Criminal Allegations Against Police Employees – Investigation Procedure

Policy

Former Officer Misconduct Policy

Procedure

1. Introduction

1.1 Any member of Surrey Police, whether a police officer or not, may receive an allegation that another employee has been guilty of a criminal act. Irrespective of where the act is said to have been committed, the person receiving the allegation will ensure that a person in a supervisory role is informed without delay.
1.2 This differs slightly from when an employee has suspicions about a colleague derived from personal observations. In these circumstances the employee should contact PSD – Anti Corruption Unit (ACU).

2. Statement

"Making reports to Professional Standards"

2.1 The supervisor or manager will undertake such steps as are necessary to secure and preserve evidence relating to the allegation. If an ongoing or recent event is involved, consideration should be given to involving a Duty Inspector to undertake this role. A Duty Officer may be contacted via the FCR.

2.2 Care should be taken to restrict the number of people who are made aware of the allegation widespread knowledge may interfere with any subsequent investigation. In particular, no record should be made on ICAD or Niche at this stage to ensure confidentiality.

2.3 The supervisor or manager will then contact Professional Standards Department or the on-call member of PSD if out-of-hours, via the list maintained in the FCR.

2.4 A similar course of action should be followed when the suspected person is a member of another police force. Contact should be made with the organisation concerned. This will be facilitated by PSD.

2.5 Any notification that a Surrey Police employee has been arrested in another force area will be passed to the on-call PSD member without delay.

3. PSD Actions

3.1 PSD or the on-call member of PSD staff will inform the Superintendent of the area where the offence is alleged to have taken place and the head of the department or Division where the suspected person works. If a senior member of Surrey Police is subject to an allegation of this type, a member of National Police Chiefs' Council (NPCC, formerly ACPO) will be informed as soon as possible.

3.2 Normally, PSD will investigate the matter, if it has occurred whilst on duty, unless specialist skills are required (for example child protection, domestic abuse, VAWG or cases involving Road Traffic legislation) or where an NPCC officer, Gold, or the IOPC directs that a non-PSD officer be appointed to lead the investigation.

3.3 If the allegation relates to DA/VAWG. The matter will also be overseen by an SRO (Senior reviewing officer) and reviewed at the monthly DA/VAWG scrutiny group.

4. Non-PSD Investigating Officers

4.1 In choosing someone to investigate a criminal allegation, the following will be taken into account:

a) The investigators must not be drawn from the same Division or Department as the suspected member of staff.

b) Officers must not investigate or be involved with an investigation into a member of staff with whom there is a professional or personal relationship. Anybody approached to be part of an investigation must declare such a relationship as soon as the nature or subject of the investigation is known.

4.2 As for major enquiries, the Divisional lead for the area where the crime is alleged to have taken place is responsible for negotiating with colleagues to ensure that the Investigating Officer is provided with adequate resources.

4.3 Once appointed, an Investigating Officer will carry out a thorough criminal investigation without undue delay, bearing in mind the need to preserve confidentiality as far as possible. It is strongly recommended that decision logs (policy books) are kept in all cases and that periodic meetings are held to keep the relevant senior members of staff abreast of progress.

4.4 When an Investigating Officer is not from PSD, Professional Standards will appoint an Investigating Officer – a PSD liaison officer, who can provide guidance on the structure of investigative reports and arrange for the confidential processing of statements, tapes, and other documents. This officer can advise on all aspects of the Police (Conduct) Regulations and how to conduct investigations that could end with criminal or disciplinary hearings or both. (There may, for example be a situation where disciplinary matters are "fast tracked" before the criminal matters come to court. These need careful handling so as not to encounter double jeopardy rules and not to undermine the evidence available).

4.5 The decision to inform a suspected member of staff that they are under investigation, and the serving of any official notice to that effect, will be one for the PSD Investigating Officer to make in consultation with the PSD AA.

4.6 Any contact with the Independent Office for Police Conduct (IOPC) or PCC must be routed via the Professional Standards Department.

5. **Child Protection or Child Abuse**

5.1 Although the initial actions described above still are relevant, any investigation into child abuse will be conducted only by those officers who have been specially trained in this field.

6. Welfare issues

6.1 It is the responsibility of the subject's SLT to bear in mind the needs of the members of staff/officers involved. If concerns become apparent, these should be brought to the attention of the head of the respective Department or Division. This person can then decide whether to involve the Occupational Health team or any of the other support functions available via Occupational Health Hub. Consideration should be given to appointing a dedicated Welfare Officer and completing a Duty of Care Risk Assessment (DOCRA) or trigger plan if required.