

'Stop the Drift' (Oct 2010)- Our research indicated that the majority of identified suspects were arrested and detained pending investigation and process.

OFFENCE COMMITTED	
<b>2008/09</b> 4.7 million offences recorded by police	<b>2010/11</b> 4.15 million offences recorded by police
SUSPECT IDENTIFIED	
SUSPECT ARRESTED & CONVEYED TO CUSTODY UNIT	

Increased use of VA to interview suspects

Increased use of RJ for disposal

1,360,000 arrests

New Issue

What	Who	Why	Outcome	Pinchpoints Oct 2010	2013			
<b>Arrest</b>  (Transport)					<b>Super-suites – increased travelling time for officers; increased use of discretion to avoid journey.</b>			
<b>Circumstances of Arrest</b>	Detention Authorised	Custody Officer	PACE 1984 S37 (Code C)	Availability of Custody Officer				
<b>Book-in</b>	Detainee Search	Body/Clothing search	Arresting Officer or Detention Officer	Part IV, PACE 1984 (Code C)	Storage of evidence	Availability of female officer for search of female detainee.	Increased female staff in super-suites has reduced need to take female officers from the street.	
		Strip-search	Arresting Officer or Detention Officer					
		Intimate Search	Medical Practitioner					
	Healthcare	Risk Assessment	Risk Assessment of: • substance abuse • propensity to self-harm • <b>mental health</b> • other health issues • compliance • vulnerability					Increased availability of Custody Nurses for medical assessment – variability in response times
			• injuries				Police Custody used for S. 136 detentions; requirements for ongoing monitoring & arrangements for assessment is time consuming for custody staff	
		Drug test		Detention officer			Transfer to hospital; if already booked in, additional paperwork is required for this. Normally two escorting officers. Delay in service at hospital may extend officer and prisoner time away from frontline.	No change
						• Positive test results require a referral to a drug worker; failure to attend is an offence.	Repeat drug testing/ paperwork following arrest for trigger offences, for persons already in treatment.	
	Individual Rights	Solicitor	• Notification • Telephone Consultation	Custody Officer or Detention Officer	Part IV and Part V, PACE 1984 (Code C)			
		Codes of Practice						
		Notification of Named person						
Appropriate Adult								
	Interpreter					Availability of Interpreter/Language line (UKBA, use 'BIGWORD')	Much improved.	
Identification		• DNA	Custody Officer or Detention Officer	Part IV, PACE 1984 (Code C)			Suitable storage of DNA	Custody Inspections have noted improved storage facilities for DNA.
		• PNC Checks • Warrants checks • Livescan • Photograph • Footwear						
		• Intelligence system checks • Bichard notification						
<b>Treatment &amp; Conditions</b>	Treatment	Detainee to cell	Arresting Officer or Detention Officer	Part IV and Part V PACE 1984 (Code C)			Location of cell, compliance of detainee, may need extra staff to escort.	Design of 'super-suites' has improved this issue.
		Detainee checks						
		Access to reading/writing material						
		Food/Water						
		Rest Period (RP)						
						Vulnerable/drunken detainees require 30 min checks (twice normal) including entering cell to rouse. In some cases one-off monitoring may be required and is more common since intro of 'Safer Detention'.	One – One monitoring still common, but increased availability of CCTV in vulnerable cells allows for one officer/DO to monitor multiple cells. Variable use of this approach even where available.	
						Detainee arrested in early hours may be put straight into a rest period.	Some improvements indicating that RP are being used more appropriately. Still an issue where there is reliance on PHT to deal.	

**Police Custody continues to be used as a default place of safety for S. 136 MHA 1983 detentions**

Police Custody

		Exercise/Visits
	Welfare	Offer to meet Arrest Referral Worker
		Medical Examination
	Individual Rights	PACE Reviews

Arrest Referral Worker	ACPO Guidance
FME	Part IV, PACE 1984 (Code C)
Police Inspector	

Availability of FME  
Increased availability of Custody Nurses who are dealing with more – sometimes reducing need for FME call out. Variability in response times

Availability of Custody Inspector. Type of custody model used by the force impacts on this.  
Improved. Centralised custody models with dedicated custody inspectors.

Lack of early availability of ERO advice may result in officers taking unnecessary statements/enquiries and potentially delay the investigation and extend time in custody.  
PHT supervisors (EROs) availability improved. Still issues at late/early hours, custody or patrol sergeants may assist.

