory clear and unambiguous or is it solely from flashbacks and dreams?
- Psychological disorders/states such as PTSD that may affect memory presentation.
- Psychiatric disorders such as delusional or factitious conditions that might underpin the account.

SIOs are advised to contact experts in memory influence to help assess the weight that the witness recall should be given. The NCA can provide a list of experts. The Operation Hydrant team can also provide further information. Early consultation with the CPS is advised.

Further reports and academic study on witness memory may be found on the [Knowledge Hub: Operation Hydrant community](#).

2.2.1.2. Impact on those associated with victims, witnesses or suspects

Where child sexual abuse investigations address allegations relating to schools, clubs and other institutions parents of other children may become concerned. The SIO should agree the way in which other people who may be affected can be supported, including how contact will be made and how allegations will be received and recorded.

2.2.2. Information sharing

Where institutional abuse is alleged, SIOs should consider at an early stage when engagement with the parent organisation or governing body is appropriate. There is a balance to be achieved between the potential need to seize evidence and the need to build relationships. This will allow information to be shared at appropriate times, and provide an opportunity to draw on relevant expertise in the organisation. For example, it can help SIOs

understand issues around the quality of records held by particular organisations, together with any existing protocols or codes of practice relevant at the time of the offence.

2.2.2.1. Adult safeguarding boards

Investigators should consider developing an **information sharing agreement** with adult safeguarding boards to include welfare issues as well as information about crime.

This information sharing agreement should include a process for sharing the detail relating to abuse experienced in childhood and adolescence, so that each force involved in the case is aware. This may affect the way in which investigators interact with victims.

Investigators should also consider using the serious sexual offence unit as a resource.

2.2.2.2. Local Authority Designated Officers

Other investigations may be taking place at the same time, for example, in a health care trust or social care. Local authority-designated officers provide important links and routes of communication between the police and partner agencies. For specific professions (for example, teacher) there is a duty on the police to refer to the Disclosure and Barring Service if the suspect is still employed.

SIOs may also wish to consider drawing up a service level agreement between the force and local authorities which sets out the Criminal Procedure and Investigations Act 1996 requirements and duties for seizing, reviewing and retaining material. This can be particularly helpful in investigations with significant amounts of material.

2.2.2.3. Other interested parties

The SIO should be aware that a number of groups may have an interest in investigations of this kind (either from the perspective of the victim or the suspect). In some circumstances the concerns of such groups may need to be addressed without compromising the investigation (eg, any legal constraints relating to the timing and content of any communications may need to be considered).

SIOs may wish to consult with victims/survivors groups in an advisory capacity as the investigation progresses. For example, mass reporting/call handling; provision of counselling and support services. The NSPCC, for example, is a statutory service and involved in many cases. There will need to be consideration of victim confidentiality and inappropriate disclosure of information.

In addition to other organisations, the **Criminal Injuries Compensation Authority** (CICA) may also have an interest in the investigation.

2.2.2.4. Organised and complex abuse considerations

SIOs should consider whether an investigation involving numerous victims constitutes a 'complex abuse case'.

Complex abuse was defined in the Home Office and Department of Health (2002) Guidance on Complex Child Abuse Investigations: Inter-Agency Issues as:

Abuse involving one or more abuser and a number of related or non-related abused children or young people. The abusers concerned may be acting in concert to abuse children (or young people), sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children (or young people) for abuse.

SIOs should, in consultation with the person in overall command of the broader investigative and community response (sometimes referred to as 'gold'), consider setting up a strategic management group and joint investigation group to ensure a collaborative approach to victim engagement. These groups may include the local authority child/adult care services, NHS, HMPPS and representatives who can share local arrangements for counselling services such as Rape Crisis.

The SIO may wish to discuss setting up a complex abuse panel to assist in giving advice on cases that fit the definition. Children's Services and the local authority-designated officer should be consulted.

On large and complex investigations, when a decision to prosecute has been reached or is likely, preparing a police and CPS joint prosecution framework agreement can also be beneficial.

2.2.3. Corroborative evidence

Even though a considerable period of time may have elapsed since the alleged offence, corroborative evidence may be available from archived or other material contemporaneous to the time period of the allegations. Investigators could consider:

- diaries or written accounts of movements from the victim and the suspect – further allegations may be made at a later date, so the details of the suspect's movements across extensive periods may become relevant at a later date, and are not initially known at the point of search/seizure

- photographs of the suspect and victim, as even if not specific to the offence, pictures of the victim at the approximate age when the alleged offence took place can provide a jury with context to the event – this may also be relevant for potential defence issues regarding the apparent age of the victim at that time and photographs of the suspect may be required for ID procedures, based on their description at that time
- other mementos such as letters and clothing
- blueprints/floorplans of premises showing the layout at the time of the alleged abuse
- media articles/photographs from the time the alleged abuse took place identifying premises, residents, staff, visits by people of public prominence, or their activities at the time
- employment records
- social services files
- GP and/or medical records
- daily event logs and minutes of meetings
- professional bodies/associations (records).

This is not an exhaustive list and SIOs should consider the needs of each investigation. Creating a timeline of events can help to place recollections into a timeframe, enabling corroboration or challenge.

2.2.3.1. Insufficient evidence

When charges are discontinued, the CPS and police should have a clear understanding of why they have been discontinued. This is required in order to understand the impact on the victim's evidence relating to other indictments. From the victim's perspective, having charges dropped can echo their experiences of not being believed – investigators must handle this in a sensitive manner.

2.2.3.2. Reinvestigations

A policy for approaching witnesses who did not wish to provide statements at the time of making their allegation(s) may be required. Operational experience has shown that it is in the interest of the victim to hear about the investigation from the investigation team. It is important to check whether the victim(s) remain unwilling to make a statement or whether their stance has changed. The investigation team must respect the wishes of the individual(s). The team should remain mindful of safeguarding and risk management issues throughout the discussions.

2.3. Disclosure

SIOs often face significant challenges with disclosure in non-recent child sex abuse investigations. The task of disclosure should not be underestimated due to the significant volumes of material that may exist, complexities in locating and reviewing historical documents and challenges when documents have been lost due to the passage of time. This advice does not seek to replicate current legislation or guidance regarding the subject of disclosure, but highlights certain issues and areas of good practice of particular relevance to the investigation of non-recent child sexual abuse.

The early appointment of a disclosure officer(s) is important to manage such significant volumes of material. At an early stage in the investigation, the disclosure officer and the CPS reviewing lawyer responsible for disclosure should develop a strategy that formally sets out:

- the legal basis for disclosure, CPIA or common law with a supporting rationale
- a disclosure policy document and police and CPS joint prosecution framework agreement
- how disclosure will be conducted, eg, phased, managed through HOLMES
- timescales for submissions and returns to the disclosure officer
- meetings between the disclosure officer, CPS lawyer and counsel at an early stage
- consideration of the appointment of disclosure counsel
- parameters set around third party material and how extensively it will be considered.

The appointment of disclosure counsel at an early stage is also highly recommended in cases where there is a significant volume of material and complexity.

SIOs should be mindful that abuse of process arguments might be raised in cases where material has been lost or cannot be recovered, not to mention the potential for miscarriages of justice. Good practice is to record what is known to be lost and the enquiries completed to locate or recover that material. This document should then be brought to the attention of the reviewing lawyer at an early stage in proceedings and listed for disclosure.

Victims will often be in possession of material that relates to the time the abuse took place, such as diaries, letters and emails both to and from the suspect and third parties.

Furthermore, victims may have, for example:

- had involvement with previous linked investigations
- be in contact with victims and witnesses via social media

- engaged with the Independent Inquiry into Child Sexual Abuse Truth Project (see [section 5](#))
- received counselling
- or initiated civil litigation.

SIOs should consider using a questionnaire that can be used for each victim regarding relevant unused material. Additionally, a minimum standard of checks and research should be recorded and implemented to ensure the investigation has pursued all reasonable lines of inquiry to identify, obtain and assess all relevant third party material. This list may include NHS, Social Services, Education, PNC/PND, open source etc.

Where partners hold significant amounts of potentially relevant material, SIOs may wish to consider drawing up a service level agreement that sets out the CPIA requirements and protocols for seizing, reviewing and retaining material. It may also assist to consider including a representative of this partner agency within Gold Group (or a sub group), as previously discussed.

Case study – third party material

In 2014, two victims reported child sexual abuse by numerous suspects over five years from 2006 to 2011. The investigation led to eleven defendants standing trial at the Old Bailey. Six men were found guilty of 37 offences after a nine-week trial and were sentenced to a total of over 82 years' imprisonment.

In this case the disclosure officer served notices on the partner agencies asking them to identify material. If the material they held was not too voluminous, it was seized and reviewed by the receiver for evidence.

The disclosure officer then assessed it, extracting copies of anything that was relevant and required scheduling.

Where the material was extensive, the disclosure officer (or a properly briefed officer) reviewed the material in situ, extracting what was considered evidential, relevant or met the disclosure test.

The appointment of disclosure counsel, with responsibility for all third party material was of significant assistance in this case. Once appointed, counsel assessed all the third party material subsequently obtained and produced their own schedules.

Some forces have appointed a dedicated, appropriately trained officer or member of police staff to act as a SPOC for any third party material requests with the local authority and other statutory partners.

Legal basis to acquire material from victims and witnesses

There has been concern about the legal basis on which material that may be evidence is acquired from victims and witnesses. While not limited to phones, the focus has been on messages, photographs and other material stored or accessed via them. Some organisations representing victims have expressed concern that accessing material on phones in an uncontrolled way could lead to unacceptable interference with the private lives of people who have already been victims of serious crimes. Conversely, lawyers who represent suspects have expressed concern that failure to acquire and disclose relevant, unused material, may lead to miscarriages of justice.

