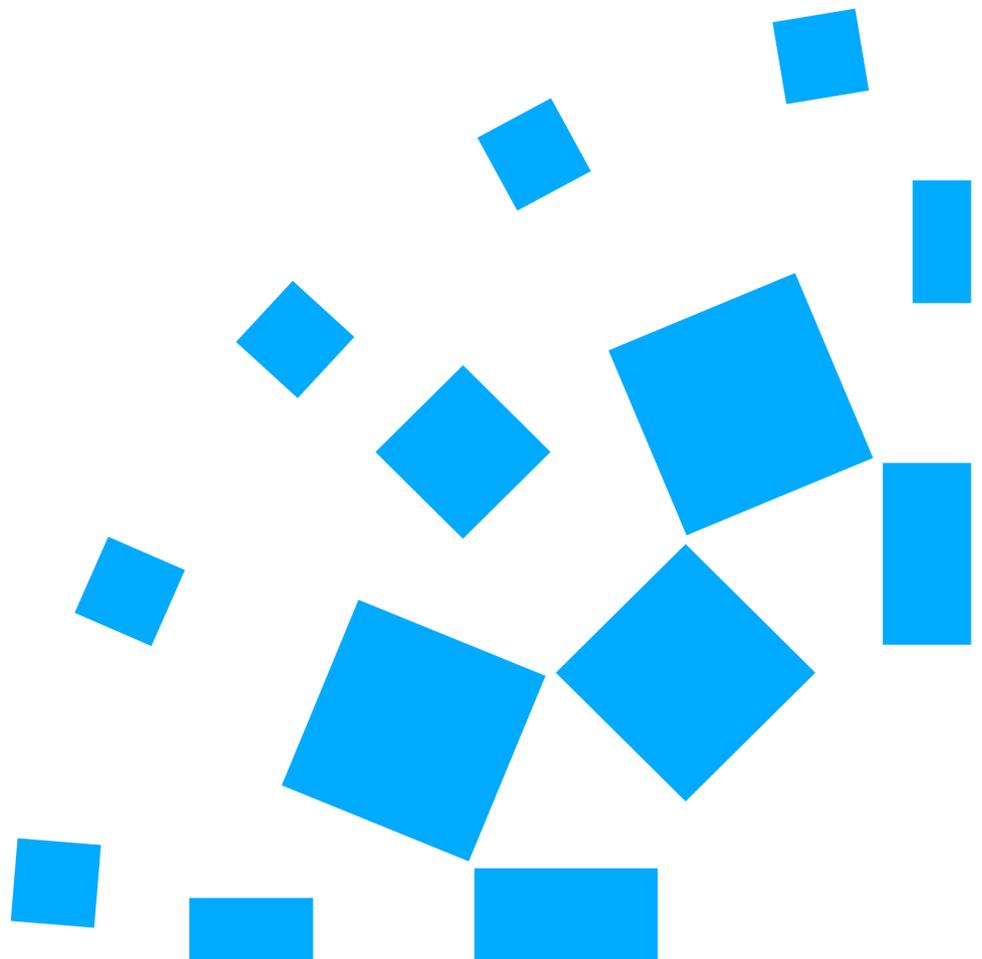


Investigation process

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Investigation process

Please note that this APP will be revisited in line with the impact of the Police, Crime, Sentencing and Courts Bill. See also: [Pre-charge bail: Police, Crime, Sentencing and Courts Act 2022 factsheet – GOV.UK](#).

The primary purpose of a criminal investigation is to identify the suspect and bring offenders to justice.

The [Code of Practice to the Criminal Procedure and Investigations Act 1996](#) (CPIA) defines a criminal investigation as:

‘An investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it.’

The police attend and investigate a wide variety of incidents, including where an offence has – or is suspected to have – been committed, as well as incidents such as missing persons, anti-social behaviour and road traffic collisions.

The investigative process set out in this APP can be used for any investigation.

Crime recording is an intrinsic part of the initial response to a report of a crime. A crime should be recorded in accordance with the [Home Office Counting Rules for Recorded Crime](#). Effective crime recording will promote accurate and consistent crime data. It is also designed to ensure that victim allegations are taken seriously, and that any investigation that follows is taken forward with consideration to the [Code of Practice for Victims of Crime](#).

The purpose of this module of APP is to set out a systematic approach to investigating incidents for officers and staff, within the ethical and legal framework provided by CPIA. This process is designed to provide a continuum so that an investigation can be scaled up accordingly for serious and complex crime.

Key messages

- All officers are investigators, as are many members of police staff, such as call handlers. There are distinct roles:

- responding to a report of an incident or allegation of crime
- providing the initial response for later handover to another investigator
- conducting an investigation to its conclusion
- Every investigation is a unique opportunity to recognise the impact that crime and criminality has on victims, witnesses and the community, and to build confidence in the criminal justice process.
- An investigator must be professionally curious and must conduct a thorough and effective investigation to secure the right outcome:
 - reduce crime
 - prevent harm, including safeguarding victims, witnesses and suspects
 - bring offenders to justice
- The Human Rights Act 1998 imposes a general duty to investigate ill treatment amounting to a violation of Article 3 (**freedom from torture and inhumane or degrading treatment**). Article 2 (**right to life**) places a duty on the state to investigate suspicious deaths and deaths in custody. The Supreme Court judgment in *Commissioner of Police of the Metropolis v DSD and another* [2018] UKSC 11 makes it clear that under Article 3 of the European Convention on Human Rights, the police have a positive duty to investigate serious offences committed by an individual perpetrator (see **Worboys case**). Forces must consider this general duty when setting local force policies for the allocation and investigation of crime. Failure to do so may result in the force being held to account.

1. Introduction

Actions taken during an investigation must be proportionate to the crime or incident. An investigation relies on the support and cooperation of victims, witnesses and the community. Investigators must be impartial but must remain empathetic to the concerns and needs of all parties involved.

Every incident is unique. The following diagram sets out a consistent process to help investigators plan and conduct a robust and auditable investigation.

