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National Child Protection Inspection Post-Inspection Review

Devon and Cornwall Police
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1. Background

HMIC's 2015 inspection

Her Majesty's Inspectorate of Constabulary (HMIC) conducted a child protection inspection of Devon and Cornwall Police in May 2015.

We published the report of our findings in September 2015, which concluded:

"Devon and Cornwall Police demonstrated a strong commitment to improving services for the protection of vulnerable people. The chief constable and the PCC have prioritised child protection and it is clear that there is a force-wide focus on reducing risk and harm to vulnerable children".¹

While this was a good result for the force, areas for improvement were also identified – in particular, in relation to the response to child sexual exploitation (CSE), and to children who go missing from home. The 2015 report therefore made a series of recommendations aimed at improving practice in Devon and Cornwall.

HMIC's 2016 post-inspection review

In December 2015, the force provided HMIC with an action plan setting out how it intended to respond to the recommendations in the first report. Inspectors carried out a post-inspection review in April 2016 to assess the force's progress in implementing this. The review included:

- an examination of force policies, strategies and other documents;
- interviews with staff (including the chief officer lead, and the head of protecting vulnerable people); and
- audits of 23 child protection cases (chosen because they related to the areas for improvement identified in the 2015 inspection report).

Summary of findings from the post-inspection review

Devon and Cornwall Police continues to demonstrate a strong commitment to improving services for the protection of vulnerable people. Since the 2015 inspection, the force has also reviewed its public protection structures, systems and processes, and invested extra resources into child protection.

¹ *National Child Protection Inspections: Devon and Cornwall Police*, HMIC, 2015, page 29. Available at www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/devon-and-cornwall-national-child-protection-inspection.pdf

Although some of these structures are still evolving, it is clear that the force has improved how it recognises and responds to CSE, its referral and risk assessment processes and the awareness of its staff about the link between those who regularly go missing from home and CSE.

Some improvements were also evident in child protection investigations allocated to non-specialist teams. However, inspectors were concerned that in some of these cases additional risk, which required a more specialist approach, was not highlighted at the earliest opportunity, leading to unnecessary delays.

Inspectors were also concerned that in some cases CSE risk was not always responded to quickly enough. While there have been some improvements, we found that some children were still being reported missing a considerable number of times before any meaningful intervention.

The force's arrangements for dealing with children who are in police detention require improvement, as currently too many children are being detained in police custody unnecessarily. The force cannot solve this problem on its own. For things to improve, the force needs to liaise effectively with local authorities to identify suitable alternative accommodation.

The fact that there are still areas where the force needs to improve its response to child protection is reflected in the results of our audit of 23 case files. In this, we assessed the force's practice as good in seven cases, requiring improvement in eleven, and inadequate in five.

Overall, inspectors consider that Devon and Cornwall Police recognises the challenges it faces, and understands what is needed to ensure that the force provides consistently good child protection practice across the entire force area. The force has taken some important steps to address the recommendations from HMIC's child protection inspection in May 2015. However, challenges remain and the force will need to maintain its current focus and momentum for some time to come.

2. Post-inspection review findings

Initial contact

Recommendation from the 2015 inspection report

We recommend that, within three months, Devon and Cornwall Police takes steps to improve staff awareness of the significance of drawing together all available information from police systems better to inform their responses and risk assessments.

We recommend that, within three months, Devon and Cornwall Police ensures that officers always record their observations of a child's behaviour and demeanour in domestic abuse incident records so that better assessments of a child's needs are made.

Summary of post-inspection review findings

- Devon and Cornwall Police has reviewed its approach and developed new processes. As a result, it has begun to recognise risk more effectively, which has led to the development of improved protective plans in the cases we reviewed.