In May 2019 the CPS, College of Policing and NPCC released a form for police to use with victims and witnesses that explains consent as the legal basis on which to acquire, process and retain material that may be evidence, including accessing records on phones. The Information Commissioner's Office published a report in June 2020 that recommended that the form be withdrawn because it did not adequately address issues around consent to acquire data on digital devices. The form is being revised and a new version will be circulated for use by forces. The original version of the form should not be used. In the case of *Bater-James (Bater-James and Mohammed v R [2020] EWCA Crim 790)* the Court of Appeal gave a judgement that set out the information that should be provided to victims and witnesses regarding the acquisition of data from digital devices. SIOs should be conversant with this judgement.

When victims and witnesses are invited to give consent to police to acquire material that may be evidence, they should be told:

- the reason why material is requested
- the use that will be made of the material
- the circumstances in which the material may be disclosed as part of legal proceedings
- and that consent may be withdrawn at any time.

Whatever the legal basis for acquiring digital material from victims and/or witnesses, police will need to consider whether it is appropriate to use powers to compel victims and witnesses to release material.

Victims and witnesses should be kept informed about the use of information and evidence acquired from devices.

It is likely that there will be cases where it is appropriate to use legal powers to obtain material, eg, where there is a current risk of harm to a vulnerable person or there is a doubt about allegations made. In these cases, CPS advice should be sought.

NSPCC

The National Society for the Prevention of Cruelty to Children, (NSPCC) is an important point of contact for adult victims to disclose childhood abuse. NSPCC records and procedures are an important factor for investigators to consider.

It is useful for investigators to understand what NSPCC records are likely to exist, and the process around protecting the anonymity of the callers.

Anonymity policy

NSPCC Helpline Practitioners will always encourage referrers to consent to sharing their identity and contact information with agencies in the interest of safeguarding.

All available information will be disclosed by the NSPCC Helpline staff at the point of initial referral if any child or adult is at immediate or imminent risk of harm and it is clear that agencies will be unable to take appropriate safeguarding action without the disclosure of identity.

Third party/evidence of first disclosure

NSPCC record all voice calls and retain all emails and online reporting forms. Following any contact, the NSPCC call taker will summarise the call on a 'call log', with great emphasis placed on accuracy.

Where caller consent is available, everything is provided. Note: redaction of material may be necessary where referral is made to a third party.

If the caller requests anonymity, the investigator will require a data protection request to progress access to information.

Where the NSPCC are requested to provide 'first disclosure' evidence, this will be provided in the form of a brief statement exhibiting the recording/email as appropriate.

See [Knowledge Hub: Operation Hydrant community](#) for assistance regarding data protection requests.

2.4. Supporting victims through the criminal justice process

Investigations into non-recent child sexual abuse pose significant challenges to the way in which support to victims can be given, particularly when they involve institutions or people in powerful or influential positions. Victims and witnesses should be supported through the investigation and criminal justice process so that they are able to give their evidence. The victim and witness strategy should clearly detail the support that a victim receives at each stage of the criminal justice process, from receipt of report through to post-trial or the point at which no further action is to be taken.

Victims of sexual abuse are eligible for enhanced support in line with the [Code of Practice for Victims of Crime](#). In addition to this, investigators must give clear consideration to adult safeguarding processes.

A number of special measures may be available:

- physically screening a witness from the accused
- giving evidence by live link
- giving evidence in private in a sexual case or where the court considers proceedings relate to a sexual offence, or an offence under section 1 or 2 of the Modern Slavery Act 2015, or where there may be intimidation by someone other than the accused
- ordering the removal of wigs and gowns
- video recorded evidence in chief
- witness intermediaries to enhance witness communication (available only to eligible vulnerable witnesses)
- aids to communication, eg, alphabet boards (available only to eligible vulnerable witnesses).

2.4.1. Victim and witness strategy considerations

A high standard of victim care and support can help victims and witnesses to remain engaged in the criminal justice process and give their evidence. SIOs should therefore, consider the following points when setting the support element of the victim and witness strategy:

- individual victims have individual needs
- vulnerability is not always apparent – victims may appear to be coping but investigators should not take this at face value

- for those victims and witnesses with particular needs, a multi-agency (Witness Service, CPS, health, police and intermediary, ISVA) risk assessment and support plan should be developed for the trial
- mental ill health may diminish a person's capacity to make decisions to accept counselling or special measures and officers should offer reassurance that this will not undermine the case – further information is available from the [CPS](#)
- investigators should regularly review the victim's ability to cope or non-engagement with support that is on offer
- providing victims with direct email addresses of investigating officers to allow direct contact throughout the process
- staff as well as victims and witnesses may be in need of counselling
- service provision, approach to referrals, training and funding will vary among third sector agencies.

During the investigation, considerations include:

- special measures:
 - assessment
 - application process
 - information sharing
 - review.
- adherence to the [Code of Practice for Victims of Crime](#) (see Adult Victims Part B: Duties on Service Providers – information, referral to victims' services and needs assessments)
- ensuring the strategy considers options to provide support to family members where appropriate (sometimes critical in keeping the victim engaged in the process).

2.4.1.1. Use of registered intermediaries

A registered intermediary can help vulnerable victims and witnesses with an identified communication difficulty to give their evidence in court. They can also assist victims when they are being interviewed to help them communicate their evidence to the police. The intermediary is approved by the court and can help to explain the questions and answers so far as necessary to help the witness but without changing the substance of the evidence.

A registered intermediary can be secured by contacting the Specialist Operations Centre of the National Crime Agency. See [Witness Intermediary Scheme](#).

It is important to find out how often the victim wants to be updated. Victims' wishes should be considered in tandem with the Code of Practice for Victims of Crime.

2.4.1.2. Sensitive information

SIOs should consider how to provide victims and witnesses with sensitive information. For example, medical reports and witness statements can be forwarded in sealed envelopes to ensure that victims are not exposed to potentially upsetting material as the state of mind they are in when they receive a letter from the SIO is unknown. They can then decide when they open the envelope and read the report or statement, thus reducing exposure to further distress.

2.4.2. Victim counselling and therapy

Victims have a right to access therapy and counselling at any stage of the process including pre-trial. Although an officer should explain the issue of disclosure in line with CPS guidance for pre-trial therapy, the focus of any strategy must remain on what safeguards are in the best interests of the victim. The possibility of new disclosures in therapy leading to the therapist becoming a witness and them being unable to continue to offer therapy needs to be made clear to victims at the outset of an investigation.

2.4.2.1. Procedure to facilitate a counselling or therapy third party request

In cases where a victim receives pre-trial therapy or counselling, the suspect or their legal team may seek disclosure of notes or other materials relating to the therapy or counselling. The SIO should instruct that a review of material held by organisations in respect of the specific investigation takes place. Where a therapist receives a request for information or documents, they should obtain legal advice before complying with the request. If, for example, the therapist is employed by a social services department or NHS hospital, the legal department of either will provide advice.

A police-appointed officer in the case or appropriately trained disclosure officer will examine relevant material held on file by the organisation that has received the request. Access to the files should be granted within an agreed timescale, for example, 14 days. The officer in the case or the disclosure officer will notify the organisation as to which documents/material need to be copied for review by the reviewing CPS lawyer.

The copies should then be provided in an unedited format, again within an agreed timeframe (seven days suggested). The material remains SENSITIVE, in accordance with CPIA 1996,

and is recorded on the MG6D schedules until any request is received from the CPS for use as evidence or it meets the disclosure test (it points towards or away from the allegation).

The organisation providing the counselling or therapy services will review any evidential request and decide if they are comfortable for it to be disclosed. The organisation has the right to assert public interest immunity in respect of the material.

Examining third-party material may also help find corroborative evidence to support or disprove the allegation, for example, observation by carers relating to changes in victim behaviour or evidence of grooming (eg, receiving gifts).

In all cases the police will need to review the information held by a third party (unless it is subject to privilege) to determine whether it is relevant to the investigation, however, the third party can retain the material subject to a requirement to disclose.

See [APP on information management](#) for further detail.

2.4.2.2. Potential impact on prosecution

If there are grounds to believe that material which could affect the outcome of the prosecution is being withheld, an application may be made to the court for a witness summons to obtain the material. If a therapist, having taken appropriate legal advice, believes that the material should not be disclosed, they may oppose the witness summons application.

In that case, the court may hold a hearing at which the therapist's employer may be legally represented. The court will hear representations from both parties. The court will then decide whether or not to issue a summons requiring the disclosure of the material.

Those aspects of the therapy that have no material relevance to criminal proceedings should not have to be disclosed. The issue of relevance may need to be reviewed at different stages of the criminal case, however, as more becomes known about the prosecution and defence cases. Confidentiality cannot, therefore, be guaranteed in advance.

If a victim is undergoing therapy, investigators must explain to victims (or carer if applicable) the circumstances in which material obtained during treatment will be disclosed.

2.4.2.3. Consent

Consent must be obtained in order to release information to the police. The organisation providing therapy should brief the victim on the implications of consenting to release their information. They should keep a record of the briefing, including the outcome and, where appropriate, an explanation as to why it has been decided inappropriate to seek the release

of the information. However, the CPS Disclosure Manual, chapter 4 sets out the process to be adopted where the victim's consent is not available. For further information on obtaining relevant material, consult the CPS prosecutor.

