

<p>1 Thursday, 25 January 2018 2 (10.30 am) 3 THE CHAIR: Good morning. 4 MS CAREY: Good morning, chair. Today we are going to move 5 to look at the impact of online-facilitated child sexual 6 abuse from a force perspective. There is going to be 7 both some reading and indeed some live evidence called 8 from a number of forces that the inquiry has approached. 9 Can I invite you, please, to start this morning with 10 some reading which you will find in file 5. 11 I am going to invite Mr Krishnan to read selected 12 passages of some of the statements. 13 MR KRISHNAN: Good morning, chair. I will begin with the 14 witness statement given on behalf of the West Midlands 15 Police, which you will find behind the first tab, 16 tab A1. 17 That statement, and indeed the others I will go on 18 to read today, are far too long to read in the time 19 available, so I will focus on reading or summarising 20 some extracts that go to some of the key issues. 21 Of course, the full statements are available to you 22 when you come to make findings and recommendations in 23 due course. 24 25</p> <p style="text-align: center;">Page 1</p>	<p>1 resource into the Regional Organised Crime Unit (ROCU) 2 and has recently relocated a number of its core 3 functions involved in the intelligence 4 collection/analysis and proactive investigation of OCSE 5 type offences there." 6 "OCSE" being online child sexual exploitation. 7 Moving on to page 5, paragraph 25, in the section on 8 the resources available to the force, it is explained 9 that the budget for the online child sexual exploitation 10 team was just over £817,000 in 2016 to 2017 and just 11 over £860,000 in 2017 to 2018. 12 Turning to page 16, we see at paragraphs 76 and 78 13 figures on referrals and the number of arrests from 2013 14 to 2017, some of which were covered in Ms Carey's 15 opening. Suffice to say, there has been growth in both 16 sets of figures since 2013. 17 We can skip forward to page 32. Paragraphs 174 to 18 183 set out how industry assists the work of the force. 19 If I can touch on just a few points in that section, if 20 we start with paragraph 175: 21 "Current legislation allows police forces to obtain 22 communications data from the industry for the 23 investigation of all crimes, including child sexual 24 abuse/exploitation." 25 176:</p> <p style="text-align: center;">Page 3</p>
<p>1 Statement of MR ALEX MURRAY (read) 2 MR KRISHNAN: Turning to the statement, at paragraph 1: 3 "I am temporary Assistant Chief Constable 4 Alex Murray and I am the designated force SPoC (single 5 point of contact) to the Independent Inquiry into Child 6 Sexual Abuse. I currently have responsibility for 7 crime, public protection and the intelligence portfolio 8 within the West Midlands Police." 9 Turning the page, paragraphs 7 to 14 explain the 10 people and teams within the force who are responsible 11 for responding to online-facilitated child sexual abuse. 12 If I can just touch on three points. Paragraph 9: 13 "... WMP utilises a dedicated Online Child Sexual 14 Exploitation Team (OCSET). This is a specialist force 15 resource which deals with all online possession, making 16 and distribution of indecent imagery of children where 17 there is not an identified victim." 18 Moving on to paragraph 10: 19 "Where there is an identifiable victim, the 20 investigation is progressed by the geographically 21 appropriate force dedicated Child Abuse Investigation 22 Team (CAIT) with support from OCSET." 23 Over the page, paragraph 14: 24 "In addition to the resources within the force as 25 detailed above, WMP has invested a significant amount of</p> <p style="text-align: center;">Page 2</p>	<p>1 "At a national level, UK-based communications 2 service providers engage regularly with law enforcement 3 via various national working groups, such as the 4 National Policing Data Communications Group, to discuss 5 investigative challenges and seek solutions. This 6 engagement has seen the development of collaborative 7 partnerships and standardised processes, which has 8 assisted in ensuring that relevant information is 9 legally requested and provided in a timely manner, given 10 the priority of a relevant request." 11 177, the second sentence: 12 "Within WMP, the Communications Data Investigation 13 Unit (CDIU) is the SPoC [single point of contact] that 14 interacts with communications industry." 15 178: 16 "The CDIU deals with over 55,000 requests per year 17 for communications data and this figure continues to 18 rise year on year." 19 179: 20 "On the whole, this process works well, and the 21 industry has developed a number of online tools 22 specifically to assist law enforcement in managing this 23 process effectively and efficiently. However, whilst 24 the larger service providers are engaged, there are some 25 smaller companies that are less engaged, but have</p> <p style="text-align: center;">Page 4</p>

<p>1 developed applications that may be used by children and 2 have the potential to be exploited by online predators." 3 There is then a section on what assistance from 4 industry would be welcome but has not been forthcoming. 5 181: 6 "Whilst a number of tools have been developed that 7 assist in preventing and tackling online CSA/CSE, there 8 are still a number of technical challenges that prevent 9 law enforcement from identifying suspects and devices 10 being used by the perpetrators of such offences. Whilst 11 some networks are working proactively to overcome these 12 issues, some are less committed, creating 13 inconsistencies in data captured and disclosed by the 14 industry. There is more that the industry could do in 15 relation to preventing CSA/CSE offending and identifying 16 and reporting such offending when it occurs. Examples 17 of this would be to ensure that existing and future 18 technology, such as parental control software, is as 19 user friendly as possible and also the major social 20 media platforms should implement technology that aids in 21 identifying and removing images of CSE from the 22 internet. 23 "182. The safeguarding of the CSA/CSE victims is 24 paramount to all of the agencies engaged in preventing 25 and investigating this type of offending. However,</p> <p style="text-align: center;">Page 5</p>	<p>1 Sexual Exploitation Team staff consistently use KIRAT. 2 Over the page, there is a section on the force's 3 weaknesses in this field. To take a couple of examples, 4 paragraph 199 explains that KIRAT is not used outside 5 the Online Child Sexual Exploitation Team. 6 Paragraph 202 at the bottom of the page explains that 7 the force's capability is continually being stretched 8 and must be balanced against competing areas of business 9 that carry similar levels of threat and risk. There is 10 then an explanation of a new operating model in 2018 11 which is being supported by extra investment. 12 Turning to page 46, there is a discussion there of 13 key challenges faced by the force in responding to 14 online-facilitated child sexual abuse. Reading extracts 15 from that section, at 254: 16 "The force faces the continuing challenge posed by 17 ever-advancing technologies providing encryption and 18 privacy settings which are exploited by CSE offenders to 19 provide a degree of anonymity." 20 255: 21 "This constantly-changing technology and the 22 ever-expanding usage of the internet by young people 23 will make the internet even more difficult to police, 24 identify offenders and protect the vulnerable." 25 256:</p> <p style="text-align: center;">Page 7</p>
<p>1 safeguarding is quite often a low priority for sectors 2 of the industry when developing online applications and 3 this is an area that needs to be improved and 4 standardised. Given the significant volume of users of 5 these applications, the resources set aside by some 6 providers to deal with requests from the police and 7 concerns expressed by users can often fall short, this 8 is an area that could also be improved. To illustrate 9 the demand, as detailed above, WMP alone made in excess 10 of 55,000 requests to providers last year. 11 "183. Many networks are not UK-based and therefore 12 UK legislation does not always apply, resulting in 13 a reliance on the Mutual Legal Assistance Treaty 14 procedure which is bureaucratic and time consuming. The 15 introduction of European Investigative Orders has 16 simplified the process, although this only applies to 17 seven European Union member states. There is also no 18 consistency with non-UK data being captured and retained 19 for law enforcement purposes." 20 Turning to page 37, there is a section on the 21 strengths of the force in responding to 22 online-facilitated child sexual abuse. Just giving you 23 a couple of examples, paragraph 191 explains that there 24 is a clear referral process between the NCA and the WMP. 25 In paragraph 192, it explains that the Online Child</p> <p style="text-align: center;">Page 6</p>	<p>1 "The extensive use of social media and 'chat' 2 functions within gaming platforms by young people means 3 that there is currently no way of regulating contact 4 between age groups or sexes." 5 257: 6 "The rising trend in the number of reported online 7 CSE offences is likely to continue in the future. With 8 force resources being finite, WMP face the ongoing 9 challenge of ensuring that all areas of business are 10 adequately prioritised and resourced. The force must 11 continue to ensure that our intelligence-gathering 12 processes and risk assessment tools are robust and can 13 prioritise action against those offenders who pose the 14 greatest threat to children." 15 At paragraph 263 over the page, there is a short 16 paragraph on the challenges of relations with industry, 17 some of which was covered earlier on, so I will just 18 skip on to paragraph -- page 49, rather, to 19 paragraph 269, the second paragraph down. There is 20 a section on whether the classic law enforcement 21 response is near or at capacity: 22 "The evidence available to WMP shows that whilst we 23 have sought to maximise our resources, improve our 24 working practices and we are seeing that good work is 25 being done in this area, offending rates are still</p> <p style="text-align: center;">Page 8</p>