Detailed post-inspection review findings

In 2015 inspectors were concerned that while staff were generally knowledgeable when dealing with calls that clearly related to child protection, some assessments of the extent and nature of risk faced by a child were poor. Inspectors also found some cases where a public protection notification form (which is used for a child protection concern) had not been completed when a child was at risk. As a result, opportunities to intervene and safeguard children at an earlier stage were missed. The force did not regularly supervise public protection notification forms to ensure that they were of a good standard and routinely submitted.

Since our 2015 inspection, Devon and Cornwall Police has reviewed its structures and processes for identifying, assessing and prioritising risk. The force has invested in the development of a dedicated central safeguarding team (CST) to assess more effectively and identify risks to vulnerable children. This team of child protection specialists is responsible for supervising incidents where children are potentially vulnerable in order to identify risks, make plans to reduce these risks and provide support to children and families. The CST completes detailed risk assessments where potential risks to children (such as their being missing) are identified. These risk assessments draw together all information from police systems and provide a meaningful assessment of the nature and extent of the risks posed to a child, which can be used to inform protective plans.

The force has also introduced a new vulnerability screening tool (ViST) and provided further training for its staff to ensure that risk assessments draw together all relevant information from police systems in order to better inform its risk assessments and its development of protective plans. In the cases reviewed, inspectors found that the force undertook risk assessments consistently, which provided it with a more detailed overview of the risks faced by a child. Inspectors also found that, since the 2015 inspection, the force has recorded details relating to the behaviour and demeanour of a child more frequently as a result of the new processes it has introduced. This has informed the force's development of protective plans and the CST's referral decisions.

Assessment and help

Recommendation from the 2015 inspection report

We recommend that Devon and Cornwall Police immediately takes steps to improve practice in cases of children who go missing from home. As a minimum, this should include:

- improving staff awareness of their responsibilities for protecting children who are reported missing from home and, in particular, those cases where it is a regular occurrence;
- improving staff awareness of the links between children going missing from home and the risk of sexual exploitation;
- improving staff awareness of the significance of drawing together all available information from police systems, including information about those who pose a risk to children, better to inform risk assessments;
- ensuring that staff are aware of the need to pass this information on to other agencies; and
- identifying the range of responses and actions that the police can contribute to multi-agency plans for protecting children in these cases.

We recommend that, within three months, Devon and Cornwall Police undertakes a review, together with children's social care services and other relevant agencies, to ensure that the force is fulfilling its statutory responsibilities as set out in 'Working Together to Safeguard Children'. As a minimum, this should include:

- attendance at, and contribution to, initial child protection conferences; and
- recording decisions reached at meetings, on police systems to ensure that staff are aware and of all relevant developments.

Summary of post-inspection review findings

- Devon and Cornwall Police has taken steps to improve its response to those who go missing from home. It has reviewed its approach and developed new processes. As a result, it has begun to recognise risk (particularly of CSE) more effectively, which has led to the development of improved protective plans in some cases.

Detailed post-inspection review findings

In May 2015, inspectors had concerns about the protection of some children who regularly go missing from home. While inspectors saw evidence of sensitive engagement with children, this often focused on the most recent episode rather than taking account of information held by police about previous occurrences. Inspectors also found that officers did not always recognise that children who regularly go missing from home may be at risk of being groomed for sexual abuse.

Since our 2015 inspection Devon and Cornwall Police has reviewed its processes for assessing and escalating risk and has implemented a programme to deliver additional vulnerability training to all front line staff by September 2016 (at the time of our review 2104 staff had been trained since our inspection in 2015). This has resulted in a better awareness of the risks faced by children who go missing from home, and of the link to an increased risk of sexual exploitation. Inspectors were pleased to see that the force has improved its processes for reviewing CSE and missing from home incidents, and that this has resulted in better oversight of child protection and safeguarding incidents. However, while inspectors found individual examples of the good work of the missing person safeguarding officers, we found that children can still be reported missing on numerous occasions with limited evidence of early intervention. For example:

a 14-year old boy had been reported more than 40 times and had attempted suicide previously. Police records indicated that information had been shared with the local authority (although a delay of 10 days was evident) and the risk of CSE had been considered; however, there was no evidence that any longer term safeguarding plan had been considered to protect him from further harm.