Where material meets the disclosure test, the organisation agrees it can be disclosed, and consent is obtained, investigators should make a record of these documents on the MG6C (non-sensitive schedule) and on the MG6E disclosure officer's report.

In addition, a copy of the victim's signed consent should accompany the third party request form. In the case of a child, the consent form needs to be signed by the parent or legal guardian.

During the trial process, on receipt of a defence case statement (DCS), the disclosure officer can review the material again in light of the DCS. If further material is identified as relevant and is required for review by the CPS lawyer, the same procedures are to be adopted as above.

2.4.2.4. Further disclosure – note taking and retaining material

If a further disclosure is made to a member of staff during treatment, a witness statement should be taken from them and the member of staff then becomes a witness in the case.

Once the disclosure is made, the member of staff can no longer carry on treating the victim – a handover can be facilitated to another member of staff. The reviewing CPS lawyer must be made aware of this and all the facts, including confirmation that the witness has been told they can no longer treat the victim.

2.4.3. Prior to trial

SIOs should ensure all arrangements for court are in place, including staffing, staff and victim briefings and liaison with other agencies (for example witness services). This will ensure that all parties understand their responsibilities and what services and support each agency will provide. (See also [3.3.3 Safeguarding and risk assessment for the suspect](#).)

Prior to trial, SIOs should ensure that:

- expert witness evidence is available to inform the jury of any mental health related issue relevant to the victim
- information about the impact that trauma may have on memory and recollection is available
- expert witnesses can analyse and explain victim behaviour during and after the abuse, for example, their relationship with the suspect

- counselling for victims who are waiting to give evidence at trial should be encouraged
- health services ensure coordination of care is maintained
- victim's expectations are managed – they should be made aware that the trial could last longer than expected
- any existing mental health or other existing support should remain ongoing throughout the trial – support should be seamless where possible
- court familiarisation takes place
- once special measures are in place, the victim's entry and exit from the court room and the position and proximity of the suspect and other parties in the court are considered – a holistic approach must be taken to ensure any special measures granted are fully implemented
- witnesses are advised regarding their use of social media and privacy settings.

Officers and victims need to be informed of media handling policies. In high-profile cases or those including people of public prominence victims may be approached by the press. Advice should be sought from Corporate Communications on how to manage this without causing prejudice to the court proceedings. See also [APP on media relations](#).

2.4.4. No further action

The SIO may decide that there is insufficient evidence to support a prosecution or the CPS may reach the same conclusion after the evidence has been submitted to them for a decision.

When the threshold is not met or a no-charge decision is made, the victim should not be left feeling they have not been believed but that the decision was taken purely on the available evidence.

Officers should make victims aware of the [CPS Victims' Right to Review Scheme](#) (effective from 2013), and the Police Victim Right to Review (VRR) scheme for police decisions. The Police VRR is a national scheme, and gives victims the right to ask for a review of a decision not to prosecute a suspect – this in line with article 11 of the [EU Victims' Directive](#). Note: the Police VRR only applies to decisions that were made on or after 1 April 2015.

2.4.5. Support in court

The presence of the SIO in court can be beneficial in terms of reviewing the need for special measures and ongoing support for victims and witnesses. This allows a mechanism to assess requirements for special measures throughout the criminal justice process.

Measures should reflect the need for the CPS and police service care units to maintain contact with potentially vulnerable victims (and witnesses) throughout the trial. In this way, support can be given beyond the victim's testimony and can extend to dealing with legal issues, including obtaining the verdict and helping how they respond to the court's decisions. Furthermore, ensuring that the victim receives a daily telephone call from the officer in charge allows for critical contact to be maintained.

Special measures

Special measures need to be tailored to the needs of the victim. The SIO should be aware that if the victim refuses special measures and there is concern over their capacity to make that decision, in exceptional circumstances, the judge can overrule and enforce the measures.

Victims and witnesses should be briefed in advance so that they are forewarned about how the media will report on court proceedings and that journalists will be present in the court room and public areas during the trial.

Journalists may from time to time approach victims or witnesses to seek comment or an exclusive, and the SIO should give advice prior to trial on responding to such approaches. Journalists may also take photographs as people enter and leave court. This is done routinely, but victims should be advised that they are entitled to complete anonymity unless they waive their right, and will not be identified by the news media during their lifetime.

Post-trial support

The following actions instigated by SIOs have been considered helpful in a number of investigations to date:

- a letter to victims offering them an opportunity to meet other victims for support if they are prepared to waive their anonymity
- sending individual tailored letters to victims thanking them for giving evidence and praising them for what they have done
- signposting witnesses to third party support agencies
- setting up victims forums – NSPCC, Victim Support, Barnardo's and Survivors Trust facilitate forums
- inform victims about the process for claiming expenses that the CPS has agreed they are entitled to
- explain the sentence to the victim if the defendant is convicted
- explain who the victim should contact if they wish to appeal against the sentence
- provide victims with details of whom to contact if they receive any unwanted contact from the defendant or a member of his or her family
- meeting the victims at court post-sentence sends a strong message of support and thanks – this also provides the opportunity to manage media interest by diverting attention away from vulnerable victims to the nominated force press officer if appropriate. Comments made by the police should remain factual.

Note: See also [3.3.3 Safeguarding and risk assessment for the suspect](#).

2.5. Risk of suicide and self-harm

The SIO will need to consider potential safeguarding risks that may exist with some victims of non-recent child sexual abuse, and should ensure that local safeguarding arrangements with partner agencies are instigated. The SIO should consult the force safeguarding lead at an early stage in order to determine the best way forward – for example, whether it is appropriate to refer to:

- local authority adult social care
- local authority children’s social care
- police representatives on the local safeguarding children board and adult safeguarding board
- victim’s GP or mental health services.

Although some individuals may not appear to be adversely affected by the trial, all victims should be referred to support services.

Where there are grounds to suspect that the victim poses a suicide risk, a management plan is required. This will probably involve referral to statutory, voluntary and charitable organisations.

Note – for suspect health management, see [3.3.3 Safeguarding and risk assessment for the suspect](#).

2.6. Compensation

A civil case regarding compensation may take place in tandem with the investigation or after its conclusion.

2.6.1. Civil cases

In some investigations, a victim may have pursued a civil claim in advance of reporting an allegation to the police. The lawyer representing the victim may therefore have material relevant to the investigation.

Any communication between a lawyer and her/his client is subject to legal professional privilege. The SIO needs to demonstrate that the individual has waived their claim to legal professional privilege to access the material. The police cannot compel the lawyer to disclose the information.

When this occurs, the following steps may form part of the lawyer's response:

- reassuring the individual they have been the victim of a crime and encouraging them to contact the police if they have not already done so
- explaining that a criminal conviction will help to prove the offences required to succeed in a civil claim for compensation
- explaining that the police have powers to obtain information which can be helpful to a compensation claim (once any prosecution has finished)
- referring to the civil law time limits but explaining that a successful prosecution may help the court exercise discretion to allow a civil claim to be brought out of time under section 33 of the [Limitation Act 1980](#) (in non-recent cases, victims are very likely to be out of time as they only have until the age of 21 to bring a claim at court if the abuse occurred as a child)
- directing the individual to support services and GPs.

As a result, the investigation team may be approached for information.

SIOs need to consider this within a disclosure strategy and should seek advice from force solicitors and the CPS at an early stage.

Investigators will need to address decisions around process (eg, working to court orders or with consent forms).

2.6.2. Criminal Injuries Compensation Authority (CICA)

Victims may also make a claim for compensation via the CICA. See [APP on prosecution and case management](#) for further information.

Investigators should ensure that victims are informed verbally and in writing about the scheme. This is particularly important as strict time limits apply for making an application. Once a CICA claim has been submitted, an application can be made for this to be deferred if there is an ongoing criminal investigation.

For further information relating to victims and witnesses see:

[APP on child abuse](#)

[APP on working with victims and witnesses](#)

[APP on information management](#)

[APP on mental health](#)

[APP on media relations](#)

[APP on critical incident management](#)

Procedure rules

Victim support

APP on prosecution and case management

Victim liaison unit

Victim personal statement.

SIO Actions

- Develop a victim identification strategy – primary concern is to correctly identify potential victims and/or witnesses and manage subsequent contact with them, taking into account the fact that many may not have disclosed the abuse to those closest to them.
- Clarify aims and objectives of the investigation with partners.
- Develop approach protocol to identify potential victims and potential witnesses, in conjunction with partners where applicable.
- Develop a robust communications and media strategy (refer to [APP on media relations](#), and work closely with the force media specialist).
- Ensure victims and witnesses understand that their involvement in the investigation is voluntary.
- Ensure investigators consider whether the victim requires an Intermediary in order to be able to fully give their account and understand the process.
- Ensure sufficient support is in place prior to discussing the details of the incident – a dedicated officer and specialist services such as ISVAs and SARCs may be more beneficial than generic victim services.
- Ensure investigators avoid unnecessary duplication and distress for the victim.
- Consider risk of harm and suicide.
- Develop and agree an SIO protocol with officers and partner agencies to support individual contact plans.
- Ensure investigators adhere to the Ministry of Justice (2015) Code of Practice for Victims of Crime.
- Ensure investigators consider adopting confidentiality agreements and witness contracts.
- Establish information sharing responsibilities and considerations. For example, victims need to understand whether (and with whom) they can discuss details of any previous abuse.
- Ensure officers and staff develop a clear exit strategy which includes the handover of the victim or witness support to a third sector agency, local authority or health service.