<p>1 increasing, suggesting that the 'classic' law 2 enforcement response is doing little to deter offending. 3 "WMP has a blueprint for change which will enable 4 our smaller workforce and fewer assets to be even more 5 effectively controlled and deployed. More effective 6 risk assessment and prioritisation will enable us to 7 identify and deal with those most likely to commit 8 contact abuse, but despite this, it remains the case 9 that WMP and the police service in general have finite 10 resources to deal with an issue that is growing year on 11 year." 12 271: 13 "WMP will continue to work with all of the agencies 14 and the industry to strengthen ties that ensure that 15 there is a coordinated approach in dealing with online 16 CSA/CSE. Education must play a big part in our overall 17 prevent strategy." 18 Over the page: 19 "The industry has a part to play in this and should 20 take more responsibility for designing and installing 21 built-in safeguards ...", and so forth. 22 At 273 onwards, there is a discussion on an 23 alternative approach to low-risk offenders. 24 At 274: 25 "There is now a debate about how law enforcement</p> <p style="text-align: center;">Page 9</p>	<p>1 for today, who is Commander Richard Smith. You will 2 find his statement and his exhibits in file 4, volume 1. 3 MR RICHARD NICHOLAS SMITH (sworn) 4 Examination by MS CAREY 5 MS CAREY: Mr Smith, your full name, please? 6 A. Richard Nicholas Smith. 7 Q. I think you are, within the Metropolitan Police Service, 8 the head of safeguarding, which encompasses a number of 9 areas. Your portfolio includes child sexual abuse, 10 child sexual exploitation, missing persons, mental 11 health, domestic abuse, serious sexual offences and, 12 most relevant for the inquiry's purpose, child 13 protection online? 14 A. Yes, that's correct. 15 Q. Can you help us, please, how long have you been in 16 charge of that overall portfolio? 17 A. The portfolio which covers all areas of adult and child 18 safeguarding was created only six months ago, when I was 19 the first incumbent. The recovery to our child 20 protection arrangements as reported on last year by the 21 HMIC came within my portfolio three months ago, as did 22 this area of online investigations. 23 Q. In due course this morning, we will look at the 2016 24 HMIC report and, indeed, the quarterly updates, or one 25 of them at the very least, thereafter. But I think it</p> <p style="text-align: center;">Page 11</p>
<p>1 agencies deal with CSE set in the wider context of how 2 society needs to take more responsibility for deterring 3 and preventing the sexual exploitation and abuse of 4 children." 5 275: 6 "... there should be no debate with regards to those 7 involved in serious offending, repeat offending and 8 contact abuse. They should always be subject to the 9 full weight of the law and convictions secured." 10 276: 11 "WMP currently use risk assessment tools to enable 12 the investigation teams to prioritise those offenders 13 believed to have access to children and be carrying out 14 contact abuse. This is necessary to ensure that those 15 children most at risk are safeguarded. 16 "Consideration has to be given to developing 17 practice in regard to low-risk CSE offenders. Policing 18 practice has developed greatly in recent years with the 19 strengthening partnership with academic institutions and 20 creation of the College of Policing's 'What Works 21 Centre'. Having policing based on evidence of what is 22 effective is important if we are concerned with better 23 outcomes for victims." 24 I will pass you back to Ms Carey. 25 MS CAREY: Chair, I am going to deal with the first witness</p> <p style="text-align: center;">Page 10</p>	<p>1 might assist the panel if we could just start with 2 a little bit of background as to how the Metropolitan 3 Police Service has set up their structure to deal with 4 and combat online CSA. 5 I think, is this right, there is in fact a detective 6 superintendent, Andy Barnes, who is the lead responsible 7 for child protection online? 8 A. That's correct, yes. 9 Q. His post or position was added to this area 10 in September 2017? 11 A. Yes. 12 Q. The Metropolitan Police Service follows what is called 13 the London Child Sexual Exploitation Operating Profile, 14 and it might be sensible to have a look at that and what 15 that entails before we break down the various 16 departments and teams responsible for online-facilitated 17 child sexual abuse. Can we have a look, please, at that 18 profile at OHY03092. It is behind tab 3 -- sorry, it 19 should be OHY003092 behind tab 3 in our bundles. Has 20 that been brought up onto your screen? 21 A. Yes, I have it. 22 Q. Do you have it in your -- 23 A. I have it in the bundle, thank you. 24 Q. Even just by way of a brief introduction, the operating 25 protocol -- one can see now it is in its third</p> <p style="text-align: center;">Page 12</p>