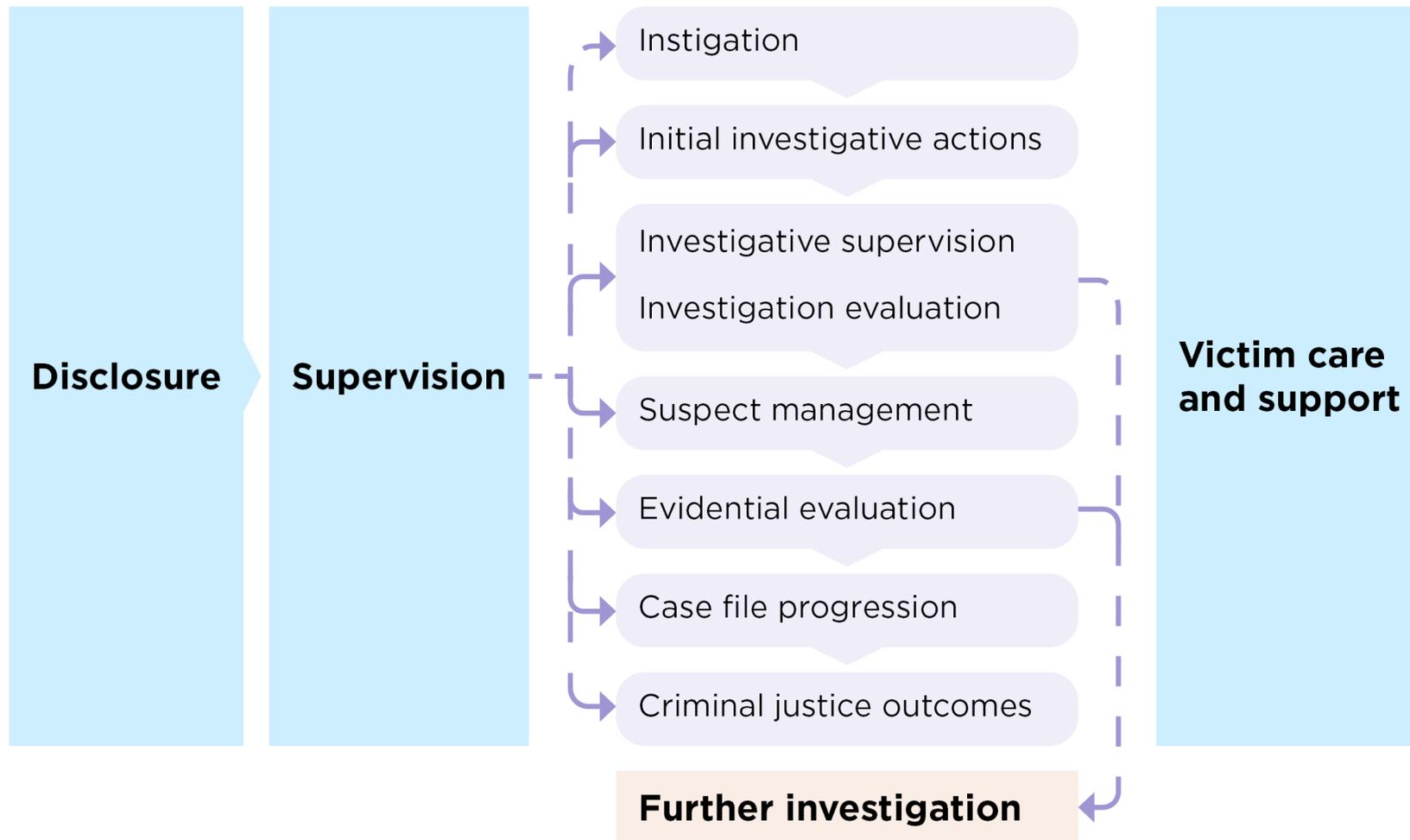
This process applies to all investigators and investigations. Where specific actions are associated with a particular role, these will be highlighted.

1.1. Purpose of investigation

When a crime or incident is reported to police, an investigation will:

- establish what happened
- secure and preserve evidence
- ensure that risks of harm are identified and managed
- obtain support for those involved who need it
- deliver criminal justice outcomes
- identify opportunities to disrupt or prevent future criminal activity

The diagram below summarises the phases of an investigation.



2. Instigation

2.1. Role of the person receiving a report

A member of the public may report a crime or incident to a call handler, a police staff receptionist, an officer or a police community support officer (PCSO) on patrol. The person who receives the report must:

- ensure that first aid and/or immediate safeguarding is instigated if required
- identify witnesses and provide advice to secure any immediate evidence that might otherwise be lost
- undertake an initial assessment of risk or harm (for example, THRIVE – threat, harm, risk, investigation, vulnerability and engagement) and implement any further safeguarding
- establish the identity and location of any suspect if known
- ensure that the report is properly recorded
- notify a supervisor and/or take advice if required
- consider proportionate next steps, for example:
 - deploying a resource
 - referring for investigation
 - referring to intelligence systems or partner agency
 - no further action (NFA) required

In referring the crime or incident for investigation, the person taking the report must:

- gather as much information as possible, for example:
 - who is involved (victims, witnesses and suspects), including accurate descriptions
 - what has happened
 - where it has happened
 - when it happened and whether the suspect is still at the scene
- make a risk-based assessment to determine the initial response (see also: the [Initial engagement](#) section)

2.2. First investigative steps

If an investigation is instigated, or may be instigated, the investigator should take the following actions:

- secure or preserve evidence, or provide advice to the caller for them to do so
- undertake intelligence checks to ensure that those responding and/or investigating have all available information to hand
- deploy resources or call for additional resources to undertake or support the initial response
- if the suspect is still at the scene or is easily locatable, consider arrest if it is proportionate and necessary

Some investigations may be suitable for a desk-based investigation and may not require attendance by a police officer or by police staff. In other cases, the first attending officer may be the only resource needed and they will be the lead investigator throughout the enquiry. In some cases, however, an incident may escalate to a major incident, or be part of a wider situation requiring additional police resources. See the 'Resources' section of the 'Managing effective investigations consultation' PDF for more information.

See also:

- [Dealing with sudden unexpected death](#)
- The [Record keeping](#) and [Disclosure](#) sections of this APP

2.3. Crime and incident recording

All crimes and incidents reported to the police must be recorded in an auditable manner. Information gathered will be retained and managed on police recording systems as [police information](#).

See also:

- [Home Office Counting Rules for Recorded Crime](#)
- [National Standard for Incident Recording](#)
- [APP on Information management](#)

2.4. Initial engagement

The police response to an incident should be proportionate and appropriate, and may not always require attendance at the scene.

All staff who engage with victims and witnesses have an investigative responsibility to gather material, and to secure and preserve evidence.

The first attending officer should:

- obtain an **initial account** where possible
- provide reassurance and advice to those involved, including managing risk and instigating safeguarding procedures where necessary and appropriate

First attending officers must also take effective steps, where appropriate, to:

- preserve life
- **preserve scenes**
- secure material
- identify **victims and witnesses**
- identify **suspects**

Deployment to a live incident

Officers deployed to a live incident are likely to have a number of additional demands placed on them when they arrive at a scene, which may include:

- dealing with situations involving threat, risk or harm (for example, violence)
- providing first aid and calling for medical assistance
- reassuring victims and witnesses
- preventing public disorder
- keeping supervisors and control room informed
- coordinating activities of colleagues

2.5. Safeguarding

Safeguarding must be a primary concern when an incident or crime is reported. It should be reviewed regularly throughout any subsequent investigation.

An effective investigation is fundamental to safeguarding. Similarly, safeguarding is central to an effective investigation.

Effective safeguarding must consider the opinion of the victim. This is more than just seeking their views. It is listening and, where appropriate, responding to what they want and need, involving them in what happens and explaining the decisions made, understanding their motivations and showing empathy.

The risk of harm can come from unexpected places, depending on the type of offending, or on other factors – for example, other family members.

Police officers and staff should be familiar with:

- local information-sharing protocols
- referral pathways
- risk assessment and management processes for safeguarding adults and children

For further information, see:

- [Vulnerability-related risk guidelines](#)
- [APP on Adults at risk](#)
- [APP on Child abuse \('Police response to concern for a child' section\)](#)
- [General advice on safeguarding](#)

3. Initial investigative actions

Investigations should be conducted using the investigative mind-set and professional curiosity. Investigators should retain an open mind.