- SIOs should ensure that a robust process exists for information to be shared between forces, particularly in relation to decisions concerning non-acceptance of special measures by the victim.
- Introduce safeguards for dip sampling.
- Accurately record rationale for decision-making.
- Risk assessment of potential witnesses in case they themselves are victims.
- Consider setting up a strategic management group and joint investigation group to ensure a collaborative approach to victim engagement.
- Consider how to provide victims and witnesses with sensitive information.
- Ensure pre-trial logistics are in place.

3. Investigation management

Key points

- Managing suspects in cases that involve celebrities, other people of public prominence or institutional abuse presents an SIO with a set of challenges that they may not have experienced before.
- The SIO may need to explore new investigative and management approaches to help them deliver a thorough and proportionate investigation.

3.1. Introduction

The different era in which some alleged offences took place can add complexity to these investigations, for example, the prevailing differences in attitudes, expectations, safeguarding responsibilities and the legal framework (including policing practices) in place at the time. The passage of time also makes evidence identification and recovery more difficult in many cases.

The public interest and scrutiny of these cases creates additional challenges.

3.1.1. Legislative considerations

Offences may pre-date various legislation relating to sexual offences, including:

- [Sexual Offences Act 1956](#).
- [Indecency with Children Act 1960](#).
- [Protection of Children Act 1978](#).
- [Sexual Offences Act 2003](#).

The Sexual Offences Act 2003 came into force in May 2004 – it is therefore important to consider the date the actual offence took place. If it was prior to 1 May 2004, the 2003 Act does not apply.

SIOs need to be aware of the potential difficulties and limitations of the legislation at the time of the alleged offence and current legislation – for example:

- PACE provides powers for search, detention and identification, which are relevant to the time of the investigation, but not necessarily the alleged offence or allegations which pre-date 1984. The SIO needs to establish the relevant legislation in force at the material

time to make an application concerning excluded/special procedure material under Schedule 1 PACE.

- The Sexual Offences Act 2003 allows the UK to exercise extra-territorial jurisdiction in relation to certain offences, but this is not the case under the Sexual Offences Act 1956.

Sentencing

Sentences available under the Sexual Offences Act 1956 are significantly lower than under the 2003 Act. Courts are permitted to take account of current views on the nature of offences being tried but are limited to the sentences available at the time the offence(s) was committed. Where there are multiple offences, courts may use consecutive sentences to reach the level that reflects current views of offending. (R v James Stuart Hall [2013] EWCA Crim 1450)).

Previously reported cases

It may be that attitudes and processes prevailing at the time of the initial report to police meant that an investigation or prosecution did not take place at the time. Investigation or reinvestigation now may uncover responses to the allegations that could be viewed as misconduct; a cover up; or adversely affect public perceptions of the police. SIOs should report concerns to senior managers so that a discipline inquiry can be started if required.

The SIO must adhere to the provisions of [section 37A](#) of PACE, which sets out arrangements prescribed for the joint working of police officers and prosecutors during the investigation and prosecution of criminal cases. Police officers and prosecutors must comply with the [Director's Guidance on Charging](#) to ensure that charging and other prosecution decisions are fair and consistent and fully comply with PACE, the [PACE codes of practice](#) and the [Code for Crown Prosecutors](#).

3.2. Scoping the investigation

3.2.1. Response on receiving information

Forces must comply with HOCR and record a crime when there are grounds, on the balance of probabilities, to conclude that an offence has been committed but has not yet been recorded. It is important for intelligence to be appropriately disseminated even when this involves a high profile suspect, despite concerns of access to the information. Forces should disseminate intelligence using the Police National Database (PND) to allow a comprehensive picture of activity to be built and shared in order to avoid the situation where

forces are working in isolation. Markers are available on the PND that allow operational security issues to be managed in an effective way.

3.2.2. Decision to investigate

There are many matters to consider when deciding whether to undertake an investigation into non-recent events. The primary consideration will be public safety. A senior person will need to consider whether there are continuing safeguarding concerns for a victim or potential victims. It will also be necessary to consider whether there is the potential for a suspect or people connected to the suspect to be prosecuted.

In addition, the courts have ruled that there is an obligation on the state, and the police as an agent of the state, to investigate allegations of crimes that could amount to torture or inhumane or degrading treatment or punishment, in order to protect the article 3 rights enshrined in the Human Rights Act 1998. This is the case whether or not the suspect(s) is a state agent (*Commissioner of Police of the Metropolis v DSD and another* [2018] UKSC 11).

It is possible to breach article 3 when an investigation is carried out in a way that is seriously or egregiously poor.

A further relevant issue for non-recent cases of child sexual abuse is the power and influence of the suspect(s). In reaching a decision about whether or not to investigate, the decision-maker will need to consider the extent to which power and influence was a factor in facilitating the alleged behaviour, including any subsequent covering up of allegations and/or evidence.

A particular issue arises when a suspect is deceased. In some cases safeguarding concerns may arise because of the connection between the deceased person and other suspects. It may also be the case that prosecution could be brought against others alleged to have committed offences. In general, however, the same considerations about whether to investigate arise when a suspect is deceased, including the issues of power and protection of human rights.

Decisions on whether to investigate may be iterative; the evidence and intelligence are repeatedly assessed to judge whether an investigation should continue and, if so, the resources required to undertake a proportionate investigation. Decisions and their rationales need to be recorded.

For example, where intelligence is a single strand and uncorroborated, it may be justifiable to take no further action other than to ensure that any safeguarding risks are addressed and the intelligence is accessible via local systems and the PND. Most circumstances covered by

this advice, however, will warrant further investigation to establish the facts around an allegation or to further develop actionable intelligence.

Decisions relative to commencing an investigation must be taken at the appropriate level. In cases which present significant safeguarding risks or are likely to attract a high degree of media attention, this should include the force's head of crime (or equivalent) and the senior command team.

The early appointment of a gold group is recommended to provide strategic oversight to the investigation and ensure that the appropriate command structure is in place.

Forces should consider whether to declare the investigation a critical incident. This is particularly important as some non-recent child sexual abuse cases contain victim confidence issues due to previous police failings when victims have tried to report sexual abuse to them.

3.2.3. Police National Database

The PND contains around three billion records. They are provided by every police force in the UK and a number of law enforcement agencies. The records are in five main areas:

- crime
- intelligence
- custody
- child abuse
- domestic abuse.

The PND is about sharing intelligence and this is the starting point for data loading and use. However, there may be sensitive aspects of any inquiry and some inquiries are very sensitive from the outset. In such circumstances, SIOs need to be aware of the access levels to information to ensure the integrity of their inquiry.

SIOs can upload sensitive information to the PND system using a Data Access Restriction Code (DARC) group.

The introduction of the levels concept is to provide SIOs with a scalable security tiered approach. This provides varying levels of safeguards and protective measures to support and protect the differing sensitive nature of Persons of Public Prominence (PPPS) to be loaded and shared on the PND.

- Level 1: Where information fits the Operation Hydrant criteria and should be loaded to the PND without the need for any restrictions applied. All information will be available to all PND users.
- Level 2: Where information fits the Operation Hydrant criteria and should be loaded to the PND, but due to the sensitive nature of the information it requires further security controls to be applied. All PND users will be aware that something is known but not what; only centrally authorised PND users will be able to see all of the information.
- Level 3: Where information fits the Operation Hydrant criteria and should be loaded to the PND, but due to the highly sensitive nature of the information it requires the highest security controls and extra protective measures to protect from unwarranted disclosure. All PND users will be aware that something is known but not what; only centrally authorised PND users will be able to see all of the information and additional protective measures to safeguard the information will be applied.

The PND can also be used to identify individuals from images. Digitised images can be uploaded and searched against the PND database for a match. This may help to identify individuals from descriptions that have been given by victims.

All relevant crime data should be uploaded to the PND. The risk of disclosing an investigation in relation to a person of public prominence through inappropriate searching should be weighed against the benefits of safeguarding victims.

SIOs should be mindful of investigative tools that limit upload to the PND and ensure that these are catered for. Examples of this would be HOLMES-based investigations and restricted/confidential crime reports/intelligence. A workaround option might be a sanitised signpost entry on an unprotected CRIMINT (or equivalent) accessible through the PND.

3.2.4. Setting parameters for the investigation

Following an initial assessment of any information or intelligence relating to a non-recent child sexual abuse investigation, the SIO must consider the objectives of the investigation, eg, to establish the facts, bring offenders to justice and support the victims on their journey to resolution/recovery.

Defined Terms of Reference (ToR) should be drawn up by the SIO and signed off by a senior officer. These should include date parameters for the investigation, name any institutions involved, give very clear guidance on offences to be investigated due to the non-recent nature of the allegations and what the parameters are around suspects (eg, in a

children's home will the investigation deal with offences committed upon children by other children?) Reference should also be made to the contribution to be made by other agencies.

The ToR should be an in-depth document that is subject to review and amendment as the inquiry progresses. It is recommended that an audit trail of version controlled copies should be maintained.

3.2.4.1. Time parameters for the Terms of Reference – what period will be investigated

The SIO will need to consider the time parameter for the investigation. In some cases, this will be straightforward, for example, where a single victim has reported a single event of abuse committed by a single perpetrator. Many cases, however, will present more challenging circumstances, for example, where abuse has been prevalent in an institution for a number of decades.

In cases of this type, the SIO needs to establish the period of time on which the investigation will be focused. The wider this parameter is set, the more challenging the investigation will become. The SIO needs to take into account how setting the time parameter for the investigation may affect the victim strategy.