<p>1 edition -- is a collaboration between a number of 2 different agencies. I think we can see there on, 3 indeed, page 1 -- I'm afraid our screens in counsel's 4 row are not showing what is on the screen for both the 5 public and indeed the commander. Can I just pause while 6 we rectify that. I will just check everyone else's. 7 Sorry for the delay. 8 We can see there page 1 of the operating protocol, 9 and in fact a number of different agencies and 10 organisations who have contributed to the protocol: 11 Children's Society, London Councils, Barnardo's, the 12 London Safeguarding Children Board, the NSPCC, 13 NHS England, Safer London, and, indeed, of course, the 14 Metropolitan Police. 15 In general terms, Mr Smith, can you help as to why 16 there is this number of agencies contributing to the 17 protocol? 18 A. Yes. I think, in general terms, it goes to the point of 19 perhaps the key difference between the Metropolitan 20 Police and other police forces. Whilst we all are very 21 different, I think the really significant challenge for 22 London is scale and complexity. In particular, the fact 23 that we have, in policing terms, around 25 per cent of 24 the police officers in England and Wales work within the 25 Metropolitan Police Service, and in terms of our</p> <p style="text-align: center;">Page 13</p>	<p>1 definitions page, child sexual exploitation is 2 specifically stated to include, in the final line of 3 the paragraph, that this includes grooming a child in 4 preparation for abuse, including via the internet? 5 A. Yes. 6 Q. So although it is a global document covering a number of 7 offences that are active in this field, it does include 8 internet-facilitated abuse? 9 A. Yes, it does. 10 Q. In fact, if one goes over the page to page 9, one can 11 see there, specifically set out, the types of child 12 sexual exploitation, including reference, on the 13 right-hand column, to online CSE? 14 A. Yes. 15 Q. I just want to pick up on what is said at the bottom 16 paragraph on page 9 in relation to children and young 17 people themselves, where there is an acknowledgement, is 18 there not, Mr Smith, that in this arena, children and 19 young people may not have any previous vulnerabilities 20 that are often associated with being victims of sexual 21 abuse and exploitation? 22 A. Yes, and I might clarify that to say any previously 23 identified vulnerabilities, because of course that's 24 based on the knowledge of the authorities of that child, 25 and much of what I deal with in my portfolio, and indeed</p> <p style="text-align: center;">Page 15</p>
<p>1 partnerships, we have 32 of the upper-tier local 2 authorities within the UK in our force area. So 3 achieving consistency of delivery in an area where 4 partnership is absolutely essential is a major area of 5 challenge. Quite rightly, individual local authorities 6 and councils have varying priorities. But there are 7 some areas where consistency is seen as such an 8 important issue, this being one of them, that this 9 document, which was police led but engaged those other 10 partners, was felt to be necessary so that, as 11 vulnerable children travel through London, and it is 12 easy to move several times through different local 13 authority areas, for example, there is a consistent 14 approach to their safeguarding taken by leaders and 15 practitioners in all agencies concerned. 16 Q. You alighted upon there the scale of the problem faced 17 by the Metropolitan Police, and just so that the panel 18 is aware, and indeed it is publicly known, there are 19 approximately 8.4 million people living within the remit 20 of the Metropolitan Police, so it is a significant 21 proportion of the population of the entire country. 22 Now, although the protocol is entitled "Child Sexual 23 Exploitation", that does include, does it not, offences 24 committed via the use of the internet, and one can see 25 that at page 8 of the protocol, where, in terms, on the</p> <p style="text-align: center;">Page 14</p>	<p>1 this area in particular, is where we are encountering 2 previously hidden harm. So therefore, some of 3 the children who are at risk and may be at risk of other 4 vulnerabilities as well, we simply are not aware of 5 them. 6 Q. I think that paragraph goes on to say: 7 "Due to the nature of online activity, the currently 8 accepted indicators of possible sexual exploitation, 9 such as going missing or being absent from school, may 10 not be displayed and the first parents may know that 11 their child has been a victim of sexual exploitation is 12 when the police contact the family." 13 A. Yes. 14 Q. It makes this point, the protocol, and it will resonate 15 with matters the panel has already heard about: 16 "Children and young people often do not see the 17 dangers of sharing intimate images of themselves to 18 strangers. The internet creates a false feeling of 19 security and diminishes inhibitions that would exist 20 offline." 21 This protocol clearly operates to assist anyone, 22 whether it is the Safeguarding Board or indeed officers, 23 with the approach by the Metropolitan Police to 24 online-facilitated abuse. Is it available, though, to 25 the local officer, the PC and the DC at your local</p> <p style="text-align: center;">Page 16</p>

1 police station within the Metropolitan Police?
 2 **A. It is available, yes. So part of our response to last**
 3 **year's report was to look at the availability of**
 4 **protocols, policies, guidance and toolkits for our**
 5 **frontline officers. Now, on our internal system, the**
 6 **intranet, on the front page is a tile headlined**
 7 **"Safeguarding", which carries the logo of our internal**
 8 **campaign to raise awareness of all areas of child**
 9 **safeguarding, which takes the officer to a series of**
 10 **links, to toolkits, to policies, to protocols. So**
 11 **that's how that can now be accessed by our frontline**
 12 **officers.**
 13 **Clearly, it is too bulky for them to be carrying it**
 14 **with them, although the intention is, as we move further**
 15 **forward, to equip our officers to carry tablets whilst**
 16 **they are out and enable the same linkage through that.**
 17 **But at the moment, on every desktop they can get there**
 18 **through the front page of our intranet.**
 19 Q. We will look later on at some of the training, in
 20 particular to the frontline officers, but just
 21 generally, so that you are aware, there has been some
 22 evidence before the panel that there is good work being
 23 done at a national and regional level, and there may be
 24 a concern that that message is not filtering down to
 25 those frontline officers. So that may be a topic that

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1 I pick up with you throughout the course of your
 2 evidence.
 3 **A. Yes, and I will say now that that particular issue is**
 4 **one of the main areas of concern I have and one of**
 5 **the main areas we are seeking to address in our response**
 6 **to both the initial report and, more particularly, the**
 7 **quarter 3 report from HMICFRS which highlighted that**
 8 **particular problem.**
 9 Q. Just finally while looking at the protocol, one can see,
 10 still on page 10 of the document, reference in the
 11 right-hand column to the College of Policing guidance
 12 in November 2016, and what has become known as the
 13 outcome 21 process. In your experience, Commander, and
 14 from everything you have gleaned whilst taking up this
 15 post, do you have any observations about the utility of
 16 that process and whether you consider it to be
 17 a measured response to the problem of sexting or
 18 youth-generated imagery?
 19 **A. I think, in terms of outcome 21, it is something that we**
 20 **underuse in the Metropolitan Police. That was**
 21 **identified through national comparisons. Our response**
 22 **to discovering that has been twofold. So, one, looking**
 23 **further forward is to include understanding of**
 24 **outcome 21 in the training that we deliver to frontline**
 25 **officers, so that going further forward it is used**