Those responding to crimes or incidents must:

- take responsibility for the initial investigation (see also [Jurisdiction and ownership](#))
- ensure that all initial investigative actions are started, progressed and recorded
- provide a comprehensive handover to an investigator or specialist unit to progress, where appropriate

The CPIA Code of Practice states:

‘Material may be relevant to an investigation if it appears to an investigator [...] that it has some bearing on any offence under investigation or any person being investigated, or on the surrounding circumstances of the case, unless it is incapable of having an impact on the case.’

The amount of material that will be available during an investigation will depend on, for example:

- whether the incident or crime is intended or opportunistic
- the seriousness of the offence(s) and the overall scope and scale of the criminality involved
- the number of people who may be directly or indirectly associated with the victim or offender

Investigators should gather all available material where possible, gathering in a way that maximises its evidential value and admissibility. Investigators should speak to a supervisor or crime scene investigator if they are unsure how best to do this.

The investigator must follow all **reasonable and relevant lines of enquiry** and take positive action, supported by the **National Decision Model**, to gather as much material as possible. The application of the investigative mind-set will help the investigator to:

- plan the investigation
- examine the material
- record and collate the material
- evaluate the progress of the investigation, including proving or disproving **hypotheses** and identifying additional reasonable and relevant **lines of enquiry**

Investigators should use the investigative mind-set to constantly evaluate and re-evaluate the material they gather, whether that points toward or away from a suspect. Investigators should apply professional curiosity in all cases.

3.1. Jurisdiction and ownership

It is important that forces and investigators know who is responsible for investigating a crime, particularly where jurisdiction and/or ownership may be unclear.

Section G of the [Home Office Counting Rules for Recorded Crime](#) states that when a crime is reported, the crime recording location will be determined by the location of the suspect at the time they committed the offence. This will also usually determine which police force will be responsible for conducting the investigation.

There are exceptions to this rule. See section G of the [Home Office Counting Rules for Recorded Crime](#) for further information.

In some cases, it may not be clear which force should investigate a crime, or further crimes or allegations – for example, a breach of bail conditions. This may be because, for example, the victim:

- lives outside the force area where the offence was committed
- may have moved to a place of safety in another force area

If a call taker or investigator believes that a crime should be recorded and/or investigated by another force area, they must contact that force, on behalf of the reporting person, to ensure that recording and ownership of any subsequent investigation is agreed.

Acceptance of ownership must be confirmed in writing by the receiving force before the case is transferred to them.

The person reporting and/or victim should be updated about which force will be responsible for the investigation and for any further action.

3.2. Golden hour

The golden hour is the period immediately following the report of an offence or incident, where positive action should be taken. This may include protecting, preserving or gathering material that may otherwise have been concealed, lost, damaged, altered or destroyed.

Each officer or member of police staff responding to a crime or incident must help to:

- preserve life and secure material
- minimise the amount of material that could be lost to the investigation
- maximise the chance of securing material that will be [admissible in court](#)

Every member of police personnel – for example, first responding officer, lead investigator or crime scene investigator – will have their own golden hour opportunities specific to their role. The golden hour principle will also apply to the discovery of any new scene, arrest of suspect or other key activity that has a time-critical implication – for example, CCTV opportunities.

Golden hour considerations

Area	Considerations
Victims, witnesses and suspects	<ul style="list-style-type: none"> ▪ Identification. ▪ Risk assessment. ▪ Safeguarding. ▪ Support, such as a family liaison officer or sexual offences liaison officer. ▪ Sensitively preserve and gather initial account and material (for example, clothing, forensic samples, and digital opportunities) as appropriate. ▪ Consider language and communication enablers, such as interpreters and intermediaries. ▪ Consider victims' rights under the Code of Practice for Victims of Crime ▪ Consider community impact and reassurance. ▪ Remember that victims, witnesses and suspects are also scenes. Take steps to avoid contamination – for example, take victims and suspects to different police buildings and keep contact officers with each group separate. ▪ Consider and record contextual background to situation, such as the demeanour of parties involved and the circumstance of the victim, suspect and any dependents (consider body-worn video, BWV). This may include the condition of their home

	<p>environment, the overall welfare of the parties involved, previous calls for service, previous offending history and/or intelligence.</p> <ul style="list-style-type: none"> ▪ Where the suspect is not already known, take steps to identify, trace, investigate and evaluate persons of interest. ▪ See APP on working with suspects.
Scenes	<ul style="list-style-type: none"> ▪ Identify, preserve (prevent contamination) and gather (where appropriate) material. Where material is exposed to the elements – such as footmarks in mud, or blood stains – take steps to preserve or protect pending recovery. ▪ Assess and commence crime scene log. ▪ Consider: <ul style="list-style-type: none"> ○ entry and exit routes ○ escape routes ○ cordons ○ forensics (including digital forensics) ○ exhibits
Records	<ul style="list-style-type: none"> ▪ Record decisions with rationale, circumstances (using professional curiosity to provide background detail, see family community) and what is known (including 999 recordings and call taker notes) ▪ Witness first account given, description of suspects. ▪ Identify risks or threats. ▪ Consider use of incident management log, decision log, scene log, exhibits log and passive data, such as digital images and BWV.

Physical evidence	<ul style="list-style-type: none"> ▪ Identify, preserve and gather physical evidence – including use of crime scene investigators, forensic evidence, use of early evidence kits, digital and passive data, and documentary evidence. ▪ Consider proportionality and relevant powers.
Intelligence	<ul style="list-style-type: none"> ▪ Identify and use police, community and open-source intelligence to inform risk and threat assessment, decision making and investigative lines of enquiry.
Lines of responsibility	<ul style="list-style-type: none"> ▪ Identify, inform, brief and coordinate, as appropriate. ▪ Consider escalation to the appropriate line management or team. ▪ Consider relevant authorities for powers – for example, search and/or seizure, and use of the Police and Criminal Evidence Act 1984 (PACE) powers, and identify authorising officers as appropriate.
Family and community	<ul style="list-style-type: none"> ▪ Consider cultural and community factors, including: <ul style="list-style-type: none"> ○ the protected characteristics of involved parties ○ language and communication ○ neurodiversity ▪ Consider the safety of those at the scene (for example, cordons and safeguarding actions). ▪ Identify a critical incident and escalate, if appropriate. ▪ Consider engagement with force media department.

3.3. Fast-track actions

These are actions that, if pursued immediately, may help to establish important facts, preserve evidence or lead to the early resolution of the investigation.

Fast-track actions may require additional or specialist resources to be completed within the golden hour period (or as soon as possible thereafter).

Investigators should consider the following fast-track actions.

Victim and witnesses

- Identify **victims and witnesses**.
- Identify status – for example, significant, vulnerable, intimidated.
- Consider victim and witness threat assessment and safeguarding.
- Start development of a **victimology**, if appropriate.

Location

- Identify crime scenes (consider protection and recovery).
- Conduct initial searches, if appropriate (consider access and exit routes, places where offender may have been).
- Crime scene assessment and forensic examination.
- Identify CCTV and passive data opportunities.
- Exploit golden hour considerations, including digital opportunities.