It is reasonable for the SIO to revisit the time parameters set for the investigation in light of further intelligence or evidence becoming available.

3.2.4.2. Number of victims

The advice in relation to establishing a victim and witness strategy can be found in section [2.1 Victim and witness strategy](#).

The SIO will need to fully understand the impact that this decision will have on the resourcing requirements and the time the investigation will take to draw to a conclusion. In cases where the number of potential victims is very high, it is almost impossible to obtain an account in line with guidance on achieving best evidence.

Where the parameters set around victim numbers are likely to preclude gathering accounts from some victims, the SIO should record in detail the rationale behind this decision, as they may be required to justify such an approach in the future.

These decisions should be taken with the advice of statutory and non-statutory partners so that the full implications for victims are understood and support organisations are able to deal with enquiries from victims who fall outside the Terms of Reference for the investigation.

3.2.4.3. Number of suspects

The investigation may be in possession of information and intelligence that points to there being more than a single named suspect. The strength of evidence relative to each may differ significantly. This picture may develop over time.

For this reason the SIO should consider the point at which a suspect becomes formally nominated as part of the investigation. When this is the case, the SIO needs to develop a strategy for how each suspect will be dealt with.

Where a victim or victims make allegations relevant to an unidentified suspect, the SIO should consider developing a Trace Interview Eliminate strategy (TIE) as a means of identifying the unknown suspect. For example, where a victim makes an allegation against an unidentified suspect within a school, TIE categories could be developed which include teachers, caretakers and support staff, and registered visitors to the school.

There may be occasions where it is legitimate for the SIO to determine that to include a suspect or suspects within an investigation is not in the public interest.

For example, this could be where the allegation made is of such a minor nature and so far back in time that it would be disproportionate to deploy resources to investigate the circumstances, see paragraph [3.2.2](#).

SIOs should apply caution where evidence of this nature could support or corroborate more serious allegations.

3.2.4.4. Cross-border offending

In some cases, suspects will have committed their offences in different geographic areas over a period of time. This may include offending abroad. At an early stage in the investigation, the SIO should consider whether their investigation will be restricted to offences committed within their force area, or if the investigation's parameters will be extended to include cross-border offending.

This will depend on the number of offences committed outside the force area and the location of those additional offences. Where there is significant cross-border offending, these decisions need to be made in consultation with the gold commander.

There are significant advantages to a single force dealing with the totality of a suspect's alleged offending. Individual allegations dealt with collectively may support each other and victims may feel more confident that there are other victims being supported within the same

investigation. Coordinating any prosecution is more effective if this is managed by a single lawyer advising one investigation.

Where a force feels it is unable to effectively resource a cross-border investigation, support may be available through NPoCC.

In circumstances where a force makes a decision not to investigate offences outside the force area, or where it emerges that more than one force is investigating the same suspect, it is imperative to coordinate these investigations. This ensures that investigative strategies are coordinated and complementary. Operation Hydrant will provide support to SIOs in such cases and will coordinate joint investigative strategies in support of linked investigations.

Any offending alleged to have taken place in Scotland must be referred to Police Scotland. In cases of cross-border offending, SIOs in England, Wales and Scotland need to liaise so that decisions may be made in terms of investigative ownership and jurisdiction over prosecutions.

When investigating behaviour that is committed abroad but is an offence in this country, SIOs should consider seeking advice about the extent to which their force should be responsible for behaviour outside their jurisdiction. They should also check whether the behaviour abroad would constitute an offence here at the time the behaviour took place.

3.2.4.5. Non-statutory reviews

At an early stage SIOs should consider the possibility of other reviews that may require others to speak to the victim, for example, an investigation conducted by a public body. In **non-statutory reviews**, the police cannot share information without the consent of the victim or informant. For example, in response to allegations of abuse in professional football, the FA commissioned Clive Sheldon QC to conduct a review. It documents victims' agreement to have their details passed to third party review at an early stage, avoiding the police needing to call back victims purely for this reason.

SIOs should agree memorandums of understanding with those undertaking reviews and seek legal advice because of the potential impact on confidentiality and any possible legal proceedings. They should consider the situation in which victims' details are passed on for third party review. Normally this should only be at the conclusion of any criminal proceedings in order to avoid potential prejudice. Investigators should always take legal/CPS advice in cases of doubt.

In cases where third party reviews are established, the terms of reference/briefing should be available for officers to explain to victims and witnesses.

In cases where frequent/high-volume liaison may be required with third party reviews, it may help forces to establish a SPOC for consistency.

Statutory reviews may engage the powers of the [Inquiries Act 2005](#) to compel a force to produce this information.

3.2.5. Resourcing the investigation

The different parameters set by an SIO for the investigation affect the number and type of resources required to undertake it. The parameters set have a direct impact on the volume of work, complexity and the potential levels of media interest. In most cases resourcing issues will be discussed with the gold commander. To ensure an effective and timely investigation, key processes should be put in place as soon as possible.

Decisions need to be made around the following resourcing issues:

- whether the investigation is to be managed on HOLMES and, if not, what other administrative system will be used
- which Major Incident Room (MIR) roles will be used and the level of indexing to be applied, eg, disclosure officer, exhibits officer and someone responsible for third party material
- the number of outside inquiry teams that will be deployed, their level of experience, training, accreditation and suitability to undertake this type of investigation
- the use of appropriately trained child abuse investigators for victim engagement roles within the investigation
- the use of interview advisers with experience of dealing with vulnerable victims and suitably accredited interviewers
- the intelligence resource that will be required, including researchers and analysts
- the early appointment of a disclosure officer or team, dependent on the volume of the material to be assessed
- using national advisers from the College of Policing, NCA or Operation Hydrant – consultation should take place at an early stage with these agencies
- using external agencies to support suspect and victim strategies (see [1.1 Influences on reporting](#)).

3.2.6. Communications and media

Considerations specific to investigations of non-recent child sexual abuse

1. Background

Investigations into allegations of non-recent child sexual abuse within the Operation Hydrant remit can be high profile, attracting significant news media scrutiny and legitimate public interest – particularly when allegations are made against Persons of Public Prominence (PPP).

Investigations can often be complex – particularly in the case of allegations within institutional settings where victims can number hundreds, and allegations can straddle police force geographical borders and span years, if not decades.

Investigations falling within the Operation Hydrant remit often carry high risk of criticality, both for the reasons outlined above, but also because allegations may have been disclosed to the police or other agencies previously, and victims not believed, or the appropriate action not taken. The potential for negative impact on public confidence in the policing response, and on victim confidence to report, must be recognised and managed.

Operation Hydrant investigations can attract intense and sustained media interest. They may involve suspects who have a high public profile or who are now deceased. In line with national guidance, suspects should not be named before charge, unless criteria specified within APP on media relations applies. This is a complex area and [APP on media relations](#) should be adhered to at all times.

2. Communications strategy

Investigations falling within the Operation Hydrant remit will frequently require communications support which goes beyond a media strategy, and SIOs should consider whether a broader communications strategy is required.

A communications strategy would provide for the following:

- Stakeholder engagement
Mapping key stakeholders with an interest in the investigation, and agreeing strategies for informing, updating, and engaging.
- Partner working
Strategies for coordinating communications activity where an investigation straddles key partner agencies, and ensuring each agency speaks in a timely manner within its own remit.
- FOI
Investigations within the Operation Hydrant remit can be subject to multiple requests under Freedom of Information legislation, from statistical data through to disclosure of

key documents or correspondence between parties. A clear strategy needs to be in place to ensure that responses are in line with the spirit and requirements of the legislation, but coordinated at national and local level. This is particularly relevant where an investigation may straddle one or more police force areas. Most FOI requests within the Operation Hydrant business area will require submission to the Central Referral Unit to ensure a coordinated policing response.

- Governance

Ensuring that communications is owned and directed by Gold, and the objectives of the Communications Strategy will reflect and deliver the Gold strategic objectives. Issues involving criticality, which are relevant to communications and media should be referred to Gold as part of the decision-making process, recognising organisational accountability.

- Accountability

Forces remain accountable for the progress and outcomes of the investigations they lead. Operation Hydrant is available to share best practice, signpost to advice and support, act as an independent advisor or critical friend. However, the investigating force retains primacy and accountability for all decision-making and outcomes.

- Key messages

Investigations can often touch upon complex national issues. As well as providing comment particular to the local investigation, it is important to ensure that any comment made by the force is in line with the national policing position, and that policing speaks with a consistent voice. Preparing key messages in advance for internal, stakeholder, and partners, as well as for news media comment is key to maintaining consistency.

- Internal communications

The communications strategy should include a section on keeping the internal audience informed. This will include questions of governance – who is entitled to comment on the investigation, visibility of key messages; and key milestones or updates which can be shared as the investigation progresses.

3. Specialist advice and support

Operation Hydrant is available to offer specialist communications advice and support. This includes:

- Communications strategy template

A framework to navigate the communications lead through things to consider when developing a communications strategy for complex or critical investigations.

- Critical friend advice

The opportunity to have informal feedback on public facing messaging – from Q and A and prepared lines, through to complete Communications Strategies. This helps to benchmark against established policing positions on complex or critical issues, and ensure a consistent voice across policing.

- Peer support

The opportunity to chat through communications planning with a peer who has previously dealt with a similar investigation.

- Environmental scanning

Across the Operation Hydrant business area, to capture reporting at national and local level and to provide visibility of emerging issues or events of relevance to the investigation. This will help forces to understand the landscape in which their key messages will be landing.