As described above, the force has reviewed its structures and processes for identifying, assessing and prioritising risk, and introduced the CST. This has led to improvements in risk assessments, which draw together all information from police systems and provide a meaningful assessment of the nature and extent of the risks posed to a child. In addition, the CST still deals with large volumes of information quickly and efficiently. Having assessed risk levels, the team prioritises cases and makes timely referrals to ensure the prompt development of protective plans.

The force has worked with partners to review its attendance at and contribution to initial child protection conferences (ICPCs). This has now been prioritised and the introduction of the CST structure allows for greater flexibility within safeguarding teams. This has resulted in significant improvements in attendance at ICPCs. The force is committed to a process of continual monitoring and review to ensure it is fulfilling its responsibilities under the 'Working Together to Safeguard Children' framework.

Inspectors found that, within the cases reviewed, where a case was identified as a 'child protection' matter from the outset, and dealt with by specialist investigators, recording was generally (though not always) good. However, in those cases dealt with by non-specialist officers the recording of safeguarding decisions and multi-agency plans was poorer, containing limited detail of protective plans and joint decision-making. However, inspectors were pleased to note that the force has recently introduced new processes to oversee the development and recording of safeguarding plans. We saw evidence of supervisors intervening to ensure that the appropriate details relating to safeguarding decisions and outcomes were properly recorded.

Investigation

Recommendation from the 2015 inspection report

We recommend that Devon and Cornwall Police immediately takes action to improve child sexual exploitation investigations paying particular attention to:

- improving staff awareness, knowledge and skills in this area of work;
- ensuring a prompt response to any concern raised;
- undertaking risk assessments that consider the totality of a child's circumstances and risks to other children; and
- improving the oversight and management of cases (to include auditing of child abuse and exploitation investigations to ensure that standards are being met).

We recommend that, within three months, Devon and Cornwall Police takes action to improve child protection investigations, by ensuring that, as a minimum:

- every referral received by the police is allocated to a team with the skills, capacity and competence to undertake the investigation;
- investigations are supervised and monitored and, at each check, the supervisor reviews the evidence and any further enquiries/ evidence gathering that may need to be done;

- until such time as these changes are embedded, the force should conduct regular reviews of practice that include the quality and timeliness of investigations; and
- further steps are taken with the Crown Prosecution Service to monitor and improve the timeliness of case reviews and charging decisions.

We recommend that, within three months, Devon and Cornwall Police takes steps to reduce delays in the high-tech crime unit.

Summary of post-inspection review findings

- Devon and Cornwall Police has taken action to improve its child protection investigations, including CSE. The force has improved its supervision, although not adequately in all cases. Some investigations were delayed unnecessarily, particularly those allocated to non-specialist teams.

Detailed post-inspection review findings

In May 2015, HMIC had concerns about how the force investigated CSE. In most of the cases examined in 2015 signs of risk were missed, lines of enquiry were either not followed up or took too long and we found failures to respond to information and intelligence and to pursue offenders. As a result, six of the eight cases were judged to be inadequate. In most of the cases assessed, the immediate safeguarding measures were adequate, but the force often failed to identify wider risks.

Since our 2015 inspection Devon and Cornwall Police has provided additional training and issued updated guidance to staff. Inspectors saw evidence of improvements in the identification of both victims and perpetrators of CSE.

The force has taken some important steps to identify and protect children at risk of sexual exploitation. It has implemented a way of flagging CSE victims (and perpetrators) on force IT systems, and developed new strategic partnerships and oversight arrangements with principal stakeholders. The force has also introduced a dedicated response – through the CST – to support children identified as being at risk of sexual exploitation. A risk-based tracking process provides regular oversight and scrutiny of children identified as being at risk and monitors the implementation of protective plans. Inspectors saw some evidence of this new approach being used to improve the coordination of safeguarding activity and the development of protective plans. While relatively recent developments, inspectors found improvements in some of the cases examined to address CSE risks and improve outcomes for victims.