Delays in response from companies. Backlog in specialist depts. Superintendent's authority required.  
Greater demand for FSS, but delays in receiving response. Impacting on increased bail return times.

Some lack of facilities to copy CCTV. Large variation in CCTV formats.  
RIPA not as much of an issue normally dealt with prior to arrest.

Late arrests put into 'lie-down' for PHT to deal with.  
Some improvements indicating that RP are being used more appropriately. Still an issue where there is reliance on PHT to deal.

Condition, availability, and location of witness/victim.  
Some areas taking telephone statements then arranging for signature by local officers.

Lack of available supervision may result in poor handover files for ERO and PHT, resulting in paperwork going back to the arresting officer to progress.  
Different models and issues regarding ownership of the investigation impacts on this. Does the PHT take it on in full or are they 'assisting' officers. Handover packs can be bureaucratic.

Availability of FME; condition, availability, and location of witness/victim.  
FME workload can be an issue, but improvements with private contract.

Availability of trained intoximeter operator.  
Increased trained staff in super-suites has reduced need to take officers from the street.

Availability of FME  
FME workload can be an issue, but improved with private contract.

Availability of solicitor; consultation rooms; multiple detainees for one solicitor; disproportionate disclosure rules  
Super-suites with improved facilities.  
Defence solicitors 'stacking' clients increases delay in processing.  
Disclosure can still be an issue.

Availability of suitable family member or social services to act as Appropriate Adult.  
Improved availability of AA; but HMIC report identified issues quality of AA's.

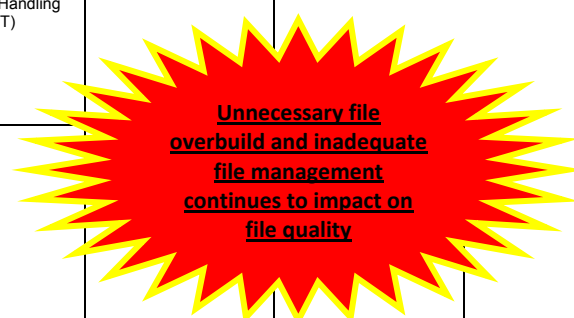
Availability of Interpreter. If an immigration offence, delays in UKBA attending extends time in custody.  
Some delay dependent upon language required, but improvements shown.

Availability of Police Inspector  
Improved. Centralised custody models with dedicated custody inspectors.

Availability of System Operator  
Increased trained staff in super-suites has reduced need to take officers from the street.

Investigation	IT and Telephony Enquiries	<ul style="list-style-type: none"> <li>Telephone billing enquiries</li> <li>Cell site analysis</li> <li>Hard-drive examination</li> <li>CCTV</li> </ul>	
	Searches	<ul style="list-style-type: none"> <li>Search upon arrest (person &amp; property)</li> <li>Property owned/controlled by detainee</li> <li>Other property searches</li> </ul>	
	Witnesses	<ul style="list-style-type: none"> <li>H2H</li> <li>Witness statements</li> <li>Victim statement</li> <li>Expert witness statements</li> </ul>	
	Scene	<ul style="list-style-type: none"> <li>Samples (e.g. DNA/fingerprints/shoeprints)</li> <li>Photograph/video of scene</li> <li>Photograph/video of victim</li> <li>CCTV</li> </ul>	
	Medical Examinations	<ul style="list-style-type: none"> <li>Victim</li> <li>Other witnesses</li> </ul>	
	Offender Samples	Intoximeter	
		Non-intimate	
		Intimate	
	Interview Process	<ul style="list-style-type: none"> <li>Detainee consultation with solicitor</li> <li>Disclosure to solicitor</li> </ul>	
		<ul style="list-style-type: none"> <li>Detainee consultation with Appropriate Adult</li> </ul>	
Identification	Interview		
	Street ID		
	Parade; Confrontation		
		Viper/ProMAT Capture	

OIC or Prisoner Handling Team (PHT)	RIPA 2000	
OIC or Prisoner Handling Team (PHT)	Part III, PACE 1984	Seizure/labelling/ storage of evidence
OIC or Prisoner Handling Team (PHT)		
SOCO		
FME		
Police Officer	RTA 1998	
OIC or Custody Staff		Seizure/labelling/ storage of evidence
Medical Practitioner		Seizure/labelling /storage of evidence
OIC or Prisoner Handling Team (PHT)	Part V, PACE 1984 (Code C)	
Appropriate Adult		
OIC or Prisoner Handling Team (PHT)/AA/Defence		Provide copies of tape
OIC or Prisoner Handling Team (PHT)	Part V, PACE 1984 (Code D)	
Police Inspector		
System Operator		