Suspect

- Identify suspects.
- Identify intelligence opportunities.
- Identify digital opportunities.
- Establish possible motives.

See also:

- **Investigative strategies**

The above is not an exhaustive list. Additional actions, including media appeals and community impact considerations, should also be considered.

3.4. Reasonable and relevant lines of enquiry

The investigator should pursue all reasonable and relevant lines of enquiry, whether these point towards or away from the suspect (**Code of Practice for CPIA**).

What is reasonable in each case depends on the circumstances. For example, the investigator must decide whether it is reasonable and proportionate to enquire into material held on a digital device, and in what manner. See [Attorney General's Guidelines on Disclosure – GOV.UK](#) and [Extraction of material from digital devices](#).

If there is dispute over what is believed to have taken place, it may be a reasonable and relevant to look for additional witnesses and/or other material.

The investigator must record their decision-making and supporting rationale to support effective disclosure and case management.

Example

If four out of five witnesses report that the suspect was in a red car and the remaining witness contradicts this, the investigator should not assume that the majority are right and one is wrong. The inconsistency must be investigated, and the exact colour of the suspect's car confirmed.

Remember:

- review – consider reasonable and relevant lines of enquiry
- record – decision making, material recovered and enquiries made
- retain – material in a durable format and/or copy
- reveal – schedules of used and unused material to the prosecutor

Early investigative advice

Investigators should initially seek investigative advice from supervisors.

Early consultation with the Crown Prosecution Service (CPS) is advised in more complex cases following a supervisory review, to consider whether:

- the advice is necessary
- the timing is appropriate
- the relevant supporting material is available
- there is potential for the Full Code Test to be met, based on the evidence available

This process and the advice may help to identify points to prove, new lines of enquiry and specific areas where additional material may be needed to support a realistic prospect of conviction. Specific advice is also available from specialist prosecution units (for example, rape and serious sexual offences).

See also:

- DPP's guidance on charging decisions, section 7.5
- [APP on national decision model](#)
- [Investigative evaluation](#)
- [Evidential evaluation](#)

3.5. Record keeping

Effective record keeping provides a transparent, accountable and auditable record of all actions and decisions made during the course of an investigation. This record should be comprehensive and unambiguous.

It will:

- inform further investigative decision making and [investigative evaluation](#)
- underpin information given to victims and/or their families
- underpin [disclosure](#)
- enable supervisors to effectively assess the quality of the investigation
- identify meaningful information that can be developed to intelligence
- facilitate the handover of the investigation
- record the rationale for key decisions, such as the decision to take NFA
- be subject of scrutiny during any subsequent criminal case, inquest or review

See also:

- 'Managing effective investigations consultation' PDF

3.6. Disclosure

Investigators must comply with the [Criminal Procedure and Investigations Act 1996](#) and associated [Code of Practice for CPIA](#).

The process of disclosure is an ongoing obligation that starts when the investigation begins and continues throughout.

Investigators must:

- pursue all reasonable and relevant lines of enquiry, whether these point towards or away from the suspect
- identify all **relevant material** (whether or not it is in the investigator's possession)
- record, retain, review and reveal the material to the defence via the CPS prosecutor

Relevant material also includes any **unused material** generated during the investigation – for example, pocket book entries, call taker or interpreter notes – or any other material that does not form part of the prosecution case.

See also:

- **APP on Prosecution and case management**
- **Attorney General's Guidelines on Disclosure – GOV.UK**
- **Director of Public Prosecution Guidance on Charging**
- **Extraction of material from digital devices**

4. Investigative supervision

Investigators and investigations should be subject to effective and proactive supervision at regular intervals throughout the investigation and at key milestones, such as suspect identification, bail, those released under investigation (RUI), case management, pre-charge advice, charging decision, use of other **criminal justice outcomes** or the decision to take NFA.

As a minimum, reviews should be undertaken in line with the timescales prescribed for victim updates (see the **Code of Practice for Victims of Crime**), and local force policy for updating suspects on case progression (for example, bail or RUI).

The priority review actions may change depending on the progress of the investigation.

During the initial stages of an investigation, the supervisor should do the following as a minimum.

- Review the investigator's caseload.
- Support the investigator to identify and plan their investigation, including resources, priorities and proportionality.
- Consider material gathered to date, evaluating proposed lines of enquiry.
- Where the incident involves unexpected death:
 - identify whether the cause of death been established
 - confirm that the case has been allocated appropriately
 - consider advice from the on-call senior investigating officer and crime scene coordinator
 - consider relevant lines of inquiry
- Identify and test, where appropriate, relevant hypotheses.
- Review action taken to assess and manage risk, including safeguarding of victims and witnesses.
- Review victim and witness strategies, considering additional support for vulnerable, intimidated or significant witnesses. Ensure appropriate support has been put in place, and compliance with the [Code of Practice for Victims of Crime](#).
- Consider suspect status, bail or RUI, risk assessment (including risks posed by and to the suspect) and relevant support.
- Assess and direct disclosure compliance.

In addition, supervisors should also consider reviewing the following, as appropriate, and at key milestones:

- the investigative plan, in light of developments and new information
- the maintenance and updating of records
- the identification of further lines of enquiries and investigative strategies
- investigative and evidential evaluations
- compliance with local and national policies and guidance
- effective and proportionate use of resources
- critical incident management and escalation, where necessary

See also:

- [Effective supervision guidelines](#).

5. Investigative evaluation

Investigative evaluation involves assessing the relevance and reliability of material gathered in an investigation. What does it tell the investigator? What does the investigator know and what does the investigator still need to know? Such evaluation enables review of the lines of enquiry and should be conducted throughout the investigation. The evaluation process set out below provides a standard model that will help the investigator to evaluate material in a consistent, structured and auditable format.

The process will review previous actions and enquiries, will help to identify new lines of enquiry and will highlight any missed or outstanding actions. An analyst can help this process in complex investigations.

The evaluation process may need to be repeated several times throughout an investigation.

5.1. Evaluation process

The investigator should:

- set objectives for the evaluation
- filter the material, considering:
 - relevance
 - reliability
 - admissibility
- organise the knowledge:
 - using the 5WH model (who, what, when, where, why and how)
 - against what is known, what is not known, consistencies and conflicts
- build hypotheses

5.2. Methodology

Set objectives

What is the objective for the evaluation?

During the initial stages of investigation, these are likely to be broad to establish the following questions.

- Has a crime has been committed?
- Who is the victim?
- Are there any witnesses?
- Where or what is the scene?
- Can a suspect be identified?
- What material can be gathered?

As the investigation progresses, these objectives will narrow and focus on key questions potentially about specific people of interest, such as the following.

- Description – does the individual fall within the suspect parameters?
- Availability – was the individual available to commit the offence within the time parameters?
- Physical links – can the individual be linked to the crime through articles removed from or left at the scene?
- Forensic links – can the individual be linked to the crime through forensic science techniques?
- Passive data links – can the suspect(s) be linked to the crime through CCTV, financial information, computer-based electronic evidence and customer information?
- Identification links – can the individual be linked to the crime through victim or witness identification?
- Intelligence links – is there intelligence linking the individual to the crime?
- Behavioural links – is there anything about the individual's previous behaviour that may link them to the crime?

