

General Investigation Policy

Crime assessment principles

Introduction

Our mission is to keep London safe for everyone. To achieve this, we will:

- Focus on what matters to Londoners
- Mobilise partners and the public
- Achieve the best outcomes in the pursuit of justice and in the support of victims.

In terms of investigating crime, we will work from the basis that all crime reported to us will be investigated. This investigation commences at the first point of contact with the public, whether face to face on the street or police station or increasingly over the telephone or on-line. It is therefore vital that information is recorded accurately, and that staff employ 'professional curiosity' to identify viable lines of enquiry in order to prove or disprove a person's involvement in an offence.

There are reported crimes where evidence is in existence which allows the police to quickly identify a suspect and take that investigation to its conclusion. Of course, there are also crimes where investigative leads are not as readily available and consequently crimes are closed, often within 24 hours. Providing that the initial investigation has been appropriately conducted and the victim clearly updated then we must be pragmatic about this in line with our broader mission. Policing resources are finite, and we need to focus our efforts on those crimes that matter most to the public, particularly victims of violent crime or those who are most vulnerable.

However, if any crime is closed after an initial investigation it is important that we explain to the victim that if further viable lines of enquiry are identified then this will be reviewed and the crime can be reopened for further investigation if needed.

It is appreciated that in order to deliver on our mission and service to the public that we provide guidance to our staff when they initially investigate any crime. For that reason, we provide both a list of mandated crime types, which will always be subject of further investigation, guidance on three other key factors that must be taken into account and lastly six crime assessment principles to be applied to all other crime types.

9.2 'Mandatory Crimes' that fall outside the remit of these principles

The list of mandatory crimes, which will fall outside these Assessment Principles, can be found [here](#). These crimes are deemed as mandatory to deliver on our mission and the actual or potential damage that they cause to victims, particularly those who are most vulnerable. Crimes, which fall into this category will automatically be allocated for further investigation on the Crime Reporting Information System (CRIS).

N.B. Please see section 9.8 Note 1. regarding GBH below.

9.3 Other factors which you must take into account if they exist

The factors are Public Interest, Risk to the Public and your Professional Judgement on Solvability.

Our duty to the public and to victims of crimes is to investigate crimes to the best of our ability. So, even though an investigator may have applied the crime assessment principles that follow, there are other factors or characteristics of crime which would supersede these principles and ensure that the crime is further investigated. Some examples of this may be theft of property such as personal memorabilia or sensitive documents. The investigator must record these other factors on the CRIS Details (DETS) screens showing justification for further investigation. If in doubt, investigators can seek further guidance from a supervisor.

9.3.1 Public Interest

The 'public interest' test allows the police to look at the following factors:

If the crime:

- (i) is so serious (despite not being on the mandatory crime list)
- (ii) displays a level of harm caused to the victim,
- (iii) has an adverse impact on the community,
- (iv) has the potential for causing reputational harm to the MPS
- (v) has the potential to harm to sources of information or national security.

The investigator must discuss and agree an investigative plan with a supervisor as to why the crime should be investigated further. This discussion (with a supervisor) and the full justification must be recorded on the CRIS report detailing why the crime should be investigated further.

9.3.2 Risk to the Public

The risk to the public is any factors, which demonstrate that there is an ongoing and tangible risk of serious harm to any member of the public should the crime not be investigated further. As per the Public Interest test, the investigator must discuss and agree with a supervisor an investigative plan. Furthermore, this discussion and the full justification must be recorded on the CRIS report as to why the crime should be investigated further.

9.3.3 Professional Judgement on Solvability

Any factors that present additional solvability opportunities not detailed within the principles above. Again, the discussion regarding the investigative plan, the justification as to why the crime should be investigated further must be recorded on the CRIS details page.

Examples of additional solvability opportunity:

The police may have an offence (robbery, burglary) reported to them where a victim's bank card was taken, and no CCTV was available at that scene. However, later usage of the bank card which may have been caught on CCTV footage, even though disconnected from the original offence, provides a viable lead for further investigation.

Similarly, stolen property from a crime scene may turn up within a second-hand re-seller stock. Again, dependent on the quality of CCTV and records kept by the re-seller, this may provide a viable lead for further investigation.

These factors, which sit outside the six principles (detailed below), must be considered during the initial investigative / assessment stage.

9.4 Crime assessment principles

The crime assessment process including the six principles are outlined within the flowchart diagram found here. In brief, they are:

- (1) The victims' willingness to prosecute
- (2) The suspects' identity being known
- (3) The value associated to the crime (in theft and criminal damages investigations)
- (4) The availability of CCTV footage of the crime
- (5) The possibility of forensic leads

(6) Action specific to making off without payment (Fuel theft)

A [process flowchart](#) has also been produced, but this must be read in conjunction with the information below.

9.4.1 Principle 1 – Victim willingness to support a prosecution

The victim must be asked whether they wish to support a police prosecution. This must be discussed, and the victim should be encouraged to help the police solve crime and prosecute suspects. The investigator must be able to describe what would be expected of the victim and the fact that they will be supported throughout the whole process. So, if the victim is willing to support a police prosecution, then you should move to Principle 2.