Evidential Assessment	Supervisory review	<ul style="list-style-type: none"> <li>Consider previous offending/threat to victim</li> <li>Review quality of evidence</li> <li>Advise regarding further action</li> </ul>

Duty Sgt or Custody Officer or ERO	PACE 1984 S37 (Code C)	<ul style="list-style-type: none"> <li>NFA</li> <li>Bail for further investigation</li> <li>OoCD (PND/TIC/Caution)</li> <li>Charge/Summons (police decision)</li> <li>Referral to CPS</li> <li>Warrant of Further Detention</li> </ul>	<ul style="list-style-type: none"> <li>Return property</li> <li>Bail forms/conditions</li> <li>Complete OoCD</li> <li>Allocate Court date</li> </ul>
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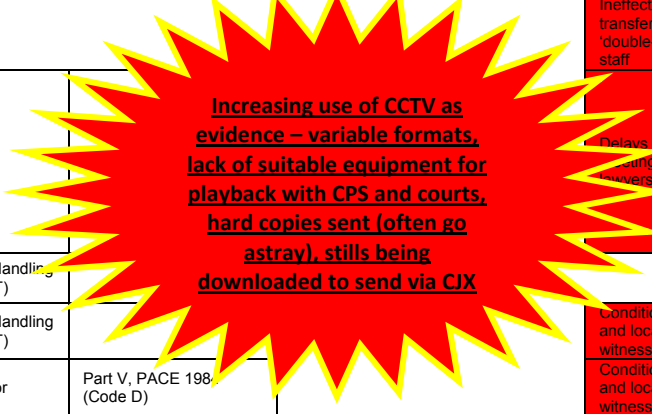
Availability of ERO or evidential review.  
In some areas, where PHT are used, the availability of supervisors (EROs) has improved. Still issues at late/early hours, custody or patrol sergeants may assist. Many areas moving away from dedicated ERO role and returning to frontline supervisors to review/QA files.

Inappropriate bail being granted to detainees due to delays in the process as above.  
Greater use of bail managers/bail suites within 'super suites' to streamline this process

									Necessitating the return to custody and then repeating much of this process. If detainees fail to answer bail manual checks often required because systems are not automated.	with greater emphasis on dealing in min. no. of bail returns. Reduction in inappropriate use of bail.
									Sufficient and speedy fax/scanning machine, secure email availability.	Improvement. Referral to CPS is normally electronic.
									Case papers scanned in to send to CPS DIRECT, but they do not have capacity to retain papers, so they are deleted. Hard copy to CPS office.	CPS normally do not get paper copies. This is variable across force areas. Some scanning required (e.g. photos of evidence).
									Delays in charging advice from CPS DIRECT.	Increased use of police charging reducing decisions going to CPS. CPS charging decisions moving to CPSD for volume offences – via electronic transfer of forms.
	Referral to CPS (telephone/fax/meeting)			OIC or Prisoner Handling Team (PHT)		CJA 2003				