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1 **appropriately, where previously it hadn't been used when**
 2 **it should have been. But in addition to that, we have**
 3 **dedicated officers to go back and retrospectively**
 4 **examine previous cases to identify where outcome 21**
 5 **should have been used and thus to put it right.**
 6 **I think that perhaps illustrates the approach that**
 7 **we are taking as a service. We recognise the findings**
 8 **from HMIC and Q3. We also recognise the value of having**
 9 **a national overview of how forces collectively are**
 10 **responding. That helps us to identify, as in this case,**
 11 **where we are an outlier and there is something to be**
 12 **addressed and, having identified that, we endeavour,**
 13 **given our scale, to put something in place that both**
 14 **improves our service for the future and also, where**
 15 **appropriate -- and it was appropriate in this case --**
 16 **retrospectively addresses the issue.**
 17 Q. Again, just help us: when was it discovered that
 18 outcome 21 was being underused?
 19 **A. I don't have that data, I'm afraid, but we can get that**
 20 **to the inquiry, if that would be helpful.**
 21 Q. In essence, if there was an overcriminalisation of
 22 a young person who should have fallen within the remit
 23 of outcome 21, steps are being taken to remedy that. Is
 24 that the position?
 25 **A. And, for clarity, I think I'm right in saying -- and we**

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1 **will clarify this in a written response -- that where**
 2 **outcome 21 should have been used, in many cases it may**
 3 **be simply that the investigation didn't go any further**
 4 **forward, but there would still be a record of**
 5 **the individual concerned being a suspect within our**
 6 **system. So whilst there may not have been a criminal**
 7 **justice outcome, they would still be shown on our system**
 8 **as a suspect, and that would be a wrongful record in the**
 9 **internal system.**
 10 Q. Just to conclude dealing with that operating profile,
 11 essentially, there we have a multi-agency document that
 12 is designed to try to deal with the threat of CSE,
 13 including online CSE?
 14 **A. Yes, that's right.**
 15 Q. Now, it might help the panel to understand the structure
 16 within the Metropolitan Police and the various teams and
 17 departments responsible for investigating online
 18 facilitated exploitation. Can we, as far as we are able
 19 to, de-abbreviate and de-acronym the respective
 20 departments? I am looking, Mr Smith, at pages 1 and 2
 21 of your first statement to the inquiry behind tab 1.
 22 It might be helpful to start with the structure
 23 where there is an identified victim. Is this the
 24 position, Mr Smith, that where the identity of
 25 the victim is known, there is in place within the

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<p>1 Metropolitan Police what is called the Sexual 2 Exploitation Team? 3 A. Yes, that's right. 4 Q. I won't take you, chair, through all of the various 5 roles within that and the ranks within that, because we 6 can see it set out. But sitting under that team, are 7 there then four teams representing the north, east, the 8 west and the south of London? 9 A. Yes. 10 Q. And they investigate the more complex cases in this 11 area? 12 A. That's right, yes. 13 Q. Am I right in thinking that under those four areas, 14 there are then the 32 boroughs? "Under" may not be the 15 right word. 16 A. Yes, I wonder whether now might be a good time to 17 outline our structure as a whole, which led to one of 18 the findings from HMIC and indeed to the creation of my 19 portfolio. 20 Q. Yes, certainly. 21 A. As I have said, a quarter of England and Wales police 22 officers work in London in the Metropolitan Police. As 23 a result of that scale, our service is split into 24 business groups. Currently, one of the business groups 25 covers local policing, as people would recognise;</p> <p style="text-align: center;">Page 21</p>	<p>1 the fact they're either a child or, for adults, that 2 there may be other vulnerabilities -- mental health; 3 being within an abusive relationship; being subject to 4 modern slavery, for example -- which means the portfolio 5 is cross-cutting across the whole organisation, but is 6 also very broad. To enable me to manage delivery of 7 that, I therefore have lead responsible officers for 8 those elements of safeguarding, each of which is broad 9 in itself. They have responsibility, not only for those 10 they line manage, but for the whole organisational 11 response for their strand. So in relation to Detective 12 Superintendent Barnes, he line manages the SCO40 team, 13 which is the -- 14 Q. We are going to come on to that, yes. 15 A. Yes, so Specialist Crime and Operations Business Group. 16 He line manages that team, but he also has, as the lead 17 responsible officer, the responsibility for the 18 professional development and policy engaged in other 19 areas of the business, including local policing. And 20 there are around a dozen other lead responsible officers 21 who work collaboratively where their various areas of 22 vulnerability overlap. So that's the structure under my 23 professional lead that runs in parallel to the line 24 management, perhaps a more recognisable hierarchical 25 structure that we are used to seeing. As a parallel, if</p> <p style="text-align: center;">Page 23</p>
<p>1 another covers the more serious elements, serious 2 investigations, such as murder and also our pan-London 3 responses, such as the Territorial Support Group that 4 you will see with public order, and so on. And there 5 are two other business groups as well. So we are 6 effectively split into different groupings. Therefore, 7 investigations may take place within one business group 8 at a local level or a different business group where the 9 seriousness is higher. 10 As a result of that, and not having any chief 11 officer with cross-cutting responsibility, what HMIC 12 found was that there was not a single chief officer who 13 could say all of the response to child protection 14 arrangements sat within their line management, and that 15 was right. 16 As a result, HMIC raised that as a concern, and my 17 portfolio role was created to have -- effectively, to be 18 a head of profession for child protection arrangements, 19 whether they fell within local policing or within the 20 serious crime element or elsewhere within the structure. 21 So, therefore, I don't line manage that response, but 22 I have professional lead responsibility for it. 23 The portfolio covers anyone who we would define as 24 vulnerable, so therefore, they're at risk of harm or 25 neglect and less able to protect themselves by virtue of</p> <p style="text-align: center;">Page 22</p>	<p>1 I should say, if we look nationally, each individual 2 force has a chief constable, but the NPCC have thematic 3 leads for various issues, Simon Bailey being one of 4 them. So effectively, it is similar to that structure, 5 but within one single force on account of our scale. 6 As a contextual setting, does that work or is there 7 further clarity needed? 8 Q. No, because the panel have got, then, the breakdown of 9 the respective teams. It is, I suspect, a failing on my 10 part in trying to simplify it. It may not have done 11 justice to the hierarchy and structure that the 12 Metropolitan Police have put into place. 13 May I interpose there to deal with one matter, the 14 HMIC report was an inspection carried out between 15 February and May 2016 and was published 16 in November 2016. 17 Chair, I know you will be aware yesterday of 18 the reference to the "Online and on the edge" HMIC 19 report which was published in the name of Ms Sharpling. 20 May I make it clear at this stage, so there is no 21 ambiguity about it, that whilst responsible for the 22 "Online and on the edge" report, Ms Sharpling is not 23 a part of the inspections carried out into the 24 Metropolitan Police. 25 We will return to that report in due course in this</p> <p style="text-align: center;">Page 24</p>