However, inspectors were concerned to find that in a number of serious cases the force was still not identifying CSE risks, meaning that it was missing opportunities to safeguard children – sometimes repeatedly. For example:

a 13-year-old girl alleged that she had been sexually assaulted by an adult female with whom she had been in a relationship. There was a delay of 10 days before the investigating officer spoke to the victim, and it was another two months before the suspect was arrested. Despite concerns about the victim's vulnerability to CSE being recorded on police systems several months before this (with no record of any action being taken), there was still no evidence of a safeguarding or protective plan being implemented for the victim despite clear signs of her obvious vulnerability.

In 2015 HMIC was also concerned that non-specialist officers dealt with some serious cases – for example, rape and other sexual offences, as these investigations were of a poorer standard, with some drift in investigations.

Since our initial inspection Devon and Cornwall Police has reviewed its referral processes, and provided additional training to staff to ensure that decisions to allocate investigations are carefully considered and informed by relevant information. The force has also provided additional training to non-specialist staff to ensure that investigations are conducted by those with the skills and competence to undertake them.

Inspectors were pleased to see some evidence of improvements in child abuse investigations allocated to non-specialist teams. The force has provided additional training to increase competence. However, inspectors also found some cases where, when further more serious allegations of abuse were identified, these were not always identified or properly escalated at the earliest opportunity, leading to unmanaged risks and delays in the implementation of protective plans. For example:

a 12-year old boy had been groomed for sexual exploitation by an adult family friend. Although the initial response to arrest the suspect and safeguard the victim was appropriate, there was no evidence of any consideration being given to the wider risks posed by the suspect to other children. Despite police records showing the suspect had previously held a number of roles supervising children (including as a scout leader, which he was asked to leave because he had taken children on trips without permission), no further investigation was undertaken to assess wider risks or to identify further potential victims.

The force has reviewed its performance management framework, developing a regular review process (both internally and with partners) to audit the quality and timeliness of decision-making. The reviews are carried out centrally with learning and

development opportunities recorded and fed into senior management meetings that coordinate force-wide child protection improvement activity. The force has also shared important information and details of activity at meetings with divisional commanders to ensure they were kept informed of developments in policy and practice.

The force has also commissioned a comprehensive force-wide vulnerability review and an evaluation of the training it provided to staff. These reviews provide the force with further opportunities to improve its safeguarding. While this is at an early stage, HMIC acknowledges the commitment of the force to drive continuous improvement. This is a significant and positive step and inspectors were able to see evidence of learning being shared with frontline staff via the force intranet using various media, although as stated above this has not yet resulted in consistently improved practice.

In May 2015, inspectors found delays in cases sent to the Crown Prosecution Service (CPS) for review and decisions on charging. Since our initial inspection the force had made consistent efforts to work with the CPS to improve the timeliness of decision making, but this had yet to result in improved performance. In a number of the cases reviewed by inspectors significant delays were still apparent. Delays are not in the best interests of children who are unable to put the incident behind them, nor do they serve the suspect who may be on bail or in custody. When delays occur in evidence-gathering, media analysis and receipt of charging decisions from CPS, as we saw in cases in this inspection, the length of time between the first call to police or children's social care services and a criminal justice outcome can be considerable and have a significant impact on case outcomes.

In May 2015, inspectors were concerned by significant delays in the examination and analysis of computers and other media devices undertaken by the high-tech crime unit (HTCU). Since our 2015 inspection the force has invested further resources into the HTCU and has significantly reduced the number of items awaiting inspection. However, in a number of the cases reviewed significant delays were still apparent in the time taken to extract evidence.