**DATA TRANSFER BETWEEN AGENCIES**

Police Custody	Evidential Assessment								Ineffective data transfer results in 'double-keying' by staff	Improved.	
			Review evidence			CPS					
			Agree Further investigation	Develop Evidence of Bad Character		OIC or Prisoner Handling Team (PHT)				Delays in face to face meetings with CPS lawyers	Face to face meetings with lawyers for serious offences; move to CPSD for volume offences – via electronic transfer of forms. Effectiveness not yet known.
				Additional witnesses		OIC or Prisoner Handling Team (PHT)					
				Identification parades		ID Inspector	Part V, PACE 198 (Code D)				
				CPS Pre-trial Witness Interview		CPS/ OIC or Prisoner Handling Team (PHT)	Pre-trial Witness Protocol				
			CPS Decision			CPS/ OIC or Prisoner Handling Team (PHT)	CJA 2003 and Directors Guidance on Charging and Conditional Cautioning Guidance	<ul style="list-style-type: none"> <li>NFA</li> <li>Bail for further investigation</li> <li>OCCD</li> <li>PND/TIC/Caution</li> <li>OCCD (Conditional Caution)</li> <li>Charge/Summons</li> <li>Warrant of Further Detention</li> </ul>	<ul style="list-style-type: none"> <li>Return property</li> <li>Bail forms/conditions</li> <li>Complete OoCD</li> <li>Allocate Court date</li> </ul>	Availability of CPS Specialist Lawyer (required for certain offences, e.g. Rape, child abuse, Fraud)	More difficult to get specialist CPS advice. Long waiting lists, this can impact on bail returns.
			CPS Review					<ul style="list-style-type: none"> <li>Warrant of Further Detention</li> <li>Charge and remanded in custody</li> </ul>		Bail issues as above.	As above.
										Detained in custody for next court requires additional time in custody and increased level of care and treatment. If transfer is outside of time for private escort firm (e.g. G4) police will be required to do it. PER form required for transfer to court (takes approx. 30 mins to complete)	Contracts with civilian prisoner escorts can be limited to restricted hours of collection for court. Persons arrested outside of these hours or answering bail outside of hours may require escort to court by frontline officers. Early court cut-off times, some as early as 1:30 – 2pm. If detainees are arrive in police custody after this time, court may not accept and they are returned to police custody for the next day. PER forms still required and still on carbon paper. Recent compliance check found these are poorly completed.
										Juveniles detained in police cell for court when could be released to social services to escort to next court.	No change – LA accommodation after charge and denied bail for CYP is still an issue. 17 year olds treated as adults.



**DATA TRANSFER BETWEEN AGENCIES**


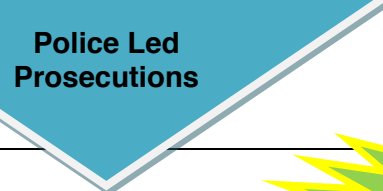
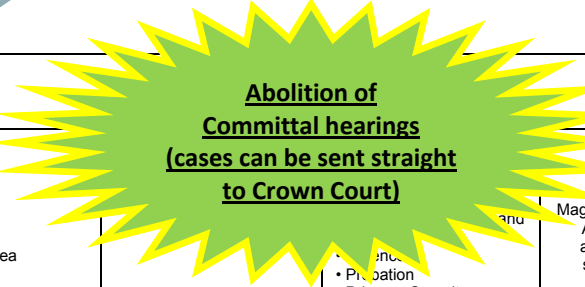
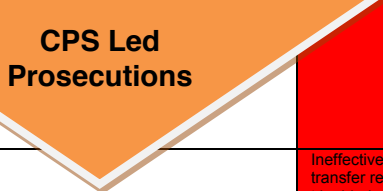
CJU	File Build	<ul style="list-style-type: none"> <li>Tape transcript</li> <li>Type hand-written statements</li> </ul>							Backlog in typing, unnecessary requests for ROTI in contradiction of SP guidelines	ROTI's continue to be produced and exhibited unnecessarily on police files.	
		<ul style="list-style-type: none"> <li>Victim impact statement</li> <li>Evidential summary</li> <li>Witness statements</li> <li>Witness availability</li> <li>Compensation applications</li> <li>Application on convictions</li> <li>Special measures applications</li> <li>Previous convictions</li> <li>Confidential information (e.g. witness convictions)</li> <li>Unused material (Sensitive &amp; Non-sensitive)</li> <li>Preparation of advance information (MG5; Victim impact statement; precons)</li> </ul>							Reduction in delays for receipt of evidence/documents due to electronic transfer.		
		<ul style="list-style-type: none"> <li>Case Details to Witness Care</li> <li>Provide copies of advance information &amp; ex.p.lee</li> </ul>	Defence						Manual of Guidance and PACE 37A (1)	Delays in receipt of evidence/documents (e.g. Forensic results). Delays in requests for evidence.	FSS submissions continue to be delays. Apparent impact due to private contracts. The Manual of Guidance did not include digital forms. Force have produced varied templates. Evidence that this has caused increased file size due to incorrect use of templates.
								ROTI/CJU Staff			
									Models in use for file building: <ul style="list-style-type: none"> <li>OIC</li> <li>Prisoner Handling team (PHT)</li> <li>CJU staff</li> </ul>		
									CJU Staff	Victims Code Magistrates Courts Adv Info Rules	

				1985		Ineffective data transfer results in 'double-keying' by staff	Electronic exchange has improved timeliness, but no similar improvement in quality.
		Prosecutor					
		Mags Court			CJSSS		