However, if the victim is unwilling to support a police prosecution then the investigator must explain to the victim that the crime will not be passed for further investigation and closed (unless any further evidence comes to light). The investigator must further explain that investigative leads could be lost and that if they change their mind at a later date, then the police may not be able to retrieve those leads. This could severely affect a police investigation and subsequently may affect the likelihood of a successful prosecution by the CPS.

Nothing within these principles affects the instruction and guidance available to an investigator when conducting victimless prosecutions. There may be evidence from other sources (e.g. Body Worn Video) which allow the police to further investigate and prosecute offences without the victim being willing to assist. Victims must be told when circumstances dictate that we can still prosecute crimes against suspects without their assistance, but encouragement to assist must be sought.

N.B. The lack of support does not mean that intelligence surrounding the crime cannot be retrieved and shared. You must record a CRIMINT if any intelligence exists that could potentially solve other crimes or prevent other crimes being committed.

9.4.2 Principle 2 – The suspects' identity is known to the victim or a witness

The victim / witness must be asked whether they know the identity of the suspect. If they do, then this must be recorded and enquiries made to identify the whereabouts of the suspect. The crime must then be sent for further investigation.

If the victim / witness cannot identify the suspect then you must move to Principle 3.

N.B. The Metropolitan Police Service has the ability to identify offenders through the use of 'Image Recognisers'. Even though a crime may be closed as a result of a victim not being able to identify a suspect, it does not stop enquiries being made with 'image recognisers' to assist. An identification would result in the report being sent for further investigation.

9.4.3 Principle 3 – The value of the theft / criminal damage

Officers must use their professional judgement and assessment regarding the loss the victim has suffered as a result of the crime. There must be a consideration that takes into account the context of the impact on the victim. The victim may be vulnerable and therefore the loss to them more impactful, for instance a small shop owner, an elderly person or a homeless person may be more impacted by the crime. In these circumstances, police must go on to consider the rest of the principles for assessment.

Conversely, the victim could be a large organisation where the loss is less impactful. As such, the assessment may point towards the case being closed.

As per the requirements within Victim Personal Statements (VPS) policy, officers must record the impact the crime has had on the victim in statement form, but this must also be captured when assessing the crime within these principles.

N.B. Principle 3 only relates to the acquisitive or criminal damage offences as described above. If the offence is different to those described (for example: assault, public order, burglary etc.) you must go onto Principle 4.

9.4.4 Principle 4 – CCTV footage of the crime

This principle is divided into several sections:

4a. If CCTV footage is known to exist, then move onto section 4b.

Just because the victim does not know if CCTV exists, it does not mean that CCTV footage does not exist. However, any search for additional CCTV must be proportionate to the crime being investigated and the impact on the victim. If the investigator is in doubt, then they may seek further advice and guidance from a supervisor.

CRIMINT and other databases must be queried as to the existence of CCTV. A proportionate action may be for the investigator to search or instruct local resources to make a time limited search for the existence of CCTV.

If CCTV footage does not exist, then the investigator must move onto the 'Other factors' test before making a decision to close the investigation.

4b: Does the victim / witness know what time the offence took place (within a short time-frame) that may be caught on CCTV footage? If so, then move onto 4c.

However, if the victim does not know the exact time but, CCTV footage is in existence, then the investigator must use their professional judgement and assess the impact on the victim before moving onto the 'Other factors' test or closing the investigation. If the investigator is in doubt, then they should seek further advice and guidance from a supervisor.

4c: Is there a clear facial image of the offender and either:

- (i) Footage of the offence taking place OR
- (ii) Other evidence to link the image to the offence (e.g. a reliable witness who describes the offence they witnessed and states it is a clear image of the person who committed that offence (Compliance with PACE Code D)?

If this is the case, then move to Principle 4d.

If not, then the investigator must move onto the 'Other factors' test before making a decision to close the investigation.

N.B. The lack of the CCTV characteristics described in 4c above does not mean that intelligence surrounding the crime cannot be retrieved and shared. The investigator must record a CRIMINT if any intelligence exists that could potentially solve other crimes or prevent other crimes being committed. As mentioned above, 'Image Recognisers' may be able to identify suspects where others cannot. Even if the footage does not display a clear face of the suspect, links can be made with how offenders move or the clothing they are wearing which may give an insight into possible identity.

4d: Is the CCTV ready for collection?

If it is then it must be passed for further investigation.

If the CCTV is not immediately retrievable, then the crime can be closed (unless any further evidence comes to light). However, investigators are reminded that the lack of availability of CCTV footage does not mean that they can ignore the 'Other factors' test before making a decision to close the investigation. The risk factors may be present requiring further immediate action whilst waiting for the CCTV or making enquires to ensure the CCTV can be retrieved as soon as possible.

All points from 4a to 4d inclusive must be fulfilled to justify the report being sent for further investigation.

9.4.5 Principle 5 – Forensic Leads

There may be crimes where Forensic evidence is the main priority in the investigation. Investigators must explain to the victim the complexities of forensic analysis and the extended time this takes to produce. Not all recoveries will result in a success. Once explained, the investigator must move to the 'Other factors' test before making a decision to close the investigation.