Decision making

Recommendation from the 2015 inspection report

We recommend that, within three months, Devon and Cornwall Police takes steps to ensure that all relevant information is properly recorded and is readily accessible in all cases where there are concerns about the welfare of children. Guidance to staff should include:

- what information should be recorded (and in what form) on systems to enable good quality decisions;

- the importance of sending the information to the correct police department and/or relevant partner agency; and
- the importance of ensuring that records are made promptly and kept up to date.

Summary of post-inspection review findings

Devon and Cornwall Police has provided additional training and developed new force-wide processes to improve the accurate and timely recording of information.

Detailed post-inspection review findings

In May 2015, inspectors were concerned that while there were examples of officers taking appropriate protective action, we found a poor standard of recording information on police systems across the force, which can undermine efforts made to safeguard children.

Since our last inspection the force has provided additional training and developed new force-wide processes to improve the accurate and timely recording of information. This is essential for good decision-making in child protection matters and inspectors were pleased to see some evidence of better and more consistent recording which the CST then used to develop protective plans in a timelier manner. Inspectors were pleased to find, in most of the records examined, regular updates about the progress of an investigation or the reasons for delay (although sometimes these reasons had not been properly scrutinised and challenged) and details about contact with children and families. However, inspectors found in some of the cases reviewed that important details of joint safeguarding decisions and minutes of strategy meetings were missing, and that there had been delays in recording information. This was particularly evident in those cases investigated by non-specialist units.

Trusted adult

Recommendation from the 2015 inspection report

We recommend that, within three months, Devon and Cornwall Police ensures that:

- staff record the views and concerns of children;
- staff record the outcome for the child at the end of police involvement in a case;
- staff inform children, as appropriate, of any decisions that have been made about them; and

- information about children's needs and views is made available, on a regular basis, for consideration by the police and crime commissioner and to service managers to inform future practice.

Summary of post-inspection review findings

Inspectors found some good examples of Devon and Cornwall Police's sensitive engagement with children, seeking their views and keeping them informed of key decisions.

Detailed post-inspection review findings

In May 2015, inspectors found a number of cases where decisions clearly took account of the needs of children, but the majority of case files held very little information about the views of the child, the impact of the issues in the case on the child or the outcomes of police intervention for the child.

Since the previous inspection the force has introduced new processes to assure the quality of, and oversee the recording of, information. Inspectors found evidence in the cases reviewed of the views of children being obtained and of the children responding positively to this approach. This allowed for more effective engagement at an early stage.

Inspectors also found that in most cases the force kept children informed through regular contact. Inspectors were also pleased to find evidence of effective oversight by the crime standards unit to ensure that a record of safeguarding outcomes and the decisions made about them were appropriately recorded. While in some cases records lacked further detail, HMIC acknowledges the progress Devon and Cornwall Police has made.

Inspectors were also pleased to note that each local safeguarding children board area has established youth forums which provide relevant feedback about the provision of services. Where appropriate, this information is fed back to the office of the police and crime commissioner.

Managing those posing a risk to children

Recommendation from the 2015 inspection report

We recommend that, within three months, Devon and Cornwall takes action to improve the identification, disruption and prosecution of those involved in CSE.

Summary of post-inspection review findings

Devon and Cornwall Police has improved its understanding of the nature and extent of CSE within the force area and is using this information to more effectively identify and disrupt perpetrators.

Detailed post-inspection review findings

In May 2015, inspectors were concerned that the force had too few staff with specialist knowledge and a good understanding of disruption tactics to identify and deter perpetrators (accepting that the force child exploitation unit has always routinely undertaken proactive operations to identify perpetrators).

Devon and Cornwall Police has invested time and resources in improving its response to CSE perpetrators, and inspectors found evidence that this has led to a more sophisticated understanding of the nature and extent of CSE across the force area. The development of a CSE perpetrator matrix (co-ordinated by the force intelligence centre) to direct disruption activity by the local policing area, and the ability to 'flag' perpetrators on force systems has improved the coordination of a force-wide response that proactively deters and disrupts CSE perpetrators. Inspectors found some evidence that this has led to children being protected and safeguarded at an earlier stage than would otherwise have been the case.