3.3. Suspect strategies

A key strand of the overarching SIO investigation strategy will be the suspect strategy. The evidence against a person requires careful consideration by the SIO in terms of whether the suspect can or should be arrested, timing and planning any arrest, interviewing the suspect and pre and post-release considerations.

For key decision-making, eg, arrest of a suspect of public prominence or search of their premises, it is good practice to document all options considered and the rationale for choosing or discounting each option. Where these decisions have the potential to impact on victim or public confidence it is recommended the gold commander be consulted.

The SIO should consider early consultation with the CPS in making these decisions, as well as discussions with other SIOs who may be investigating the same suspect.

It may also be advisable to involve the force or NPCC corporate communications team in case information about the investigation gets into the public domain.

3.3.1. Investigation phases

For investigations containing a large number of suspects, SIOs should consider breaking the suspect phase down by adopting a staged, intelligence-led approach cognisant of any live threat, harm and risk.

Managing the risk of any ongoing offending by designated suspects requires careful consideration if there is a decision to delay any arrests pending further investigation. It is essential that partner agencies are engaged in assessing this level of risk in order that processes can be implemented to mitigate any such risk.

Many non-recent child sexual abuse investigations involving multiple suspects result in split trials, so early engagement with the CPS regarding the SIO's suspect strategy is recommended.

3.3.2. Decision to arrest or interview under caution

PACE Code G requires consideration of the necessity to arrest. **NPCC position paper on necessity to arrest** identifies the elements of a lawful arrest that the arresting officer must comply with. Increased emphasis is placed on alternatives to arrest. This becomes particularly relevant with investigations into non-recent offending. Guidance is available from Operation Hydrant regarding the issues to consider in respect of elderly suspects (see **Code G reference material** – accessed via the restricted **Knowledge Hub: Operation Hydrant community**).

Bail

Following amendments to bail legislation in the Policing and Crime Act 2017 there is a presumption against the use of bail unless it is necessary and proportionate to use it. The alternative is to release suspects from custody without bail; 'released under investigation' (RUI).

See **Pre-charge bail** for further information.

Extended pre-charge bail may be considered for Operation Hydrant cases if the case is designated as an exceptionally complex case. If an SIO considers that extended bail is necessary and proportionate to deal with an exceptionally complex case, they should consult the CPS.

3.3.3. Safeguarding and risk assessment for the suspect

Robust risk management of the suspect must evolve within the SIO suspect strategy as the investigation develops.

Any SIO suspect strategy must take into account the emotional and welfare needs of the suspect, as well as the potential damage to the individual's reputation and the fact that this creates risk factors linked to the suspect's safety and wellbeing.

While the risk factors associated with the suspect require consideration by the SIO, these must be balanced with any safeguarding risks to vulnerable people. The SIO may be presented with a difficult dilemma, where protecting the rights of the unconvicted suspect conflicts with protecting the rights of vulnerable people. SIOs may have to make difficult decisions, taking into account the human rights of all those involved. SIOs may wish to seek advice from colleagues, statutory and non-statutory organisations and the CPS. Decisions and rationales should be recorded.

The suspect's current role or public standing should be considered in terms of whether they work in a position of trust with young/vulnerable people or if they have specific involvement in fields such as charity work with vulnerable people that may contribute to any existing safeguarding risk.

In appropriate cases, the local authority designated officer will need to be involved. It may be that the prompt suspension of the suspect is necessary and immediate contact with their employer is required to discuss what safety and welfare arrangements may be necessary. This will lead to involving further agencies and SIOs will need to consider operational security. The police have responsibilities to take effective action to protect people from harm. Information relating to the investigation, however, should be divulged only to those who need to know and only in circumstances of strict confidentiality.

Safeguarding measures should be established around the suspect's workplace, children, family and extended family/friends if vulnerable. This includes consideration for staff welfare at the institution/organisation where the behaviour is alleged to have taken place. The SIO should consider which measures can be put in place and who is most appropriate to conduct/manage them.

Safeguarding concerns – suspect suicide

There needs to be a risk assessment of the suspect while in custody and on their release. See [APP on mental health](#) for advice and guidance on suicide prevention.

3.3.4. Sources of evidence

The following subheadings provide SIOs with advice in relation to sources of evidence that may help the investigation.

Searches

The SIO should develop a carefully considered search strategy. The strategy may include a number of different locations in various geographic areas. Where there are a significant

number of these, the SIO needs to prioritise the order in which they are searched, depending on the value of the evidence sought from that location.

Searches of premises may take place for a number of different reasons:

- for the purpose of undertaking a forensic examination based on a victim's or suspect's account (see [forensic examinations](#))
- premises previously occupied by the suspect or to which the suspect had access
- the suspect's home address, business address or other location that the suspect has access to.

In each case the SIO must record the justification for the search to take place, its specific purpose and the authority by which it is being undertaken.

Despite the passage of time, it is not uncommon for physical evidence to be found that may prove of significant evidential value to the investigation. For example, a photograph showing the suspect's appearance many years before may assist in identification procedures.

Suspects may retain 'trophies' from their abuse of victims. In more contemporary cases, investigators should consider seizing computers and other digital devices.

Officers carrying out searches should be fully briefed as to the facts of the case and they should be directed towards potential sources of evidence.

Additional conditions apply if the suspect is an MP and the search is being conducted on [parliamentary premises](#).

Forensic examinations

Despite any significant passage of time since the offences under investigation, SIOs must still consider forensic opportunities that may exist when conducting searches and dealing with suspects. Fingerprint or DNA material may still be present at a scene for many years after the alleged offending actually took place.

Early consultation with a forensic manager and forensic service provider should take place to assist the development of a forensic strategy.

Medical examinations

Investigators should give consideration to the medical examination of the victim and the suspect.

Appropriate consent and authority will need to be sought to allow such examinations to take place in accordance with PACE.

Supporting witness accounts

SIOs should consider how best to seek evidence that supports or undermines witness and victim accounts. Recall can be aided by visiting venues or showing photographs.

Investigators should consult the CPS, the National Vulnerable Witness Adviser and, if appropriate, a forensic psychologist. These specialists can advise on the best way to undertake scene visits.

Where a victim or witness can describe in detail a specific location relevant to the inquiry, a detailed search and examination of that location may reveal evidence.

Maps and plans may also be available that show the original design of a building prior to significant structural changes being made.

Identification

A robust process for identification may rely on the ability to elicit information from the victims through effective questioning. Specific challenges exist where the offence took place within an institution – these are detailed in the following paragraphs.

Early consultation with the CPS is suggested, as they will advise on the cases for which they think an identification procedure is needed.

Sometimes identification of a suspect will be straightforward, eg, a 'geography teacher at XX school between X and Y dates', but sometimes suspects may only have been known by nicknames. Nicknames may be given to members of staff based on specific characteristics and, consequently, over a prolonged period of time, different members of staff may have had the same nickname. Staff records and reports may no longer exist or, if they do, they may not be as accurate or as comprehensive as those kept to today's standards.

It is important that the investigation identifies the right suspect(s) so that effective measures to gather evidence can be taken.

A staff/group picture can be a useful starting point. In the first instance, provenance of who is depicted in the photograph is required. If the suspect denies being depicted and there is no other legitimate person who can say he or she is depicted (for example, wife, husband or partner), the photograph cannot be used as evidence of identification.

It is important to comply with present day identification procedures, for example, a photograph of staff needs to be obtained along with a number of photos of others to allow the victim to pick out the suspect.

Where recent photographs of suspects are used, it will be necessary to link current appearance to the appearance of the person at the time of the alleged offending behaviour. For example, significant changes in appearance will need explanation.

The identification procedure should follow current identification procedures, including being overseen by an inspector who is not part of the investigation team.

Third parties

Where an SIO is required to engage with a third party agency, consultation with senior representatives from that agency will allow the SIO to understand a number of issues in relation to:

- codes of practice that existed at the time
- quality of record keeping in a particular era
- managing expectations around timescales for obtaining material.

As referenced in the victims and witnesses section of this advice, where third party material exists in an investigation, early consultation should take place with the CPS to determine how the material will be reviewed as part of the investigation.

For further details on information sharing see:

- [CPS protocol arrangements](#).
- [Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children \(2018\)](#).

Her Majesty's Prison and Probation Service/National Offender Management Service

If assistance is required with a non-recent child sexual abuse investigation relating to prisons or probation, please log in to the restricted access [Knowledge Hub: Operation Hydrant community](#) for further detail.

3.4. Interview strategy

The SIO should consider appointing a suspect interview adviser when formulating the interview strategy. The PEACE model should be applied consistently to ensure that the identified aims and objectives of the interview are met. In addition, with non-recent child sexual abuse cases, the interviewing officer needs to be fully briefed on the context of the era in which the offence took place.

For example, in a case involving a detention centre for young offenders, the interviewer should be aware of how and when corporal punishment was legally used.

Investigators should also consider consulting with a national investigative interviewing adviser through the NCA. See [APP on investigative interviewing](#).

3.4.1. Older suspects

In planning the arrest phase of the investigation, SIOs should consider the additional welfare needs that may exist with older suspects. Consideration should be given for the provision of extra custody nurses if a number of older suspects are to be arrested together.

SIOs should consider briefing arrest and search teams to ensure that any medication is brought into custody with the suspect to protect welfare and avoid delays.

The forensic medical examiner (FME) assesses the matter of fitness. Even if the suspect states they are 'fit and well', the FME and the custody sergeant must still make an assessment. Age and the stress of arrest are criteria that would affect the assessment.