See the gap analysis matrix below.

	What is known	What is not known	Conflicts	Consistencies
Who				
What				
When				
Where				
Why				
How				

Relevant material

Material will come from a number of sources, including victim and witness statements, exhibits and images, intelligence reports, lists of active offenders in the area and forensic science reports.

A wide view should be taken of relevance. Material should only be excluded as irrelevant (or unused) after careful consideration and/or consultation with a supervisor, disclosure officer or a crown prosecutor.

If in doubt, investigators should always include the material, as a decision to exclude as irrelevant may later be called into question in any subsequent proceedings.

Officers should not confuse relevance with the test for **disclosure**. The disclosure test requires material to be disclosed to the defence if it might reasonably be considered capable of undermining the case for the prosecution or assisting the case for the defence. Disclosure is a key consideration throughout the investigation and should be regularly reviewed.

For further information, see **Part I of the CPIA** and the **Joint Operational Instructions for the Disclosure of Unused Material**.

See also:

- **Extraction of material from digital devices**

- [College Learn disclosure package](#)

Reliability

Investigators must avoid making judgements about the reliability of the material based on victim or suspect factors, such as lifestyle, previous offending history or associates.

The best evidence is primary or first-hand evidence, such as an eye-witness account. Investigators should always look for independent corroboration of an account or material to increase its reliability.

The following may help investigators to determine the reliability that can be given.

- If it can be corroborated by an independent source, it may be more reliable
- If it can only be corroborated by, for example, a partner, spouse, relative or close associate, it may be less reliable.
- If it cannot be corroborated and conflicts with other material, it may also be less reliable.

Where the source is a suspect, investigators should keep in mind the rules on [bad character](#). In certain circumstances, previous offending behaviour may be relevant to the current investigation.

Investigators should not rely solely on a single account and should look for alternative material to support or corroborate the account or the reliability of the source. This may include material from an independent source, evidence of good character, or evidence that the source has been consistent in their account over time.

See also:

- [Bad character evidence](#)
- [Evidence-led prosecutions](#)

Admissibility

Not all material gathered during an investigation will be admissible as evidence.

Investigators must know what makes evidence admissible and circumstances where evidence may be inadmissible. See [Admissibility](#) for further information.

Investigators must gather as much material as possible in an admissible format. Where the investigator is not sure how to do this, they should ask a supervisor or a crown prosecutor for advice.

Understanding the source of the material and planning how that material should be gathered will maximise the amount of material that will be admissible as evidence.

Organise the material

By using the 5WH formula (who, what, when, where, why and how) and the filters described above, investigators can identify whether there are any gaps in the material and/or what action is needed next – for example, additional lines of enquiry to corroborate existing information or identify new material, pre-charge advice or a decision to charge. For example:

- What has happened?
- Where did the offence take place?
- Who are the victim(s) and witnesses?
- When did the offence take place?
- Are there any incidents that may be relevant based on location, offence or time?
- How was the offence committed? Consider skills or knowledge used by the offender – for example, cyber skills and software required to commit offences online, specialist tools or detailed knowledge of a location (points of entry and exit).
- Who is the suspect, or is there a description or other material, which may help to identify the suspect?
- Are there any characteristics about the victim that may suggest why they were selected or other motivation – for example, hostility, vulnerability or gender?
- Has there been previous offending that matches the victim, location or motivation profile?
- Is there evidence of planning or does the location and/or the victim appear to be random?
- Are there characteristics about the location that may be significant – for example, crime hot spot, business premises, lack of security?

This list is not exhaustive but illustrates the way in which the material can be organised.

5.3. Hypothesis building

A hypothesis is a supposition or proposed explanation based on limited evidence as a starting point for further investigation.

Another way of describing it is building a scenario that best explains the available material.

Initially, several hypotheses may fit the available material and known facts.

Before deciding to use hypotheses, the investigator must consider the following questions.

- Has sufficient material been gathered?
- Do I understand the material?
- Are there lines of enquiry that have not yet been pursued and that could generate additional material?

Developing alternative hypotheses from the same material may:

- identify further lines of enquiry
- test alternative interpretations of material gathered

This process is useful because it will help to guide the investigator's decision-making. It is also a useful way of anticipating the interpretation that may be put on material in court.

5.4. Testing hypotheses

As material is gathered, this may demonstrate that some hypotheses are wrong and that a particular hypothesis is correct.

Example

Jewellery is stolen during a burglary and the suspect is arrested because of fingerprint evidence. However, the jewellery is not recovered following a search of the suspect's home.

The investigator developed a number of alternative hypotheses to determine what has happened to the jewellery:

- sold to a third party
- hid it in an undisclosed place
- disposed of it (for example, threw it away or broke it down to make different items)
- it is being held by an accomplice
- the victim is exaggerating their loss
- the suspect is not responsible and the fingerprint results from legitimate access

The investigator generates lines of enquiry, which will help to prove or disprove the hypotheses – for example, visits to second-hand jewellery dealers, appeal via social media, enquiries with relatives or associates, interrogating intelligence systems.

The material gathered through these additional lines of enquiry confirms that the jewellery was sold at a car boot sale. This will discount all other hypotheses.

Decision support

Support is available to the investigator to test their interpretation of the material or the potential hypotheses, including the following.

- Self-review – investigators should thoroughly check their work and review any assumptions they have made during the evaluation process.
- Peer review – checks by supervisors or colleagues provide a second opinion on the interpretation of material or hypotheses.

- Expert review – where investigators use material produced by experts, such as forensic scientists, they should consult the expert to ensure that the outcome of the evaluation is consistent.
- Formal review – in complex cases, a suitably qualified officer can carry out a formal review of the investigation.

6. Further investigation

The investigator should develop and/or review their investigative plan, based on an evaluation of the material gathered to date. It should include the following.

- Specific objectives for the investigation – these will depend on the unique circumstances of the offence or incident and the material that has been gathered.
- **Investigative strategies**, lines of enquiries and specific actions that will be used to achieve those objectives, including **victim, witness** and **suspect management**, and **disclosure of material**.
- Consideration of resource requirements for the investigation. It is the investigator's responsibility to ask for the resources they need (allocation of resources will be assessed against the expected benefits and proportionality).
- Consideration of how the investigation will be brought to a successful conclusion – for example, a charging decision or other criminal justice outcome.

6.1. Evidence-led prosecution

Victims may be reluctant to attend an **interview, provide a statement** or **support an investigation** for a number of reasons. This may include intimidation and fear, shame, coercion or the impact of trauma. In some cases, they may not recognise or acknowledge that they have been the victim of abuse or that a crime has taken place. In these cases, an evidence-based (victimless) prosecution should be considered.

The reasons why a victim may choose not to support an investigation should always be recorded. Consideration should be given to how the victim or witness can be supported to provide evidence.

Victims must be treated sensitively and clearly signposted to sources of support. Their confidence may be improved if the process of the investigation is explained, if it is unlikely the case will rely on their account alone, and if other sources of material (lines of enquiry) will be pursued.

Victims should be kept up to date with the progress of the investigation, as required by the [Code of Practice for Victims of Crime](#), and should be given the opportunity to change their mind to support the investigation at any time during the investigation.