1 respect, because it was, in fact, a wide-ranging child
 2 protection inspection. But clearly we want to focus on
 3 the aspects which impinge on the online matters. I just
 4 wanted to put that onto the record at this stage because
 5 I suspect there will be repeated references to that
 6 report as we go through the commander's evidence.
 7 In your outline of the structure that is in place,
 8 you made reference there to what is called SCO40, which
 9 I think is a -- is it a division or a department?
 10 Forgive me, I don't know quite the right word for it.
 11 But it deals with online child sexual exploitation and
 12 abuse?
 13 **A. Yes, that's correct.**
 14 Q. What is the right word? Department, team?
 15 **A. Command.**
 16 Q. Command. Thank you very much. That command is in fact
 17 a command that looks at offending where there is not
 18 a victim identified and it is a proactive department.
 19 Is that the simplest way of --
 20 **A. Yes, that's the simplest way of describing what they do.**
 21 **So they proactively investigate offenders, online**
 22 **offenders.**
 23 Q. So one can look at the proactive work being done by
 24 SCO40. Then there is the SET team and the various
 25 departments under it that look at investigating where

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1 there is a known identity of the victim?
 2 **A. Yes.**
 3 Q. I think you said in your statement, Mr Smith, that each
 4 day -- I'm looking now at paragraph 1.10 in your
 5 statement -- there are officers who are attached to what
 6 is known as the Initial Assessment Team at that Sexual
 7 Exploitation Team.
 8 Can I just have your evidence, please, as to what
 9 that Initial Assessment Team actually does and how that
 10 helps to detect online crime?
 11 **A. Because of the scale already described and the fact that**
 12 **these type of investigations may take place in a number**
 13 **of different areas of the Metropolitan Police, the role**
 14 **of the Initial Assessment Team is to ensure that any**
 15 **reported crimes that are flagged as involving CSEA are**
 16 **then allocated to the appropriate team for**
 17 **investigation, to ensure that we are not placing**
 18 **a high-risk, proactive matter with investigators who are**
 19 **only trained to manage the lower risk. So they have --**
 20 **it is a relatively simple daily job to ensure the**
 21 **allocation is correct, but also to check and to apply**
 22 **some specialist knowledge to those reports to ensure**
 23 **that nothing has been missed and the appropriate risk**
 24 **assessment is there.**
 25 Q. In performing that allocation task, where is the work

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1 then sent out to?
 2 **A. It may be sent to local boroughs, so our local policing**
 3 **business group. It may be sent to the child abuse**
 4 **investigation teams. And it may also be sent to the SET**
 5 **to investigate. So either SET, CAIT or borough.**
 6 Q. Are there CAIT teams within the boroughs? You don't
 7 know the answer?
 8 **A. I do know the answer. So up until last year, the answer**
 9 **to that question is a straightforward "no". They are**
 10 **part of a separate central unit which at that point was**
 11 **called SCO17.**
 12 **As of the middle part or early part of last year,**
 13 **two pathfinder Basic Command Units were established to**
 14 **test a future operating model for the Metropolitan**
 15 **Police Service at local level, and those Basic Command**
 16 **Units brought together, in one case, two boroughs, in**
 17 **another case, three, and they were also given their own**
 18 **allocation of specialist investigators who previously**
 19 **sat in the CAIT. So they have CAIT officers within**
 20 **them.**
 21 **The remaining 27 boroughs still operate without**
 22 **their own CAIT officers, and those CAIT officers sit**
 23 **within what is now called the child abuse and sexual**
 24 **offences command case zone, which is in the same**
 25 **business group, but those officers aren't on borough.**

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1 **So in two areas CAIT officers are on borough. In the**
 2 **rest, they are still centralised.**
 3 Q. Can I ask this, because if anyone is following it and
 4 they don't have access to our documentation, it may be
 5 a little impenetrable. I don't say that critically.
 6 If we were to walk into a London police station
 7 today and say, "I have been a victim of online
 8 grooming", who is it within that local police station
 9 that would be tasked with initially investigating that
 10 crime or potential crime?
 11 **A. That would go to the Initial Assessment Team and, if**
 12 **somebody was reporting that they had been groomed, so**
 13 **there is an identified victim, if the allegation**
 14 **amounted to a suspicion only, so there wasn't sufficient**
 15 **to say a crime had taken place, then that may remain**
 16 **with the borough investigator as a child sexual**
 17 **exploitation noncrime incident.**
 18 **If there was sufficient evidence there to say**
 19 **grooming had taken place, you had that crime, then that**
 20 **would normally go to the SET to investigate further.**
 21 Q. Is there a danger that in having various teams
 22 responsible for this, there is inevitably built into it
 23 an element of delay? Clearly, if someone walks in and
 24 says, "I have been groomed, and actually here is my
 25 phone", or, "Here is my iPad with the text messages or

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1 the emails proving it", that device needs to be
 2 analysed, and one can well understand that. But is
 3 there a danger that perhaps in trying to divide up the
 4 work in this way, we are building into it an element of
 5 delay which is not in the best interests of the child or
 6 victim in the case?
 7 **A. I think you're right to raise that. The structure of**
 8 **the Met as a whole and this area of business in**
 9 **particular is something that we have reviewed and are**
 10 **reviewing, which is why you see those BCUs being**
 11 **trialled as pathfinders, and that was specifically to**
 12 **address that issue of having CAIT as being separate from**
 13 **the local unit and to reduce two things: firstly, that**
 14 **decision around allocation; and also communication**
 15 **between relevant units who may be investigating the same**
 16 **issues. So, for example, a family where there may be**
 17 **abuse that the CAIT may be dealing with, where there is**
 18 **also perhaps domestic abuse, which would be being dealt**
 19 **with on the local borough. So to try to reduce that, we**
 20 **are looking at how we do that. We are still left with**
 21 **the element of scale and complexity, and the challenge**
 22 **of ensuring consistent delivery. So still at the higher**
 23 **risk end there is an argument for centralisation.**
 24 **If we look, for example, at SCO40, that**
 25 **demonstrates, I think, that by having a concentration of**

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1 very specialist officers in one place, some really quite
 2 spectacularly good results can be achieved, but that is
 3 not an affordable model for us to put in place for every
 4 area of high risk everywhere in the Met. So we are left
 5 with a conundrum of how best to divide what is local
 6 policing and what must be specialised and centralist.
 7 **Our direction of travel in general terms is to put**
 8 **more specialism into our local areas so that people are**
 9 **working together and the decision has to be taken as to**
 10 **how much we can do that without reducing the sometimes**
 11 **effectiveness of very specialised units, such as SCO40.**
 12 **So you are right to highlight it as an area of concern.**
 13 **I don't think there is a perfect answer, and the**
 14 **responsibility I have and my colleagues have is to try**
 15 **to make sure that we get that balance correct so that**
 16 **there is not undue delay in responding to these matters,**
 17 **and certainly we are very careful around this that,**
 18 **where there is a child at risk, immediate action should**
 19 **be taken.**
 20 **One of the criticisms that we are now working**
 21 **through that was in the HMIC report that you referenced**
 22 **was the fact that those safeguarding steps were not**
 23 **always being identified and progressed quickly. It is**
 24 **those sorts of delays that are my major concern.**
 25 Q. Just finally on this, you made reference there to