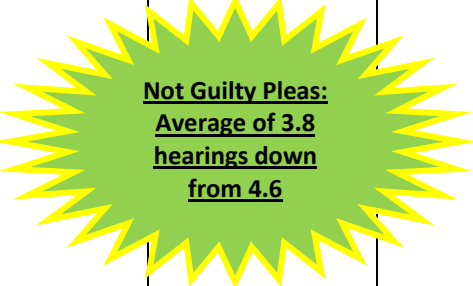
**DATA TRANSFER BETWEEN AGENCIES**

CJU	Witness Care	Contact witnesses regarding • Witness availability • Victim Updates • Witness warnings for Hearing Dates • Changes to court dates		Witness Care Unit	Victims Code		
	Case Progression	Progress case against court timelines		Case Progression Officer	CJSSS	Police fail to meet submission deadlines; Streamline Process not being adhered to.	Electronic exchange has improved timeliness. Implementation of Streamlined process continues to be variable and file overbuild by police officers is common.
							Systems fail to transfer data accurately – additional QA processes introduced to check information exchange. The requirement to track all requests between OIC and CPS Lawyer through the CJU may cause delays, when required outside normal working hours.

**DATA TRANSFER BETWEEN AGENCIES**

Magistrates Court									
	First Hearing	Court sitting	Guilty Plea Not Guilty Plea	Magistrates Courts Act 1980 as amended by subsequent legislation	Disposal Adjournment	• Case Dropped • Sentence • For trial • For preparation of committal papers/S.51 papers • Further Information	Ineffective data transfer results in 'double-keying' by staff		
	File Preparation	Disclosure of Unused Material	Required by the court (e.g. interview alibi witnesses)		CJU/OIC	Legal Advice from CPS		Court availability; awaiting receipt of evidence to complete case file	
		• Sending File			OIC/CPS	CPIA 1996	Papers served on Defence	Lack of case management; no indication of plea on files, when file upgrades requested.	Robust case management in the court process is variable.
• Committal file (NO LONGER EXISTS)				CJU/CPS	S.51 C & D Act 1998	Papers served on all parties	Systems fail to transfer data accurately – additional QA processes introduced to check information exchange. Police fail to meet submission deadlines		
• Trial file					S.6 MCA 1980 Manual of Guidance and PACE 37A (1)		CPS send late requests for additional evidence.	Still an issue. Late requests for additional evidence due to late file review by CPS.	
	Sentencing reports			Probation			Unnecessary disclosure of information	Disclosure continues to be an issue.	
							Ineffective data transfer results in 'double-keying' by staff	Electronic exchange has improved timeliness.	

**DATA TRANSFER BETWEEN AGENCIES (COURT/CPS)**

Magistrates Court	Second Hearing	Court sitting		• CPS • Courts (court service and judiciary) • Defence • Probation • Prisoner Security • Police and civilian witnesses	Magistrates Courts Act 1980 as amended by subsequent legislation	Disposal Adjournment due to parties not ready or fail to appear	• Case dismissed • Case sentenced • Case committed • Case sent	Court and witness availability; awaiting receipt of evidence to complete case file.	Multiple court listings may result in witnesses having to return to give evidence another time.
	Third Hearing	Court sitting		• Trial • Committal • Sentence	• CPS • Courts (court service and judiciary) • Defence • Probation • Prisoner Security • Police and civilian witnesses	Magistrates Courts Act 1980 as amended by subsequent legislation	Disposal Adjournment due to parties not ready or fail to appear	• Case dismissed • Case sentenced • Case committed • Case sent	Court and witness availability; awaiting receipt of evidence to complete case file.
	Fourth Hearing	Court sitting	• Trial • Committal • Sentence		Magistrates Courts Act 1980 as amended by subsequent legislation	Disposal	• Case dismissed • Case sentenced • Case committed • Case sent	Court and witness availability; awaiting receipt of evidence to complete case file.	
									Ineffective data transfer results in 'double-keying' by staff

