

Witness Name: David Tucker

Statement No.: 1

Exhibits:

Dated: 14th November 2018

**THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE**

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**Witness Statement of David Tucker**

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I, David Tucker, will say as follows:-

- 1 I am the Faculty Lead for Crime and Criminal Justice at The College of Policing. I have held this role since July 2014. Prior to that, I worked for the National Society for the Prevention of Cruelty to Children and before that, I was a police officer for 32 years.
- 2 I am responding to a rule 9 letter issued to Chief Constable Simon Bailey on 31st October 2018. Many of the issues raised in the letter would seem to address national policy and guidance, subjects for which the College of Policing has responsibility. This response has been drawn together quickly with the intention of giving the Inquiry as much relevant information as possible. However, there has been limited time to consider the requests for information and there may be matters that come to notice after this response that will need to be notified to the Inquiry as they arise.

**3. Broad Structure and Purpose of the College**

- a. The College of Policing began operating on 1st December 2012. It is a company limited by Guarantee owned by the Home Secretary and an arm's length body of the Home Office. The purpose of the College of Policing is to support the fight against crime and protect the public by ensuring professionalism in policing.
- b. It has five responsibilities, which were set out in the guidance notes for the Anti-Social Behaviour, Crime and Policing Act 2014 and are included in the Terms of Reference of the Company's Board.
- c. Firstly, the College has the responsibility for setting standards and developing guidance and policy for policing. Second, it builds and develops the research evidence base for policing. Third, it supports the professional development of police officers and staff. Fourth, it supports the police, other law enforcement

agencies and those involved in crime reduction to work together. Fifth, the College identifies and develops the ethics and values of the police<sup>1</sup>.

d. Sections 123 and 124 of the Act amend other legislation to give powers to the College to issue regulations and codes of practice.

e. In addition to the statutory provisions, the College discharges its other functions by;

- Issuing manuals of guidance and advice called 'Authorised Professional Practice'<sup>2</sup>;
- Carrying out and reporting on research into policing matters, so that policing is informed about the evidence to assist decision making, where evidence is available;
- Developing selection criteria for policing roles, setting out career pathways and designing and (in some cases) delivering training;
- Supporting implementation of policing initiatives such as embedding the Code of Ethics.

f. The College Board approved the following text to describe the purpose of the College-

#### *Our role*

*The purpose of the College of Policing is to provide those working in policing with the skills and knowledge necessary to prevent crime, protect the public, and secure public trust.*

*We have three complementary functions:*

■ **Knowledge:** *developing the research and infrastructure for improving evidence of 'what works'. Over time, this will ensure policing practice and standards are based on knowledge, not custom and convention.*

■ **Education:** *supporting the development of individual members of the profession. We set educational requirements to assure the public of the quality and consistency of policing skills, and facilitate academic accreditation and recognition of our members' expertise.*

■ **Standards:** *drawing on the best available evidence of 'what works' to set standards in policing for forces and individuals, for example, through Authorised Professional Practice (APP) and peer review.*

*We will raise professional standards in policing by using the policing knowledge base, our legal powers, our influence and connection with*

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<sup>1</sup> Paragraphs 39 and 40 of the guidance notes for the Anti-Social, Crime and Policing Act 2014.

<sup>2</sup> The College also publishes other material on its website that gives advice or supports operational policing, some of which is not written by College staff. This is often referred to as 'reference material'

*members and our ability to set educational requirements, test new ideas and innovate.*

*We will have succeeded in our role when all police practitioners and decision makers are confident professionals able to operate with high levels of autonomy and accountability. There will be evidence of the public's trust in the police. Those who work in policing will see themselves as members of a profession and adhere to the disciplines of professional practice.*

4. The Rule 9 letter addressed to Chief Constable Bailey asks for the following matters to be addressed. The statement reflects the numbers of the questions in the letter and uses a bold italicised font to make clear where the exact wording of the letter is being used.

***2. The policies and/or guidance governing the provision of support services to victims and survivors both during and after criminal proceedings?***

The College of Policing has produced Authorised Professional Practice titled 'Prosecution and case management, Victim and witness care'. It can be accessed at

<https://www.app.college.police.uk/app-content/prosecution-and-case-management/victim-and-witness-care/>

Content reflects the Victims' Charter. There is also content reflecting this guidance in our other relevant products that address child abuse and rape.

There are also learning standards that can be found in our training products. Most police training is delivered by police forces or organisations commissioned by them to do so. The College develops training standards and training materials for a broad range of subjects. These materials are used by forces in their locally delivered training.

Forces are not required to follow College learning standards or use College materials, except in the case of recruit training. Providers of police recruit training must follow the College curriculum, although how they do this is a matter for local delivery.

The College does deliver some courses, mainly in covert policing and senior leadership.

***3. The policies and/or guidance governing the provision of advice in respect of:***  
***a. Criminal Compensation Orders***  
***b. Applications to the Criminal Injuries Compensation Authority***

There is a specific section on claiming compensation in the document noted above. This content can be found at

<https://www.app.college.police.uk/app-content/prosecution-and-case-management/victim-and-witness-care/#compensation>

***4. The policies and/or guidance governing the interaction between criminal investigations/proceedings and civil claims including advice in respect of:***

- a. The timing of civil claims;**
- b. Disclosure of documents.**

Content addressing these issues can be found at

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/child-abuse/complex-investigations/#disclosure-of-material-to-family-or-civil-proceedings>

**5. Are the policies and/or guidance referred to above mandatory across all policing areas?**

Authorised Professional Practice (APP) contains guidance that police forces and forces will have regard to when discharging their functions. Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) will often use APP as reference documents for their inspections. The Independent Office of Police Conduct (IOPC) (formerly Independent Police Complaints Commission) will often use APP as part of their investigations into police conduct.

Whilst the policies and guidance referred to above, developed by the College, are not mandatory forces and individuals take account of them when carrying out relevant duties.

**6. Is it open to local polices forces to adopt and implement their own guidance on these issues? If so, does this create inconsistencies in approach?**

Forces are able to develop and apply their own policies and guidance in relation to child sexual abuse and any other issue. The exceptions would be where the College products reflect legislation. I am aware that some forces use College advice and guidance as a basis for their own policies.

Forces are able to develop their own policies and guidance to reflect the needs of their communities. This results in inconsistency but is felt to be beneficial in taking account of local context and need.

As mentioned in answer 5, both HMICFRS and IOPC may refer to College APP when carrying out their functions and may report adversely if they consider that guidance has not been followed.

**Statement of Truth**

I believe that the facts stated in this witness statement are true.

**Signed:** David Tucker

**Dated:** 14<sup>th</sup> November 2018

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Exhibits: There are no exhibits attached to this statement

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