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1 perhaps some of the strides taken by the SCO40 teams
 2 and, is this right, that that team arrests up to 40
 3 offenders each month through targeting online proactive
 4 matters on the internet or through intelligence
 5 referrals?
 6 **A. Yes.**
 7 Q. That gives us an idea of how many arrests that
 8 particular team is dealing with?
 9 **A. That's correct, yes.**
 10 Q. I want to just briefly look at the scale of the problem
 11 as far as the Metropolitan Police is concerned. Can we
 12 have a look at paragraph 7 in your statement, starting
 13 at page 12.
 14 Without going through each and every statistic or
 15 way of measuring the problem that the Metropolitan
 16 Police faces, if one looks at the number of referrals
 17 from NCA-CEOP -- I'm at paragraph 7.2, chair -- for the
 18 first 1 January 2017 to the end of September 2017, the
 19 MPS received 647 volume referrals from the NCA. Indeed,
 20 in, I think, September alone, there were 135 referrals?
 21 **A. Yes, that's right.**
 22 Q. I would like to ask you, please, there about
 23 paragraph 7.3. Because looking at that 647, you say:
 24 "By the end of this period, 58 of those
 25 investigations were formally closed."

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1 What do you mean by that, Mr Smith?
 2 **A. That they had reached an outcome and that no further**
 3 **investigation was due to take place.**
 4 Q. Of those investigations, in fact, of the 58, 52 were in
 5 fact NFAed, or no further actioned, essentially, no
 6 crimed. That might seem like quite a high proportion of
 7 the actual cases that were closed resulted in there
 8 being no crime committed. Do you have any evidence to
 9 give as to why there is a high proportion of NFAs in
 10 relation to those particular 58 investigations?
 11 **A. We, as an organisation, have looked at -- there is**
 12 **actually a disparity between our local investigations**
 13 **that are going to boroughs and those investigations that**
 14 **are referred to central units. In terms of outcome,**
 15 **there have been some inferences drawn as to why that may**
 16 **be, but given the difference, what I have done is**
 17 **commissioned a review by Detective Superintendent Barnes**
 18 **to try to understand exactly what lies behind that and**
 19 **whether the disparity that we see, depending on where we**
 20 **allocate the crime, is acceptable or whether or not it**
 21 **highlights areas where we really need more attention.**
 22 **My expectation is it will be the latter, but until**
 23 **we have the result of that review, I won't know what**
 24 **intervention will be required to address it.**
 25 Q. Are you able to give us an indication of the timescale

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1 when you expect that review to have been concluded and
 2 the results to be available?
 3 **A. Mr Barnes and I had a further discussion on that only**
 4 **this week, and I would expect the result of his review**
 5 **to be available to me within weeks rather than months.**
 6 Q. So there is potentially, when looking at those
 7 statistics, a concern that perhaps too many
 8 investigations are being dealt with by way of "no crime"
 9 when in fact there may be further investigation
 10 required. I only say "potential" at the moment?
 11 **A. I would stress that word "potential" because there are**
 12 **a number of reasons why an investigation may result in**
 13 **no further action, and therefore that decision may well**
 14 **be perfectly appropriate, and the disparity that we see**
 15 **between the areas of allocation may relate to the fact**
 16 **that investigations are sent to different investigators**
 17 **based on the nature of them, the nature of the risk, and**
 18 **so on.**
 19 So I'm expecting that there will be some
 20 understandable explanations around that, but I also
 21 expect there to be perhaps an element around local
 22 capabilities, local capacity, because we have seen those
 23 factors on many occasions in all elements of our child
 24 protection arrangements. So it would be perhaps strange
 25 if they didn't play a part here as well.

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1 Q. By contrast, if one looks at the data available at your
 2 paragraph 7.4, you have been able to tell the
 3 investigation that in the two-year period between
 4 1 October 2015 and the end of September 2017, the SCO40
 5 command, looking at those more proactive investigations,
 6 opened 586 indecent-images-of-children-related
 7 investigations, 371 of which have now been closed, and
 8 of that 371, 335 resulted in a charge and only 36 were
 9 NFAed. One can see there a great distinction between
 10 the results that you were able to provide us with in
 11 relation to NCA referrals, in contrast with the work
 12 being done by SCO40.
 13 I only raise it not because I want to highlight the
 14 concerning areas, but equally, there is, on the face of
 15 it there, potentially good work being done by SCO40.
 16 What would be the concern is why there is one command
 17 performing well and another perhaps less so?
 18 **A. Yes. As I have said, there may be -- and in fact there**
 19 **will be -- some very good reasons for that, such as the**
 20 **nature of the intelligence to start with, whether or not**
 21 **it is possible to identify suspects in every case, how**
 22 **many of those cases have been NFAed, where perhaps**
 23 **outcome 21 would have been more appropriate as an**
 24 **outcome. All of those issues will play in. The**
 25 **strength of proactive investigations starting with**

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1 **a suspect is that, almost by definition, every**
 2 **investigation starts with somebody to investigate,**
 3 **whereas, with some of the others, the NCA referrals, our**
 4 **start point is to try to identify that person. So there**
 5 **are a number of understandable reasons why we would be**
 6 **there, but we also want to examine any areas where we**
 7 **may be able to improve our performance across the board.**
 8 **I think the other thing that this does illustrate is**
 9 **that the type of operating model, business model, that**
 10 **we are able to sustain in SCO40 is highly effective.**
 11 **It's highly effective in this area. We have invested**
 12 **additional resources into it in recent years. But when**
 13 **you look back at the scale of increase we are looking**
 14 **at, it would not be possible for us to continually**
 15 **increase the capacity of SCO40 to keep pace with the**
 16 **type of increases that we are seeing.**
 17 **So, therefore, it is incumbent on us to have**
 18 **a broader business model that brings in other areas of**
 19 **our organisation as well. So the trick for us is to**
 20 **ensure that the right allocations are made to the right**
 21 **people and that those people who are receiving it have**
 22 **the capacity to deal with this type of crime and also**
 23 **the capability and understanding to do so.**
 24 Q. Inevitably, that brings us on to the question of money.
 25 I would like, please, to consider for a moment the