Investigators should consider using specialists in older person care. Acting in the spirit of Code C (annex G), SIOs should consider consulting the FME regarding fitness to interview (and fitness to detain where appropriate), even when the suspect attends voluntarily. The SIO should also consider the attendance of an appropriate adult.

If the solicitor acting for a suspect who has agreed to attend for interview voluntarily suggests that their client is not fit to be interviewed, investigators should consider arranging for an FME to be present at the time of the appointment. This allows them to make a formal assessment as promptly as possible, removing the risk of any unwarranted delay.

3.4.2. Suspect interview planning

The following points are key elements of the interview strategy:

- appointing a specialist advanced suspect interview adviser
- selecting appropriately trained and accredited interviewers
- interview timings and stages
- remote monitoring – using a mobile HOLMES terminal has proved effective for one particular force (mobile HOLMES terminals were used when watching and/or listening to the interview as it took place, which meant that officers were always ready to look into and respond to what the suspect said in interview)
- interview recording
- interview locations
- PACE detention times

SIO advice

- warrants of extended detention
- fitness to be interviewed
- appropriate adults
- interpreters
- experts
- outside inquiry team.

Please note: SIO advice is based on the NCA document – [SIO Considerations](#) (accessed via the restricted [Knowledge Hub: Operation Hydrant community](#)).

3.5. Professional standards considerations

It is not uncommon in non-recent child sexual abuse investigations for victims to have previously tried to report their abuse to the police. In such cases, their allegations may not have been investigated properly or, in some cases deliberately not investigated at all. This includes allegations that a current or former police employee was a perpetrator of the abuse.

As well as focusing on the criminal investigation SIOs must remain aware of comments in accounts provided by victims (or their agents) that indicate some form of dissatisfaction or failing by police whether that be against individual employees or the wider organisation. Such comments can be overt and expressly critical, but that is not always the case. Often they may be quite subtle and merely implied in the account provided and are therefore easy to overlook. A victim may not even be aware that what they have said might amount to a failure in policing.

There are three main elements to consider regarding police involvement:

- Inadequate investigation as a consequence of lack of understanding or awareness of the issues (performance/misconduct)
- Deliberate interference with investigations or collusion to unduly influence an investigation (corruption/criminal)
- The potential that officers/police staff, at the time they were serving with the police, may have been a party to any exploitation and offending in certain circles (criminal).

The Independent Office for Police Conduct (IOPC) oversees the police complaint and conduct process and have issued statutory guidance to all forces. The guidance states:

- A 'complaint' matter is any expression of dissatisfaction with a police force that is expressed by, or on behalf of, a member of the public
- A 'conduct' matter is 'any matter about which there is not or has not been a complaint and where there is an indication that a person serving with the police may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings'.

Either matter, if identified out of any account, requires assessment by the force 'appropriate authority'. This authority is delegated by the chief constable (or commissioner as appropriate) to the head of professional standards.

SIOs must ensure that any such matter is referred to their professional standards department for assessment, including where the police employees who may be subject of

the allegations no longer serve. The 'appropriate authority' will then make a recording decision and direct further action accordingly in accordance with the Police Reform Act and IOPC statutory guidance. SIOs are further reminded that where issues of this nature exist, it is good practice to consider the inclusion of a PSD representative within the Gold Group, (subject to the agreement of Gold Group chair).

3.5.1. Home Office Records

The Home Office receives regular requests for disclosure of information and searches for material having the potential to be relevant to ongoing non-recent child abuse inquiries. These requests often relate to Persons of Public Prominence (PPPs) holding public office and Home Office approved schools etc.

In an effort to standardise the service and simplify the process of searching for relevant material, Operation Hydrant and the Home Office now have a Memorandum of Understanding (MOU) in place that is recognised as the only route to access or search Home Office archives.

The Home Office has transferred a considerable volume of records beyond their control over the years. For example 'approved school' records were transferred to local authorities when they assumed control of the facility and many other records are now in the National Archives. Disclosure Officers are requested to bear this in mind before submitting requests to the Home Office via Operation Hydrant.

The Home Office archives are vast and can only be searched using specific information such as names, locations etc. In the event that a search of Home Office archives is required, a request should be directed to the Operation Hydrant SPOCs containing the specific details to be searched. (See restricted access [Knowledge Hub: Operation Hydrant community](#).)

The reply will be directed to the requesting force via Operation Hydrant and will confirm the search criteria applied to the system. In the event of a 'positive' search, this will indicate items are present which may be of relevance. Before responding positively to a search enquiry, the Home Office will review the document(s) according to the Government Protective Marking Scheme (GPMS) and specify the level of vetting required to view the material.

The Home Office will not assess the relevance of documents on behalf of the force. It will be for the force to provide a suitably vetted staff member (evidenced in advance) to attend and view the material. Operation Hydrant will facilitate this contact but will not hold or view the material.

In the event that a force requires a copy of the relevant document(s) this must be negotiated directly with the Home Office SPOC after the material has been viewed and assessed, and procedure will be dictated by the GPMS marking attributed to each document.

3.6. Liaison with Crown Prosecution Service/decision to prosecute

In high-profile cases, the Director of Public Prosecutions may become involved in charging decisions.

SIOs should seek early investigative advice from the CPS in cases of this type.

This may assist the SIO in determining the parameters of the investigation and its main lines of enquiry. In major or complex cases, this advice may continue throughout the investigation to the point at which a decision to prosecute is made.

In those cases where there is a decision not to prosecute, the SIO and the CPS should consider:

- what support will be offered to the victims
- whether the victims understand the Victims' Right to Review scheme under the Code of Practice for the Victims of Crime
- the ongoing safeguarding risks that may result
- whether to advise the victim of the existence and purpose of the Independent Inquiry into Child Sexual Abuse (IICSA).

3.6.1. Release of information at the conclusion of an investigation

The same considerations that apply to the release of information into the public domain following a court case or an investigation that does not result in a criminal trial where the suspect(s) are alive, apply to non-recent cases where high profile people or institutions are involved. Note: The SIO should try to ensure that the suspect(s) are notified of the decision prior to any detail being released to the press and wider social media.

Guidance for all of these situations can be found in [APP on media relations](#).

The overarching guidance of the Media APP also applies where an investigation has taken place into a crime alleged against a deceased suspect. Decisions about what information to release into the public domain in these cases must take account of the:

- principle that a person is innocent until proved guilty

- fact that the accused person is not able to defend themselves against the allegation(s)
- need for each decision on what to release into the public domain to rest on the facts that apply to that particular case
- requirement to avoid stating or implying that a suspect is guilty.

In many cases, including those where there is a high public profile to the investigation, it may be appropriate not to release information into the public domain.

Where, following careful consideration, a decision has been made to release information about an investigation into a deceased suspect into the public domain, the wording used must strike a balance between the need for transparency and accountability of the police and the need to observe the principles above. Information should be sufficient to assure the public that there is no continuing risk of harm to people, or that any risk is being managed. It should also indicate, in appropriate cases, that the current investigation is complete. It may be appropriate to state that, if the suspect were alive, further investigation may have followed.

It is for a court to decide guilt or innocence. It is important to make clear that the police are making no judgements about guilt, that the suspect is considered innocent unless proved guilty and that the person concerned is not able to defend her/himself.

Careful consideration is also required about how the information is to be released. It may be appropriate to issue a statement but not take questions. Once this approach has been adopted, it is a continuing approach to be maintained for all questions about the investigation unless a decision to the contrary is made.

3.6.2. National Child Sexual Abuse Review Panel

The National Child Sexual Abuse Review Panel deals with child sexual abuse cases that were reported and investigated before 5 June 2013. It is a useful means of review for victims of non-recent child sexual abuse, and allows victims to contest or challenge decisions.

Please note: SIO advice is based on [National Panel Guidelines](#) (accessed via the restricted [Knowledge Hub: Operation Hydrant community](#)).

The criteria for cases that the national panel considers are:

- the victim was a child when the alleged offence occurred
- the case was investigated and a decision was made by either the police or the CPS to take no further action
- the suspect may still pose some risk.

In cases where the SIO feels the CPS decision is inappropriate, they should consider challenging the decision. In previous cases, it has been valuable to use counsel who were experienced in challenging decisions made in cases of non-recent abuse.

3.7. Operation Hydrant investigative support

Operation Hydrant can provide assistance to SIOs in a number of ways when dealing with non-recent child sexual abuse investigations.

This element of Operation Hydrant's work has two main themes – operational coordination and SIO review. There are memorandums of understanding that underpin both themes and are available to forces.

3.7.1. Operational coordination

Different investigations occasionally involve the same suspect or victims. Often this scenario can be complex.

Where multiple forces are involved in cross-border investigations, Operation Hydrant undertakes a coordinating role to ensure policing is effective and that there is a single investigative strategy. Two models are used to achieve this:

- **Lead force:** A single force takes the lead and investigates a number of cross-border allegations involving the same victim or suspect. An initial strategy meeting involving all affected forces will be held to agree the lead force and establish how it will manage the investigation.
- **Coordinated:** In cases where there are a number of established investigations involving the same victims or suspects, a coordinated strategy implemented by each force will ensure investigations progress in an efficient way and without conflict. For example, timing of arrests or media releases can be agreed in advance. Regular update and review meetings involving SIOs are also advised. The national coordinator for Operation Hydrant or deputy will facilitate and chair such meetings where necessary.

3.7.2. SIO review cadre

Part of Operation Hydrant's remit is to capture learning from the police service and develop best practice, acting as a centre of knowledge and expertise.