See also:

- [Working with victims and witnesses](#)
- [Victim care and support](#)

When planning an evidence-led prosecution, the investigator should look for sources to progress the investigation. This may include:

- witness accounts
- social media posts from friends, family and associates
- suspect enquiries
- forensic opportunities
- digital device examination
- third-party material – for example, the victim may have confided in a doctor, social worker, school, work colleagues or therapist
- evidence and intelligence obtained via lawfully authorised covert tactics (advice should be sought from the Force Covert Authorities Bureau)

It is important that allegations of criminal activity are investigated effectively, irrespective of whether the victim supports the prosecution or not. This will help prevent re-offending and bring offenders to justice.

7. Victim care and support

Investigators must recognise that people deal with violence and other troubling events in different ways, and that every victim of a crime or incident should be treated as an individual and with sensitivity. They should be reassured that their

allegation will be taken seriously and that they will be supported throughout any subsequent investigation.

The behaviour of the victim should not undermine their credibility or the seriousness of the allegation.

A **victim needs assessment** identifying any vulnerabilities should be undertaken. This will inform detailed interview planning and the provision of additional support and special measures, which will help officers to support the victim and allow them to give their best evidence.

Victims must be supported during the investigation. Any relevant risks must be managed and a safeguarding strategy must be implemented.

Identify and address any ongoing risks to victims or other potential victims.

Develop a support plan to **retain victim engagement** in the investigation.

7.1. Code of Practice for Victims of Crime

Investigators should be familiar with rights provided to victims under the **Code of Practice for Victims of Crime**. Victims have the right to:

- be able to understand and to be understood
- have the details of the crime recorded without unjustified delay
- be provided with information when reporting the crime
- be referred to services that support victims and have services and support tailored to their needs
- be provided with information about compensation
- be provided with information about the investigation and prosecution
- make a victim personal statement
- be given information about the trial, trial process and the victim's role as a witness
- be given information about the outcome of the case and any appeals
- be paid expenses and have property returned
- be given information about the offender following a conviction

- make a complaint about rights not being met

See also

- [Initial accounts guidelines](#)
- [Working with victims and witnesses](#)
- [Victim and witness care](#)
- [Achieving Best Evidence – trauma section](#)

8. Suspect management

8.1. Identification, arrest and searches

Investigators must pursue all reasonable and relevant lines of enquiry, whether they point towards or away from a suspect.

See also:

- [Suspect identification](#)

Suspect management must also consider the vulnerability of the suspect, the risk to the suspect from others and the impact on the suspect's family. This may require the investigator to develop and implement a specific risk management and safeguarding plan for the suspect and their family.

See:

- [Children and young persons](#)
- [Suspects with mental ill health and vulnerabilities](#)
- [Suicide prevention and risk management for perpetrators of child sexual exploitation and indecent images of children \(IIOC\)](#)
- [Identifying vulnerability to suicide](#)
- [Deceased suspect or suspect dies during the investigation](#)

The police should always arrest when it is necessary and proportionate to do so. In making this decision, investigators should consider:

- the risk of harm posed by the suspect to victims, witness or members of the public

- the risk that they may abscond or commit further, or more serious, offences
- the risk they may conceal, damage, alter or destroy material
- the opportunity to identify new lines of enquiry resulting from the arrest – for example, the opportunity to search a suspect's premises or to take biometric data following an arrest

See also:

- [Necessity to arrest.](#)

[Voluntary attendance](#) may be a more appropriate and/or proportionate course of action in some cases. This may be more proportionate to the offence under investigation and may reduce the risk of stigma associated with an arrest.

See:

- [Necessity to arrest](#)
- [Arrest strategy](#)
- [Respecting suspects' rights to privacy](#)
- [Arrests, charges, and judicial outcomes](#)

The arrest of a suspect will provide opportunities to secure material and prevent it being concealed, lost, damaged, altered or destroyed.

See:

- [Search powers, and obtaining and executing search warrants](#)

8.2. Suspect or victim

Not all suspects will be offenders, and an apparent suspect may, in some cases, be a victim. Where there is any doubt about the suspect's status, advice should be sought from supervisors and/or an interview adviser.

8.3. Interviewing

Where a person is suspected of committing an offence, [Guidance 10A of Code C of the Codes of Practice to the Police and Criminal Evidence Act 1984](#) requires that 'there must be some reasonable, objective grounds for the suspicion, based on

known facts or information which are relevant to the likelihood the offence has been committed and the person to be questioned committed it'.

Suspects must be interviewed under PACE, using the PEACE model of investigative interviewing (planning and preparation, engage and explain, account clarification and challenge, closure, evaluation). The interview provides the suspect with the opportunity to provide an account, potential alibis and defences. The suspect interview will also help investigators to identify new lines of enquiry.

See also:

- [Investigative interviewing](#)
- [Voluntary attendance](#)
- [Working with suspects](#)

8.4. Pre-charge engagement

Following the first PACE interview and before the suspect is formally charged, the parties to an investigation – the investigator(s), the CPS, the suspect, and the suspect's legal adviser – may enter into voluntary pre-charge engagement.

It may take place whenever it is agreed between the parties that it may assist the investigation.

Pre-charge engagement should not, however, be considered a replacement to a further interview with a suspect. Investigators and prosecutors should be conscious that adverse inferences under section 34 of the Criminal Justice and Public Order Act 1994 are not available at trial where a suspect failed to mention a fact when asked about a matter in pre-charge engagement.

Pre-charge engagement may, among other things, involve:

- giving the suspect the opportunity to comment on any proposed further lines of inquiry
- ascertaining whether the suspect can identify any other lines of inquiry
- asking whether the suspect is aware of, or can provide access to, digital material that has a bearing on the allegation

- discussing ways to overcome barriers to obtaining potential evidence, such as revealing encryption keys
- agreeing any keyword searches of digital material that the suspect would like carried out
- obtaining a suspect's consent to access medical records
- the suspect identifying and providing contact details of any potential witnesses
- clarifying whether any expert or forensic evidence is agreed and, if not, whether the suspect's representatives intend to instruct their own expert, including timescales for this

Pre-charge engagement is encouraged by the Code for Crown Prosecutors and may have an impact on decisions as to charge.

For further information, see the [Attorney General's Guidelines on Disclosure](#).

Contact strategy

Investigators must explain the investigation process to the suspect and keep them informed of the progress of the investigation.

This should include providing:

- the expected or anticipated finish date of the investigation
- 28-day updates on progress
- where applicable, an NFA notification at the conclusion

This mirrors the victim's rights under the [Code of Practice for Victims of Crime](#).

See [Operation Kentia](#) for further information.

8.5. Bail and released under investigation

Following the arrest of a suspect, it may be necessary to conduct [further investigation](#), before submitting the file for a decision to charge or pursuing another [outcome](#). The investigator must gather as much material as possible, which points [towards or away](#) from the suspect prior to arrest.

Where additional investigation is needed, the investigator must decide on [imposing pre-charge bail or RUI](#).

In making this decision, the investigator must consider the circumstances of the case, including the need to support and protect victims and witnesses (particularly those who may be vulnerable or at risk of harm), and to ensure the safety of the public.