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1 budget within which the MPS is operating. I think in
 2 that regard, chair, there is an additional statement at
 3 tab 6 in your bundle. Can we turn that up, please.
 4 I think, Commander, this is the position, that the
 5 Metropolitan Police have been able to undertake some
 6 work at the inquiry's request to try to work out the
 7 budget specifically related to online-facilitated child
 8 sexual exploitation and abuse. In that regard, there
 9 are some figures that you are able to provide us with.
 10 Can we look firstly, please, at that SCO40. I think you
 11 said clearly that is the command that has the sole
 12 function of tackling online child sexual abuse and
 13 exploitation. The current annual budget -- is that for
 14 2017 into 2018? --
 15 **A. Yes.**
 16 Q. -- is at 4.31 million?
 17 **A. Yes, that's correct.**
 18 Q. It includes some pay, transport costs and some IT
 19 resources. Is that a budget that is solely used by that
 20 command or available for that command?
 21 **A. Yes, it is. The bulk of that will be pay.**
 22 Q. Is that "TP" territorial policing?
 23 **A. Yes, that's correct. So territorial policing is the**
 24 **local policing business group. SCO40 is not within that**
 25 **business group.**

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1 Q. That's been a more difficult budget to try to ascertain,
 2 and I don't say that in any way critically. Could you
 3 just outline to the panel the findings there in relation
 4 to the local policing, if I can call it that, so that
 5 everyone can understand what their budget amounts to?
 6 **A. Right. So there are two elements to this. The**
 7 **territorial policing child abuse and sexual offences**
 8 **command provide an estimate of how much of their budget**
 9 **relates to investigations involving an online element.**
 10 **If I can just say, when we looked at the spend within**
 11 **territorial policing, the challenge, in order to help**
 12 **the inquiry, was to -- it is an ugly word --**
 13 **disaggregate the spend on this area from the overall**
 14 **spend. So we have made what we think are reasonable**
 15 **estimates in terms of CASO, where the CAITs -- the**
 16 **Child Abuse Investigation Teams -- and SET sit, and also**
 17 **the local boroughs, the 27 boroughs and two Basic**
 18 **Command Units involved in investigating indecent images**
 19 **of children within their CID departments, and of course**
 20 **that means we have detectives who may be investigating**
 21 **anything from a GBH or a burglary or a number of other**
 22 **offences who also take these type of enquiries, so,**
 23 **again, it is based on the estimate of the amount of**
 24 **their dedicated time that goes to these type of**
 25 **investigations.**

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1 **Part of the challenge in getting a number back to**
 2 **the inquiry is due to the fact that we have had to**
 3 **establish this business model because we cannot afford**
 4 **to just expand SCO40 to do all of the work and we**
 5 **therefore have this tiered response based on risk**
 6 **because that is a more sustainable model, given resource**
 7 **constraints that we have, and demands of other crime.**
 8 Q. In relation to offences of indecent images of children,
 9 I think you said at paragraph 1.8 these are investigated
 10 at constable rank. Is that both police constable and
 11 detective constable?
 12 **A. Detective constable.**
 13 Q. Detective constable, thank you. It is estimated that
 14 within the Metropolitan Police 9,900 officer days -- is
 15 that within the last budget, the last financial year?
 16 **A. Yes, and, again, that was our best effort estimate based**
 17 **on the factors that we could find in terms of the number**
 18 **of investigations taken on by territorial policing**
 19 **officers, the approximate length of time that such an**
 20 **investigation would take and how much of an officer's**
 21 **time during that period would be taken by the**
 22 **investigation. So these figures come with a caveat that**
 23 **we have exercised our real best efforts to ensure that**
 24 **they are as close as possible to an accurate figure. We**
 25 **simply don't record the financing in that way.**

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1 Q. 9,900 officer days equates to, is this right,
 2 £4.43 million in monetary value?
 3 **A. Yes.**
 4 Q. So it is not the budget that you have got to investigate
 5 that crime, but if there are that number of officers
 6 investigating indecent imagery, that's an indication of
 7 how much that cost the Metropolitan Police?
 8 **A. Yes.**
 9 Q. Just two other matters in relation to the financing.
 10 You make reference there to the Metropolitan Police
 11 Service digital forensics budget, which for this
 12 financial year is £10 million. You say that 45 per cent
 13 of that is being spent on online child sexual abuse.
 14 Then in relation to your paragraph 1.10, I would like
 15 your help, please, Mr Smith. You say:
 16 "Approximately £150,000 of the MPS 'tasking' budget
 17 is also used to fund overtime costs across the
 18 organisation on online child sexual exploitation and
 19 abuse-related investigation. This amounts to a total
 20 estimated spend of £16 million-odd."
 21 I want to be clear about what that 16 million figure
 22 actually represents?
 23 **A. The 16 million figure is the total of the -- primarily**
 24 **staffing, but also transport and support costs of SCO40**
 25 **plus that proportion of the spend within the SET --**

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1 **Sexual Exploitation Team -- plus our estimated costs**
 2 **from TP local detectives, the proportion of digital**
 3 **forensics budget and that £150,000 from the central**
 4 **tasking budget, which is for, you know, particular**
 5 **operations that each individual unit can't sustain from**
 6 **their own overtime budget. So there will be a number of**
 7 **taskings that are effectively paid for by the units out**
 8 **of their own budgets, but there is also a central budget**
 9 **that can be requested from and there's a dedicated**
 10 **amount of money there available for these type of**
 11 **investigations.**
 12 Q. Trying to summarise it as best I can, across the various
 13 commands and different teams, essentially, is what you
 14 are saying that for '17 into '18 there was an estimated
 15 spend of that £16 million-odd?
 16 **A. Yes.**
 17 Q. So that anyone is aware, clearly, there is the
 18 capability for those various teams to actually draw on
 19 resources from other departments, other commands, and
 20 I think you set out in your statement the various ways
 21 that the money spent from those other departments is not
 22 included in that £16-million figure?
 23 **A. That's right. Yes.**
 24 Q. The reality of the position, as far as the
 25 Metropolitan Police is concerned, is this, though -- and

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1 I think you said in your first statement that by
 2 2020/2021, for that financial year, the Metropolitan
 3 Police Service is required to reduce revenue across all
 4 of its policing expenditure by 400 million?
 5 **A. Yes.**
 6 Q. It is right to acknowledge that in relation to the
 7 Metropolitan Police, clearly, there is a significant and
 8 continuing ongoing terrorist threat which places its own
 9 particular demands on the Met?
 10 **A. Yes, it does.**
 11 Q. However, with that budgetary constraint, are you able to
 12 give us an indication or idea of how that might impact
 13 on the ability of the Met to continue detecting and
 14 investigating online-facilitated child sexual abuse?
 15 **A. Are you asking me specifically how the reduction in**
 16 **budget will impact here?**
 17 Q. Yes.
 18 **A. That will depend on two things, so far as the**
 19 **organisation is concerned. Firstly, how efficiently and**
 20 **effectively we can make use of the resources that are**
 21 **currently available to us, and there are certainly some**
 22 **areas where we could improve and the HMIC report of 2016**
 23 **was helpful in terms of identifying where those areas of**
 24 **pressure were. I am hopeful that the new governance**
 25 **structure we have in place will enable us to deliver**