Police detention

Recommendation from the 2015 inspection report

We recommend that, within six months, Devon and Cornwall undertakes a review (jointly with children's social care services and other relevant agencies) of how it manages the detention of children. This review should include, as a minimum, how best to:

- ensure that all children are only detained when absolutely necessary and for the absolute minimum amount of time; and
- assess, at an early stage, the need for alternative accommodation (secure or otherwise) and work with children's social care services to achieve the best option for the child.

Summary of post-inspection review findings

The force has issued additional training and guidance to staff, and reviewed internal systems to allow it to gather and share custody data with the local authority. The force's oversight of children-related custody issues has begun to improve, and requests for alternative accommodation have increased, although in the cases examined, this was inconsistent. Consequently, the force was still detaining some children unnecessarily, instead of transferring them to local authority accommodation.

Detailed post-inspection review findings

Devon and Cornwall Police has provided updated guidance to custody staff regarding children being held in detention. However, while we saw some signs of improvement there were some cases which did not evidence sufficient consideration of the child's welfare.

Inspectors also found some evidence that Devon and Cornwall Police was considering the provision of alternative accommodation for children detained in custody and escalating concerns. The force completed detention certificates in the cases that required them (although the details recorded demonstrated a lack of understanding of the factors relating to the provision of secure and alternative accommodation). However, inspectors found that in some of the cases examined, the force was still unnecessarily detaining children in police custody without any record of alternative accommodation being sought.

At the time of our review the force was in the process of developing a system for the routine collection of custody data for sharing with the local authority. Although this had not yet been implemented, this may provide the force with an opportunity to monitor and review accommodation issues for young people detained in custody, and to ensure that local authorities comply with statutory responsibilities to provide appropriate alternative accommodation.

Inspectors examined six cases where children aged between 14 and 16 were detained overnight. Three of these cases were assessed as requiring improvement, two were inadequate and one was good. In five of the six cases an appropriate adult was contacted to act as an advocate and support for the child. However, there were long delays in some cases before appropriate adults attended, leaving the child without support. In the remaining case there was no evidence an appropriate adult was ever contacted.

In all of the cases examined by inspectors where a detention certificate should have been presented to court, the force had completed the certificate. However, inspectors were concerned to find that the certificates were often completed poorly, reflecting a lack of understanding of the reasons for detaining a child overnight.

Of the children detained in police custody for all or part of the night, the force sought and provided alternative secure accommodation in the case of a 14-year-old boy, who was transferred to an alternative facility. However, while there was early consideration of the need for accommodation the assessment indicated, incorrectly, that secure accommodation was required, leading to the boy being detained unnecessarily for a further 24 hours. By the time the transfer took place the boy had been in custody for more than 96 hours (albeit a significant portion of that time was spent at hospital). In one case, there was no record of custody staff seeking alternative accommodation, while in four cases, the force had approached the local authority but no place was available. In criminal cases where children are charged

and refused bail by the custody sergeant the local authority is responsible for providing appropriate accommodation if a child is to be detained overnight.² It should only be in exceptional circumstances (such as during extreme weather) that the transfer of the child to alternative accommodation would not be in their best interests. In rare cases – for example, if a child presented a high risk of serious harm to others – secure accommodation might be needed. Inspectors acknowledge that there were ongoing negotiations with local authorities to improve the situation; however, progress has been slow, and children are still being detained unnecessarily.

We consider that the force's arrangements for children in police custody require further improvement.

² Under section 38(6) of the Police and Criminal Evidence Act 1984 a custody officer must secure the move of a child to local authority accommodation unless he certifies it is impracticable to do so or, for those aged 12 or over, no secure accommodation is available and local authority accommodation would not be adequate to protect the public from serious harm from him.