



The Recording of Investigative Policy Decisions and Maintenance of Investigative Policy Logs (Surrey and Sussex) (1190/2024)

Abstract

This document provides guidance for the recording of investigative policy decision and the maintenance of investigative policy logs within serious and complex crime investigations. It provides the framework for good practice to ensure the integrity and accessibility of policy decisions and policy logs across both Forces.

Policy

1. Introduction

1.1 Supporting Documents / Procedures

- Policy Files or Decisions Logs 2021 College of Policing 2021.
- Authorised Professional Practice (APP) – Investigations – managing investigations.
- Major Crime Investigation Manual (MCIM 2021).
- Major Incident Room Standard Administrative Procedures (MIRSAP) 2021.

1.2 The purpose of this policy is to promote good practice in relation to the recording of policy decisions and maintenance of policy logs, also referred to as policy files.

1.3 A policy file is completed by the Senior Investigating Officer (SIO) to record investigative direction, instruction, parameters, and priorities made during the course of a major crime investigation whilst complying with the requirements of the Criminal Procedure and Investigations Act (CPIA) 1996.

1.4 The policy file should reflect the strategic and tactical decision making of the SIO, providing a transparent, accountable, and auditable record of decisions made during the course of an investigation. It will be relied on by those conducting the investigation to inform the inquiries that are undertaken. It may also be used to provide answers to a victim and/or their family as well as inform external scrutiny of the investigation.

2. Scope

2.1 This policy and the subsequent procedure outline the position of both Surrey Police and Sussex Police in respect of this element of the investigative process. It accounts for the use of computerised systems within the management of all crime investigations.

3. Policy Statement

3.1 Surrey Police and Sussex Police recognise the importance of good practice when it comes to the recording of policy decisions and the maintenance of policy logs. It is vital

that they can withstand scrutiny in relation to their integrity and quality and contain sufficient detail to enable accurate interpretation. Policy decisions should be accessible to police officers and police staff engaged in the investigation and its oversight.

Procedure

1. Investigations that require a Policy File

1.1 A policy file should be commenced in any investigation where the SIO considers it necessary because of the complexities of the investigation or likely scrutiny that will be placed on it and in cases where the following types of crime are being investigated:

- Homicide investigations,
- Investigations into unexpected deaths not being treated as homicide,
- Serious road collisions involving a death or serious injury,
- Attempted Murder,
- Serious sexual offences where the suspect is a stranger to the victim, child (under 18) rape, and/or investigations that are particularly complex or sensitive,
- Serious assaults where the injuries are considered to be life-threatening or life-changing,
- Investigations into serious and organised crime,
- Investigations where there is a significant threat of harm to any person,
- Any investigation likely to require significant resource to complete.

2. Record Keeping Guidance

2.1 The content of the policy file is a matter for the SIO, but the purpose, scope and intended audience of the policy file should be considered. Policy File Template and Policy File Index of Decisions.

2.2 The author should consider use of the National Decision Model (NDM) to provide a framework to aid decision making. The recording of various lines of enquiry pursued or equally, why they were not pursued, are critical.

2.3 The contents of an investigative policy file should be accessible to all members of the investigation team. Where the SIO makes decisions about sensitive matters such as the use of covert policing tactics, these should be recorded in a separate Sensitive Policy File and labelled 'Sensitive Policy File' restricted to those with a need to know the decision.

3. Electronic Recording of Policy Decisions

3.1 Investigators should utilise the policy file that is available within the system being used e.g., Niche, HOLMES, Altia (other than sensitive logs). Use of the electronic recording of policy decisions on these systems is time and date stamped and cannot be

changed once completed. This ensures the integrity of the recording of the policy decision. One of the key purposes of a policy file is the integrity and accountability of decision making by the SIO. As such a policy file should not be maintained in any format that can be edited after a decision has been made.

3.2 Surrey Police only - Divisional and Anti-Corruption Unit covert intelligence packages are currently administrated using package folders and the policy files within are Word documents. By regularly printing, signing, time and dating these policy decisions and uploading these as PDF documents this will protect the integrity of these policy decisions.

3.3 In some circumstances it may be necessary or desirable to use a bound paper policy file (carbonated booklet). However, the electronic system on Niche should be used wherever possible and non-sensitive policy decisions recorded on paper should be transferred onto Niche as soon as practicable, explaining time and date decision made and where originally recorded. The decision to do so should also be recorded.

4. Contents of a Policy File

4.1 Initial Setup.

The following entries should be considered for inclusion in a policy file: (also refer to the Aide Memoire).

- Outline of facts of the case.
- SIO Hypothesis.
- Offences Under Investigation.
- Identification of SIO / D/SIO / Officer in Charge (OIC), deputy and key members of the investigation team.
- Identification of Victim/s.
- Identification of Suspect/s.
- Fast Track Actions.
- Relevant Time.
- Initial identification and nomination of Crime Scenes.

4.2 Main Lines of Enquiry.

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4.3 Investigative Strategies.

These may be recorded on a separate document or within the policy file (redacted text)

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4.4 All policy decisions should comply with the following:

- Justifiable.
- Accountable.
- Proportionate.
- Auditable.

5. Disclosure (reminder)

5.1 The Criminal Procedures and Investigation Act 1996 Codes of Practice states that: All investigators have a responsibility for carrying out duties imposed on them under this code, including in particular recording information and retaining records of information and other materials.

5.2 Policy files must be scheduled on either the MG6C and/or MG6D (Sensitive Policy File).

5.3 Where policies entries are highly sensitive (due to the source or tactics used) the MG6D should be shared directly with the appropriate level prosecutor.

6. Retention and Storage

6.1 Policy files must be retained and be retrievable in an accessible format.

6.2 Policy files should be completed electronically using the available function on Niche, HOLMES or Altia wherever possible.

6.3 In the event that a policy file is completed using a logbook, or completed electronically but not using a police system it must be uploaded to the system in a format that cannot be amended as soon as practicable. Any separate logbooks must be stored with the case papers at the conclusion of the investigation.

Team: Specialist Crime Command