Where the suspect poses a risk to others, pre-charge bail can be imposed, but only where it is proportionate and necessary to do so.

In addition to conditions attached to pre-charge bail, further **restrictive orders** may be appropriate – for example, a domestic violence prevention notice or order, or a sexual harm prevention order.

Police powers and orders should be considered to support an effective investigation, and to reduce the risk of harm posed by the suspect. All restrictive orders must balance the human rights of the suspect against the human rights of victim or potential victims.

Whether the suspect is released under RUI or bail, the process must be managed and the suspect must be regularly informed of progress.

Victims must be regularly updated in accordance with their needs, and their rights in the Code of Practice for Victims of Crime. They must also be notified of the suspect's status and of any key changes – for example, any conditions imposed, a decision to take NFA or when a decision to charge has been made, as part of their rights.

See also:

- **[Release from custody](#)**
- **[NPCC Operational Guidance for Pre-Charge Bail and Released Under Investigation](#)**
- **[Victim care and support](#)**
- **[Working with suspects](#)**

9. Case file preparation and management

At the conclusion of an investigation, the investigator must either submit the case to the CPS for a charging decision or consider whether an alternative outcome, such as restorative justice, is more appropriate. In some cases, there may be insufficient evidence for further action.

Investigators must be able to demonstrate that they have identified and followed all reasonable lines of enquiry. They should expect to be able to explain all the circumstances of the case, what they did – and did not do – and why.

What is 'reasonable' will depend on the case. A fair investigation does not mean an endless investigation. Investigators must be able to define and explain the scope of their investigation. When assessing what is reasonable, investigators can seek advice from supervisors and the CPS.

When gathering digital material, a properly completed [investigation management document](#) (IMD) will help investigators set out what is reasonable and proportionate.

This principle can also be used to help investigators set out the wider circumstances of the case. This includes background and context, such as the victim's account, as well as evidence that points both towards and away from the suspect, alibi and identification evidence.

Full and accurate record keeping is essential.

Investigators and supervisors should ensure that all records have been fully completed and that there are no unresolved lines of enquiry within the case file. This may include outstanding reports from forensic examination, incomplete house-to-house enquiries, or unresolved or conflicting identification issues.

The principles of case and document management are set out in the [Major Incident Room Standard Administration Procedures](#) (MIRSAP), and should be applied to all case development – in particular, serious and complex cases.

A prepared investigator who has used a methodical and systematic approach to record keeping during the investigation and file preparation will be able to withstand scrutiny.

9.1. Pre-charge advice

In some cases, pre-charge advice with the CPS may help to identify any remaining weaknesses in the evidential case prior to asking for a charging decision. The CPS prosecutor can review points to prove and may be able to suggest where further evidence is required to support a realistic prospect of conviction. In some cases, they may also help to identify new lines of enquiry. Specific advice is available from specialist prosecution units, such as for rape and serious sexual offences.

See also:

- [Referral to the CPS for Pre-charge advice](#)

9.2. Evidential evaluation

The purpose of this evaluation is to ensure that a robust case is presented to the CPS for a charging decision.

The evaluation will consider:

- the overall strength of the case
- whether sufficient evidence exists against the offender to proceed to charge

Unlike investigative evaluation, only material that is potentially admissible as evidence should be considered. However, the methodology is the same.

The investigator should ensure that the review is recorded and that it forms part of the case file and any future investigative strategy, together with early investigative advice or a pre-charge decision where appropriate.

A supervisor should review the case and consider whether it is ready for a charging decision, whether further action is required or whether an alternative outcome should be considered.

9.3. Additional information

The investigator should also ensure that a victim personal statement and community impact statement is included, as well as additional contextual background to the case and circumstances.

A comprehensive assessment of the victim's needs should form part of the case file to identify and inform a request for special measures where appropriate.

Further information

- [Victim personal statement](#)
- [Community impact statements](#)
- [Special measures](#) and [restraining orders](#)
- [Charging and case preparation](#)

10. Criminal justice outcomes

Not all cases will result in a conviction. There are a number of alternative criminal justice options available that can be considered as an alternative to court.

In some cases, an out-of-court disposal or restorative justice may provide an equitable justice outcome for the victim. As part of a wider safeguarding strategy, however, investigators must consider the victim's safety and any ongoing risk an offender may pose. This may require other interventions to safeguard the victim, such as civil orders.

When exploring which justice outcome may be appropriate, the following factors should be considered (this list is not exhaustive):

- [public interest](#)
- circumstances of the case, including impact on the victim
- substance misuse and/or mental health of the suspect
- admissions of guilt
- previous convictions – for example, first offence
- [gravity of offence](#).

10.1. Victim's right to review

Where a case is referred to the CPS for a charging decision, but the CPS decide to stop a prosecution prior to conviction or to not charge the suspect, the victim has a right to review in certain circumstances.

See:

- [Victims' Right to Review \(VRR\) scheme](#)

10.2. Out-of-court disposals

Having checked local force policy for out-of-court disposals, the investigator should discuss and agree options with a supervisor and seek advice from local CPS.

See:

- [APP on prosecution and case management, section on Out of court disposals framework](#)

10.3. Restorative justice

Restorative justice provides victims with the opportunity to explain the impact of the crime committed against them by the offender. It encourages offenders to take responsibility for what they have done and take steps to make amends.

See:

- [APP on prosecution and case management](#)
- [Restorative justice council](#)
- [College of Policing Evidence Briefing on Restorative Justice](#)

10.4. Community resolution

Community resolution may be considered for a less serious offence or anti-social behaviour incident. [Community resolution](#) can be applied to youth and adult offenders.

See also:

- [APP on prosecution and case management](#)

10.5. Protective measures and civil orders

[Protective measures and civil orders](#) are interventions aimed at preventing harm and mitigating risk, both of which underpin a safeguarding approach to protect victims. Breaching a civil order constitutes a criminal offence. Imposing an order is therefore intended to act as a deterrent to the perpetrator to cause further harm or distress to the victim.

Investigators should be aware that civil orders can be obtained without the involvement of a criminal court. Civil orders may be used to support the victim where there is insufficient evidence to pursue a criminal justice outcome and can be included as part of restorative justice or community resolution.

The option of using a civil order to provide a safeguarding outcome for the victim should be considered by the investigator and should form part of the investigative review discussion with supervisors where appropriate. Options include:

- [domestic abuse protection notice](#)
- [stalking protection order](#)
- [non-molestation order](#) (prohibits an abuser from using or threatening physical violence against, intimidating, harassing, pestering or communicating with the victim)
- [restraining order](#)

For further information, see:

- APP on [domestic abuse](#) and [stalking or harassment](#)
- [College of Policing: Disrupting serious and organised criminals - menu of tactics](#)

10.6. Ancillary orders

Ancillary orders are a mechanism to provide protection for victims, and for those to whom offenders may provide an ongoing threat. They can be imposed by the judge as part of sentencing at criminal court. In specific circumstances, ancillary orders are mandatory. For example, where an offender is found guilty of dangerous driving, they must be disqualified from driving for a minimum of 12 months. The court must also stipulate that the offender takes an extended retest before their licence is returned.

