



## The Recording of Investigative Policy Decisions and Maintenance of Investigative Policy Logs (Surrey and Sussex) (1190/2022)

### 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

- Guideline for the use of policy files - College of Policing 2018
- 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 The College of Policing APP states that the primary objective of the policy file or decision log is to record investigative direction, instruction, parameters and priorities for major crime investigations and other complex investigations whilst complying with the requirements of the [Criminal Procedure and Investigations Act \(CPIA\) 1996](#). The CPIA code of practice at paragraph 2 requires Senior Investigating Officers (SIOs) to record and retain records of information and other material in an investigation. The policy file should accurately reflect the strategic and tactical decision making of the SIO.

1.4 The policy file provides a transparent, accountable and auditable record of the decisions made during the course of the investigation and will be relied upon by investigators, and others when providing answers to victims or their families, in judicial proceedings, criminal, civil or disciplinary and internal scrutiny in the form of review or management oversight. This includes Independent Office of Police Conduct (IOPC) investigations.

1.5 The disclosure requirements of the CPIA, in particular the disclosure of relevant material to the defence, has led to the decisions of SIOs and disclosure officers to come under significant scrutiny – In particular what amounts to a ‘reasonable line of enquiry’

The SIO is accountable for the decisions and actions they take and will be expected to provide a clear auditable rationale for the management of the investigation. It is recognised however, that operational decision making may, on occasion, be based on incomplete or imprecise information, balancing competing objectives and limited resources while seeking to act reasonably and proportionately in the circumstances.

## **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 all relevant police officers and police staff.

# **Procedure**

## **1. Investigations that require a Policy File**

1.1 When the following investigations are commenced, consideration should be given at the outset to implementing an investigative command structure with the SIO, Deputy SIO (D/SIO) and case officer (OIC) being appointed.

1.2 Consideration should be given as to whether the identified individuals can provide continuity of involvement in the investigation in the long term.

1.3 Consideration should be given as to which recording system is the most appropriate for your investigation (Home Office Large Major Enquiry System (HOLMES), Altia or Niche). A carbonated book is available in Sussex if required by the SIO, however use of the available electronic system is encouraged as this information is then accessible to others involved in the enquiry.

1.4 A policy file should be completed by investigators when dealing with the following:

- Murder / Attempted Murder and Manslaughter
- Offences of Stranger Rape (or any other complex / sensitive rape investigation)
- Section 18 Grievous Bodily Harm - Life threatening / life changing injuries (the need for a policy book should be considered on an individual case basis)
- Robbery involving a firearm
- Investigations in relation to unexplained / suspicious deaths

- Complex investigations that have multiple offenders and / or multiple victims
- All road death investigations (or equivalent documentation if retained by the Collision Investigations Unit)
- An investigation where the SIO considers the Victim / Offender is deemed vulnerable and a policy file will assist in recording rationale for decisions made
- Any other investigation where there is significant threat, harm and risk to manage or at the discretion of the SIO / OIC.

## **2. Record Keeping Guidance**

2.1 The content of the policy is a matter for investigators and it is of vital importance that they record all relevant policy decisions.

2.2 The recording of various lines of enquiry pursued or equally, why they were not pursued, are critical.

2.3 In addition the detailed recording of the information available at the time, decision made and the clear rationale for making them is vital. Policy Log entries should also include details of legislative considerations, contingencies and be sequentially numbered. The [National Decision Model \(NDM\)](#) should be referred to when recording decisions.

2.4 As a general rule the contents of an investigative policy file should be accessible to all members of the investigation team. There may be occasions where investigators will wish to make policy decisions regarding sensitive issues. In this case the sensitive carbonated bound policy file will be used to create a separate sensitive record of decisions made e.g. use of Covert Human Intelligence Source (CHIS), covert tactics, witness protection and Public Interest Immunity (PII Legal issues). Those requiring knowledge of these decisions are to be briefed as appropriate.

2.5 The construction of a good policy file is a skill which investigators are expected to acquire.

## **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). This electronic recording of policy decisions is time and date stamped and cannot be changed once completed. This ensures the integrity of the recording of the policy decision. For these reasons a policy file should not be maintained on a 'Word' document or other editable format.

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. This allows access to others involved in or reviewing the investigation and helps facilitate the handover of the policy record from one person to another.

#### **4. Contents of a Policy File**

##### 4.1 Initial Setup

The following entries should be considered for inclusion in a policy file:

- Outline of facts of the case
- SIO Hypothesis
- Identification of SIO / D/SIO /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

- Victim
- Offender / Suspect
- Witnesses
- Scenes
- Intelligence Requirements
- Other Actions (may include Close Circuit Television (CCTV) / Telecom / Financial etc.)

##### 4.3 Investigative Strategies

These may be recorded on a separate document or within the policy file and may include the following:

- House to House (local enquiries)
- CCTV

- Computer / Digital Media
- Telecom
- Forensic
- Search
- Arrest
- Interview - Witness and Suspect
- Identification
- Victim / Family Liaison
- Community Impact / Tension Assessment
- Communication – Internal Briefings / External Media / Press
- Financial
- Policy Justification

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 and the contents made available to the disclosure officer.

5.3 Contents of the highly sensitive policy files may be shared directly with the prosecutor by the investigator.

**Team:** Specialist Crime Command (Investigations)