9.4.6 Principle 6 – Making off without payment (fuel theft only)

If a vehicle identified from a petrol station forecourt is either:

- (i) known to police intelligence indices for dishonesty activities, or
 - (ii) is identified as a 'repeat' Making Off Without Payment (MOWP) vehicle
- then the crime must be passed for further investigation. If it is not, then they must move to the 'Other factors' test before making a decision to close.

9.5 Informing the victim as to the assessment decision

9.5.1 Investigative Officer's Responsibilities

Officers must comply fully with the Victims' Code of Practice (VCOP) policy. The policy is born out of the Codes of Practice for Victims of Crime and is issued by the Secretary of State for Justice under section 32 of the Domestic Violence, Crime and Victims Act 2004. It implements relevant provisions of the EU Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime.

Nothing within this document prevents the police from fulfilling their statutory obligations within VCOP and contact with victims and witnesses must take place as per this policy. A link to VCOP can be found [here](#).

The following is the minimum standard of information that must be conveyed to the victim of crime once these principles have been applied.

Police must tell the victim the following information if the crime has been passed for further investigation:

- That an initial investigation has taken place
- That the crime has been recorded
- That there will be a further investigation to develop the existing investigative leads or identify others
- The name of the officer who will carry out the further investigation (yourself or another)

Furthermore, investigators must manage the victims' expectations of that further investigation.

Investigators must tell the victim the following information if a decision has been made to close the investigation.

- That an initial investigation has been conducted into their crime
- That the crime has been recorded
- That (if Principle 1 applies) the victim has told us that they do not want the police to investigate the crime any further and that the police will respect that decision.
- That, in the investigator's assessment and subsequent decision, there are no proportionate leads that would enable the police to identify a suspect responsible for the crime or to successfully prosecute them
- That any further investigation will be closed. However, the decision to close the crime may change if new information or evidence comes to light that was not known at the time of the initial investigation.

Other important messages to tell the victim:

- The police have to use their professional judgement to decide that they should, or can, investigate the crime any further
- That, regardless of the decision at this assessment stage, we need people to continue to report crime to ensure that police can manage where we put police resources in the future. Giving the police this information gives a better likelihood to prevent those crimes taking place again. Furthermore, it allows the police to work in partnership with others to problem solve those areas where crime takes place.
- That the closure of the crime does not mean that they are filed away and forgotten – offenders can be identified as being responsible and, if applicable, stolen property can be recovered as a result.

9.6 Recording the assessment decision

9.6.1 Regardless of the decision to assess the crime as sent for further investigation or to close the investigation, the investigating officer must document the rationale behind that decision within the CRIS Dets screen.

9.7 Viable leads not covered within the principles

9.7.1 There are other leads where decisions may be affected as to whether the crime is assessed as sent for further investigation or closed.

Example 1: Tracking software present on a stolen mobile phone, which is active at the time of the initial investigation, would result in the crime being sent for further investigation. However, if the tracking software is on the phone but it is not active at the initial investigation stage, then a decision may be that the further investigation of that crime is closed unless further evidence comes to light.

Example 2: An unidentified suspect has left items at the scene of the crime. This should be flagged for a Crime Scene Examiner (CSE) to attend. On these occasions,

it must be explained to the victim that the crime is being closed, pending the attendance at the scene by CSE and the subsequent result.

Example 3: Suspect has been seen getting into a vehicle and the vehicle registration mark has been recorded, the crime must be sent for further investigation.

Again, where circumstances like this exist; the investigating officer must record full justification for the assessment decision within the Dets screen.

9.8 (Note 1) Exception to Mandatory Crime of Grievous Bodily Harm (GBH)

9.8.1 There is one exception to this rule and that is regarding the crime of assault occasioning Grievous Bodily Harm (GBH). The Home Office Counting Rules (HOCR) have been revised over time and now describe GBH to be an assault which results in any cut or break of the skin. However, this can mean even a minor cut would be classified as a GBH and even though the injury may be small, the offence would automatically be sent for further investigation under these principles.

So, where police investigate these less impactful GBH crimes (which before the HOCR changes might have been Assault occasioning Actual Bodily Harm (ABH) or even Common Assault) and:

(i) The injury is minor, and

(ii) Where there are no other aggravating factors making them a PIP Level 2 offence (serious or complex in its nature)

They must be assessed using these Crime Assessment Principles as if it was not a mandatory crime, despite it being in the mandatory crime list.

These less impactful GBH crimes should be reviewed as any other assault classification and an assessment decision made from any potential leads, which are identified via the following guidance and principles. If the investigator is in any doubt, they can refer to a supervisor or manager for further guidance.

Furthermore, where attempted GBH assaults (where a weapon is used but there is either no injury or less impactful injury), the significance of the method used may have a detrimental effect on the victim and therefore the impact on the victim may be high. In circumstances such as this, justification to send for further investigation can be recorded and officers can seek further guidance as to whether to apply the principles or not.