Members of the Operation Hydrant team are available to be contacted informally and directly within each of their specialist fields to provide advice or guidance. Operation Hydrant also maintains a list of operational SIOs with recent experience of these complex investigations.

Specialists from the team can also attend force gold groups at critical points, to provide the national context as well as perform the role of critical friend. Visits by members of the team to forces maintains ongoing dialogue and engagement with SIOs, communications leads or heads of professional standards around Operation Hydrant cases.

Forces can take advantage of more formalised peer review or support sessions. These can take several forms, dependent on the need of the force, and can be at any stage of the investigation – from the initial receipt of allegations and scoping phase, through to pre-trial planning.

Undertaken by members of the Operation Hydrant team, supported by SIOs from the review cadre, and including specialists if required, they include:

- Peer Support: Operation Hydrant will provide advice in relation to any investigation either as part of its set up and during its course. This can include peer support to provide advice and recommendations in relation to a whole range of strategies.
- Peer Review: This involves an experienced and independent SIO, supported by a team, conducting a formal review of an investigation and providing recommendations on future investigative strategies and actions.

It is a matter for the requesting force to set the terms of reference and to decide which strategies they wish to be subject to the process.

For further information relating to Investigation Management see:

[NPCC position paper on necessity to arrest](#)

[NPCC position paper on voluntary interviews under caution](#)

[APP on investigation – working with suspects \(TIE strategy, arrest strategy\).](#)

SIO actions

Investigation management

- Consider and review the decision to investigate bearing in mind the necessity for safeguarding and the obligation of the state to protect human rights – involve force head of crime and senior command team if significant safeguarding risks exist or there is likely to be a high level of media interest.
- Appoint a gold group where strategic oversight is needed.
- Consider the extent to which power and influence may be a factor in facilitating the alleged behaviour, including any subsequent cover up of allegations and/or evidence (apply the investigative mind-set).
- Carefully consider time parameters for the investigation – consider how this may affect the victim strategy, eg, resourcing implications.
- Consider the point at which the suspect becomes formally nominated as part of the investigation.
- Consider whether their investigation will be restricted to offences committed within their force area, or if the investigation's parameters will be extended to include cross-border offending.
- Consider the impact on the victim of parallel investigations.
- Agree memorandums of understanding with those undertaking reviews and seek legal advice (in line with potential impact on confidentiality and any possible legal proceedings).
- Be familiar with sensitive upload facilities of PND that provide a scalable security approach.
- Develop suspect strategy – consider early engagement with the CPS and other SIOs who may be investigating the same suspect.
- Within the suspect strategy consider the risk factors to the suspect's safety and wellbeing where there is potential damage to their reputation.
- Establish a robust search strategy – fingerprint or DNA material may still be present at a scene for many years after the alleged offending actually took place.
- Comply with present day identification procedures.

- Consider appointing a specialist advanced suspect interview adviser when formulating the interview strategy.
- Consider the additional welfare needs that may exist with older suspects – provision of extra custody nurses if a number of older suspects are to be arrested together.
- SIOs should consider briefing arrest and search teams to ensure that any medication is brought into custody with the suspect to protect welfare and avoid delays.
- Consider interview implications of older people. Even if the suspect states they are 'fit and well', the FME and the custody sergeant must still make an assessment. Age and the stress of arrest are criteria that would affect the assessment. This applies if the suspect attends for interview voluntarily. Also, consider the attendance of an appropriate adult.

4. Cross-border issues and offences abroad

Operation Hydrant can assist with negotiations to determine what model of coordination should be adopted and, if it is to be a lead force approach, which force should lead.

Once primacy has been decided, the force with primacy has responsibility for all victims, witnesses and suspects related to the investigation throughout the country. The SIO will need to consider the best way to contact victims and witnesses. In many cases it is best for officers from the investigation team to travel to complete enquiries, providing consistency and timeliness, as well as sending a positive message to victims that the matter is being taken seriously. In some situations it may be necessary to use technology, such as video conferencing or similar, but this should only be in exceptional circumstances. This option should not, however, be used for significant witnesses or where the interview may cause trauma to a victim.

Where it is not possible for a force to conduct all enquiries in person, cooperation may be needed from other relevant forces. Where this is likely to occur in any volume, the SIO is advised to request a SPOC within each relevant force, preferably a senior detective to coordinate enquiries and ensure the timeliness of responses and standard of work.

Overseas enquiries

There may be allegations of behaviour abroad that may constitute an offence in this country. SIOs should consider if offences are committed under the following legislation:

- Section 72 Sexual Offences Act 2003.
- S76 Sexual Offences (Northern Ireland) Order 2008.
- S55 Sexual Offences (Scotland) Act 2009.

Many offences disclosed in non-recent abuse investigations, will however, pre-date these laws and as such remain entirely within the jurisdiction of the CJS of the relevant country.

The SIO may wish to consider transferring the allegation to the relevant country to investigate. In any event, it is recommended that the relevant country is notified of the crime. In reality, many reports will not be investigated if transferred to the country of origin because the crime will be barred, for example because of time limits on investigation. It is possible

that alleged behaviour abroad, that could present a risk of harm to the public in the UK or children or vulnerable adults abroad, may be used in an application for a Sexual Risk Order.

Where witnesses and suspects are abroad, the SIO will have to decide whether investigators travel to the relevant country to complete an interview. Any deployment must be proportionate. The nature and significance of the evidence the witness can potentially provide and the strength of the evidence substantiating the allegation against a suspect will support decision-making.

Other considerations that help decision-making about whether to deploy investigating officers to foreign jurisdictions include:

- Interviewing significant witnesses or victims in person maintains investigative standards.
- If the suspect is an older person, travelling to the suspect's location to interview under caution may be the only opportunity the suspect has to respond to the allegations.
- There may be a risk that a suspect may die before extradition to the UK.
- An interview under caution may strengthen an extradition application.

If information is needed as evidence an International Letter of Request is required. Mutual Legal Assistance can be a resource intensive and time-consuming process, placing considerable burdens on the requested state. It should, therefore, be used only where the evidence is necessary and expected to add value. It must not be used if material can be obtained through other means, eg, where material is already in the public domain or where it can be obtained through police cooperation. An EIO is another option. See [APP on International investigations](#) for further information.

Advice and assistance regarding all international matters is available via the UK International Crime Bureau within the National Crime Agency.

5. Independent Inquiry into Child Sexual Abuse

The Independent Inquiry into Child Sexual Abuse (IICSA) was set up because of serious concerns that some organisations had failed, and were continuing to fail, to protect children from sexual abuse. Its remit is huge but as a statutory inquiry it has unique authority to address issues that have persisted despite previous inquiries and attempts at reform. The Inquiry has three elements:

Investigations – examines what went wrong and why, and will challenge those institutions responsible. The evidence gathered will inform recommendations to help protect children in the future. See [Public Hearings](#).

Research – the Inquiry has an ambitious research programme which will fill the gaps in knowledge about child sexual abuse and make recommendations that are informed by the latest learning. See [Research and Analysis](#).

Truth – the Truth Project offers an opportunity for victims and survivors to share their experience and be respectfully heard and acknowledged. By doing so, this helps the Inquiry to better understand the long-term impact of abuse. These contributions will help the Inquiry make recommendations about support needs as well as challenging assumptions about child sexual abuse. See [Truth Project](#).

Operation Hydrant acts as a conduit for the Inquiry with all its engagement with police forces.

The Inquiry is required under its terms of reference, to refer the details of any allegation of child abuse to the police. It achieves this by referring all allegations to the Operation Hydrant Referrals Team, who will record, research and disseminate to relevant forces as appropriate. The disseminations are made to allow for safeguarding; the recording and development of intelligence; and for crimes to be recorded and investigated in compliance with the National Crime Recording Standards.

As part of the Inquiry's Truth Project, victims and survivors of child sexual abuse are invited to share their experiences with the Inquiry. All participants of the Truth Project enjoy an automatic right to confidentiality, unless they choose to waive that right. The Inquiry hopes that this will help victims and survivors share their experiences of sexual abuse, and the way they were dealt with by institutions with confidence that their identity and account will remain private. For police forces, this means the Inquiry will not supply a person's name or contact

details to the police without the victim's consent to that disclosure, unless it is necessary to safeguard a child at risk of continuing abuse, or vulnerable adult.

It is therefore inevitable that some anonymised reports may not provide sufficient detail for a force to progress an investigation, yet the Inquiry (and Operation Hydrant) retain a duty to supply this information in any event. It is also possible that the force has previously received and investigated the allegation, or similar allegations.

If a referral from the Inquiry leads to an investigation, and an investigator believes that the Inquiry may hold material that could be assessed as relevant under the CPIA, they should approach the Inquiry for disclosure. Requests for information from IICSA should follow on from identified 'reasonable lines of enquiry' and should not be speculative, ie, the investigator must firmly believe the Inquiry may hold relevant material. It is not necessary or appropriate to make speculative requests for disclosure in order to satisfy the requirements of the CPIA. However, it is recommended that where victims are engaged with the criminal justice process, they are asked if they have engaged with the Truth Project and for consent to access the relevant material.

Any request for disclosure must be made via Operation Hydrant, and only at the stage when an investigator believes they will be approaching the Crown Prosecution Service for a charging decision unless the material sought is thought to be of evidential value.

Operation Hydrant also supports the Inquiry's Public Hearings Project. It acts as the gateway between the Inquiry and police forces and supports the Inquiry by identifying evidence that may be relevant to its work.

For more information about IICSA visit www.iicsa.org.uk or contact Operation Hydrant.