**DATA TRANSFER BETWEEN AGENCIES (COURT/CPS)**

<b>Service of Further Evidence (NO LONGER EXISTS)</b>	Service of additional evidence on Defence	<b>Early Guilty Pleas in Crown Court (up to 50%): new scheme bedding in.</b>	OIC/CPS	File build and Case directions	Defence may seek court order for further disclosure - hearing	Police fail to meet submission deadlines		
	Disclosure of Unused Material (if not done previously)			CPIA 1996	Possible PII Hearing			
	Response to Defence case statement and queries							
	Disclosure of Sensitive Unused Material to prosecutor							
<b>Preliminary Hearing (s) [and/or Early Guilty Plea hearing]</b>	Court sitting	<ul style="list-style-type: none"> <li>Guilty Plea</li> <li>Not Guilty Plea</li> <li>Preliminary appeals on judicial ruling</li> </ul>	<ul style="list-style-type: none"> <li>CPS</li> <li>Courts (court service and judiciary)</li> <li>Defence</li> <li>Probation</li> <li>Prisoner Security</li> </ul>	Court Direction	Disposal	<ul style="list-style-type: none"> <li>Case Dropped</li> <li>Sentence</li> </ul>	Court availability; awaiting receipt of evidence to complete case file.	Multiple court listings may result in witnesses having to return to give evidence another time.
					Adjournment	<ul style="list-style-type: none"> <li>For reports</li> <li>For trial</li> <li>For further information (e.g. Expert reports, forensic reports)</li> </ul>	<ul style="list-style-type: none"> <li>Greater availability of PSR at EGP hearing (and trial) can avoid further court listing for sentencing. Variable but improving.</li> <li>More robust case management is intended to reduce delays and adjournments at court</li> </ul>	
<b>PCMH (NEW)</b>							Court, witness, judicial and counsel availability; awaiting receipt of evidence to complete case file.	
<b>Trial</b>	Court sitting		<ul style="list-style-type: none"> <li>CPS</li> <li>Courts (court service and judiciary)</li> <li>Defence</li> <li>Probation</li> <li>Prisoner Security</li> <li>Police and civilian witnesses</li> </ul>	Court Direction	Disposal	<ul style="list-style-type: none"> <li>Case dismissed</li> <li>Appeal lodged</li> </ul>		
					Adjournment	For reports		
<b>Sentence</b>	Court sitting		<ul style="list-style-type: none"> <li>CPS</li> <li>Courts (court service and judiciary)</li> <li>Defence</li> <li>Probation</li> <li>Prisoner Security</li> </ul>	Court Direction	Final Disposal		Court, judicial and counsel availability.	
							Court, judicial and counsel availability.	

**DATA TRANSFER BETWEEN AGENCIES (COURT/CPS)**

<b>CJU</b>	<b>After sentence Activity</b>	CPS Lawyer notes result on file to updates CPS system.	Court results	CPS	CPIA 1996	Storage of evidence	Vulnerable Victim Timescales	Victims Code is being reviewed.
		CPS disposes of file or sends back to CJU after 21 days		Witness Care/CJU			Victims Code	
		Witness/Victim Updates						
		PNC updates						
	Evidence stored and retained are required by legislation			Storage for 7 yrs and in certain cases the length of sentence				
<b>Appeal Process</b>	Not dealt with in this chart							

**'The Justice Test'**

*Prepared by Chief Inspector Julia Walsh  
Version 4 (2013 update): 24 April 2013*

**GLOSSARY**

AA	Appropriate Adult
ACPO	Association of Chief Police Officers
CJSSS	(Criminal Justice) Simple Speedy Summary
CPIA	Criminal Procedure and Investigations Act 1996
C & D	Crime and Disorder Act 1998
CJU	Criminal Justice Unit
ERO	Evidence Review Officer
EGP	Early Guilty Plea
FME	Force Medical Officer
H2H	House to house enquiries
ID	Identification
MCA	Magistrates' Courts Act 1980
O OCD	Out of court disposal
OiC	Officer in charge

**NFA**

No further action	
PACE	Police and Criminal Evidence Act 1984
PHT	Prisoner Handling Team
PII	Public Interest Immunity
PNC	Police National Computer
PND	Penalty Notice for Disorder
RIPA	Regulation of Investigatory Powers Act 2000
ROTI	Record of Taped Interview
RTA	Road Traffic Act 1998
S51	Section 51 – sending serious cases to the Crown Court
SOCO	Scene of crime officer
SP	The streamlined process for handling of volume crime (offence) Taken into Consideration
TIC	(offence) Taken into Consideration
UKBA	United Kingdom Border Agency
VIPER/proMAT	Systems for allowing for identification of suspects