In other circumstances, the judge or magistrate may decide that ancillary orders are appropriate and may be used to:

- redress harm caused by an offender (for example, compensation orders)
- prevent repeat victimisation (for example, criminal behaviour orders)

- prevent future re-offending (exclusion orders)

Investigators should consider ancillary orders as part the case file management. The potential for their inclusion can be discussed with the prosecutor ahead of the case file submission to the CPS.

Ancillary orders available include:

- compensation orders
- confiscation orders (crown court only)
- criminal behaviour orders
- deprivation orders
- disqualification from driving
- disqualification from being a company director
- drink banning orders
- financial reporting order
- football banning orders
- forfeiture orders
- parenting orders
- restitution orders
- restraining orders
- serious crime prevention order (crown court only)
- sexual harm prevention orders

For further information, see:

- [CPS Sentencing – Ancillary orders](#)

10.7. Asset recovery

Investigators should be aware of the purpose, opportunity and application of asset recovery.

The aim of asset recovery is to make best use of the [Proceeds of Crime Act 2002](#) (POCA) to disrupt crime and reduce the harm caused to communities. There are four different types of asset recovery:

- cash seizure
- confiscation
- civil recovery
- tax

For further information, see:

- [Asset recovery](#)

11. Court process

Investigators need to ensure that victims and witnesses are briefed on court process.

Following a charging decision, the case will be passed to the relevant prosecuting authority, usually the CPS, to prosecute the case in a court of law.

Offences can be categorised as:

- [summary offences](#)
- [indictable offences](#)
- [either way offences](#)

See:

- [APP on prosecution and case management](#)

Victims and witnesses may be required to give evidence during a trial. This can be presented in different ways, including:

- orally in person, as witness testimony
- remotely via a video live link
- pre-recorded evidence in chief

To support a victim or witness to give their best evidence, they may be entitled to special measures and/or to be supported by a witness supporter, intermediary or interpreter.

An aspect of the victim's evidence will be a victim personal statement. In some cases, a community impact statement may also be submitted.

Investigators may be required to attend court during the trial. They may need to answer questions for the CPS prosecutor or barrister. In some cases, they may also be required to give evidence in court as a witness about the investigation and/or evidence.

During the court process, investigators should ensure that the victim is appropriately supported and a risk assessment is carried out, particularly where the defendant and/or their family or supporters may come into contact with the victim during the trial.

See also:

- [Working with victims and witnesses](#)

11.1. Conviction

Where the defendant is found guilty of an offence, the court has various sentencing or other disposal options available to them.

These include:

- [community sentence](#)
- [finer](#)
- [custodial sentence](#)
- [offences taken into consideration](#)
- [deferred sentence](#)
- [conditional discharge \(suspended sentence\)](#)
- [absolute discharge](#)

In some cases, investigators should consider whether further sanctions should be applied for, such as:

- recovery of proceeds of crime
- gang injunctions
- sexual offences prevention order
- domestic violence prevention order

See:

- **Criminal justice outcomes**

Following a trial, whether it is a conviction or acquittal, the investigator is responsible for the review, retention and disposal of evidence, material and exhibits in line with the management of police information and **CPIA**. The Code of Practice on Police Information and Records Management (PIRM) 2022 sets out seven principles for effective police information management. This Code replaced the Management of Police Information (MoPI) Code of Practice 2005. It broadens the applicability of the original MoPI Code beyond records that contain police operational information to include police corporate information. For the purposes of the Police National Computer (PNC) and Law Enforcement Data Service (LEDS), the operational data that is recorded is also covered by the PIRM Code.

Investigators must take into account whether the offender may appeal against their conviction or sentence.

11.2. Acquittal

If the court finds the defendant not guilty, they will be acquitted and free to go.

However, it is important to consider the impact that the criminal justice process and the outcome may have had on the victim and/or the defendant.

If the victim is not present in court for the verdict, the investigator should ensure they are notified as soon as possible to avoid them finding out by other means.

In cases of murder involving an acquittal, National Standards of Support (NSS) have been agreed between Justice after Acquittal (JAA), the police and the CPS. The NSS include that:

- the CPS will offer a post-acquittal meeting with the victim's family
- the CPS and police will both conduct an acquittal case review
- the CPS will offer a meeting with the victim's family where cases have been referred to the CPS to consider an appeal to re-try the defendant (double jeopardy)
- the case will be subject to ongoing review
- the police and CPS will monitor compliance with the NSS

11.3. Post-trial victim care

Following a criminal justice outcome, the victim may suffer from a variety of emotions, including a sense of anti-climax, trauma, survivor guilt or fear of reprisals.

The investigator must ensure that the victim is provided with access to support services and, where necessary, that a risk assessment is carried out and appropriate interventions are implemented.

Even where a defendant has been given a custodial sentence, investigators must consider risks posed by the defendant's family, friends or associates.

The victim should be notified if there is any change to the defendant's status, including release under licence, parole hearings or release.

If a defendant is released into the community for any reason, the victim's safety should be assessed and safeguarding measures should be considered.

See the [Offender management](#) section.

See also:

- [Code of Practice for Victims of Crime](#)

11.4. Compensation

Investigators should inform victims of violent crime that they can apply for compensation for physical or mental injury. This may be awarded either through a court order or through the Criminal Injuries Compensation Authority. See [Compensation](#) for more information.

11.5. Post-trial defendant care

Where a defendant is acquitted, investigators should consider the impact that the criminal justice process may have had on the defendant and their family.

Where appropriate, the defendant must be signposted to support services and a risk assessment must be carried out for vulnerable defendants where they may be at risk of suicide and/or mental ill health.

See also:

- [Risk of self-harm and suicide after release](#)

11.6. Offender management

The investigator should explain to a victim of crime how the offender may be dealt with following a criminal investigation.

A sentence handed to an offender may involve:

- community service
- a custodial sentence
- a period of incarceration
- released on licence (offender manager allocated and conditions applied until a specific date – failure to comply may mean return to prison)
- a suspended sentence (conditions applied and failure to comply results in sentence length being served in prison)

Her Majesty's Prison and Probation Service sponsor the [Probation Service](#). The Probation Service has responsibility for sentence management in England and Wales, with additional responsibility for accredited programmes, unpaid work and structured interventions. The regional networks provide support services, such as wellbeing, employment and housing advice to help reduce reoffending. As outlined by gov.uk:

‘A community responsible officer leads on all the pre-release activities, undertaking a comprehensive assessment and developing a sentence plan aligned to need, risk, and victim issues. This applies to offenders prior to release during the final phase of prison, through to transition, and post-release.’

11.7. Integrated offender management

Integrated offender management is a framework that coordinates partner agencies to work together to reduce reoffending, protect the public and reduce crime. As well as criminal justice and social agencies, it may include the voluntary sector, thereby supporting local communities.

Offenders are managed according to the level of threat, risk and harm they pose.

For further information, see APP on [prosecution and case management](#) and APP on [managing sexual offenders and violent offenders](#).

About the College

We're the professional body for the police service in England and Wales.

Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

We set the standards in policing to build and preserve public trust and we help those in policing develop the expertise needed to meet the demands of today and prepare for the challenges of the future.

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