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1 those. So improving what we have, using it more
 2 effectively, improving the capability of our staff is
 3 one area that is open to us in order to sustain our
 4 current delivery.
 5 The other area very much relevant to here is
 6 effectively how that cake is cut within the
 7 organisation, and that is where very difficult decisions
 8 are required to be made. We are able to restructure,
 9 and we are looking at that restructuring as I described,
 10 bringing boroughs together in order to get a more
 11 efficient and financially efficient and effective way of
 12 working, but decisions will have to be made on what is
 13 prioritised.
 14 I am encouraged, from a safeguarding perspective,
 15 that the attention given to child safeguarding currently
 16 is high. This is now very much a part of our control
 17 strategy, so effectively, the highlighted areas where
 18 most attention and, therefore, most resources should be
 19 concentrated, which means I can have some confidence
 20 that where reductions are to be made, they will either
 21 not impact or will impact less in this area. But I say
 22 that with the caveat that we deal with not just this
 23 area of high risk, but you mentioned counter-terrorism,
 24 and the panel will be aware of the number of knife
 25 murders that we encountered or experienced in London

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1 **last year, and those other traditional crimes also need**
 2 **to be addressed for the safety of the public.**
 3 **So there are no easy options here when we are**
 4 **looking at a reduced budget, but increasing demand in**
 5 **many areas, and increasing complexity very often as**
 6 **well, and I have no doubt I will come back a number of**
 7 **times to the capacity issue that we face for our**
 8 **officers.**
 9 Q. Given those constraints and those competing demands,
 10 I think you may be aware of other suggestions for ways
 11 of dealing in particular with low-risk offenders,
 12 perhaps by way of a conditional caution with some
 13 rehabilitation or various treatment programmes.
 14 As far as the Met is concerned, Mr Smith, would you
 15 be a supporter of potentially a diversion of
 16 the lower-risk offender, given the demands that are
 17 clearly on the Met, not only in relation to online CSA
 18 but all of the other areas of threat that London faces?
 19 **A. I think -- I was really struck by comments from my**
 20 **colleague in West Midlands Police, and I concur with the**
 21 **views within that statement. I think the important**
 22 **point -- and it's been made a number of times -- is that**
 23 **this issue is increasing exponentially. It simply**
 24 **cannot be addressed through traditional Pursue**
 25 **approaches by the police service, because the demand**

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1 will rapidly outstrip the resources that we have, and so
 2 a whole-systems approach is required with much more
 3 focus on preventing it, and there has been discussion
 4 around the role industry takes, the role education
 5 takes. I think that is vitally important to focus on,
 6 and actually the criminal justice outcomes are a part of
 7 that, but can never be the whole of it.
 8 In terms of a model where other forms of outcome are
 9 used -- I'm choosing my words with care. I think the
 10 most important thing for all of us is to ensure that the
 11 safety of children is paramount. That must remain as
 12 paramount importance. But we do need to have that quite
 13 sophisticated debate about what resource is available,
 14 how it can be best used, how we ensure that our risk
 15 assessments are as effective as possible so we are
 16 addressing the highest-risk offenders and safeguarding
 17 the children that we can identify, but I think any
 18 debate -- any limitations to the width of that debate
 19 would be unhelpful, and I think it is really important
 20 that we are able to look at all potential options as to
 21 how we deal with this going forward. It is a problem
 22 which is far too big for artificial constraints around
 23 what is acceptable for us to start considering, but with
 24 that caveat of great care and the attention on safety of
 25 children at all times.

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<p>1 MS CAREY: Chair, I am going to move on later this morning 2 to look at the HMIC report in a bit more detail. I was 3 wondering if that might be a convenient moment for the 4 mid-morning break? 5 THE CHAIR: Thank you, yes. We will return at 12 noon. 6 (11.43 am) 7 (A short break) 8 (12.05 pm) 9 MS CAREY: Chair, may I just clarify one matter from this 10 morning's evidence. It is an error, I suspect, on my 11 part. You will recall I drew Mr Smith's attention to 12 the figures in relation to NCA referrals that amounted 13 to a "no crime", and then one looked by contrast at the 14 figures from the SCO40 division, and you will recall the 15 commander saying there was going to be a review. 16 In fact, the error is mine because, when one looks 17 at paragraph 7.5, there was a potential disparity 18 between local policing figures and the number of 19 investigations carried out by the territorial policing 20 and the NFA matters in that regard. The review is going 21 to look at the disparity potentially between those two 22 figures. I'm sorry I led the commander into error by 23 drawing the wrong contrast. Nonetheless, he has assured 24 us he is going to provide us with the review in due 25 course, in any event.</p> <p style="text-align: center;">Page 45</p>	<p>1 support the findings and the recommendations made by the 2 Inspectorate, and I picked this one because it is 3 online-related. It was a case involving a female child 4 engaging online with a 30-year-old man. The girl had 5 begun to go missing, which was described as out of 6 character by her parents. She was receiving gifts from 7 the man with indications that she was being paid for 8 sex. She disclosed she had been in contact with the man 9 since she was 14 and had been supplied with alcohol and 10 cigarettes and subjected to sexual assaults. Despite 11 the family contacting the suspect to tell him they had 12 informed the police, he continued to message the child, 13 asking what time she finished school. It took 17 days 14 for the case to be allocated to an officer to 15 investigate the offences that had been disclosed. 16 That's just an example that the Inspectorate found. 17 In more general terms, if one goes to page 32 in the 18 report, there is a table there setting out the cases 19 assessed involving children at risk from online CSE. It 20 is table 6. There were, in total, 43 online specific 21 CSE cases that were assessed. Two were deemed to be 22 good, two adequate, ten required improvement and 29 23 assessed as being inadequate. Essentially, there 39 out 24 of that 43 that required improvement or were inadequate. 25 The themes is actually the matter I wanted to draw</p> <p style="text-align: center;">Page 47</p>
<p>1 Can we turn, please, Mr Smith, to the 2016 HMIC 2 report which we will find behind our tab 4. I am going 3 to try to take you through some of the specific concerns 4 that relate to online-related CSE, but just by way of 5 background, to put it into context, can we have a look, 6 please, at OHY003222 on screen, and, chair, to page 6, 7 which starts with the preliminary findings of that 8 report. 9 The second paragraph there on that page draws 10 attention to the fact that in the inspection of 11 the files that were judged -- there were 374 examined -- 12 278 were demonstrated to have policing practice that 13 either needed improvement or was inadequate. On any 14 view, that is a concern to anyone living within the 15 Metropolitan Police and no doubt to you as well, 16 Commander? 17 A. That's right. 18 Q. Looking at some of the online examples that were given 19 in that report, can we turn to pages 27 and 28. There 20 is an example given there of a case that when the 21 Metropolitan Police carried out its own review of 22 the file, the force assessed it as good, but HMIC's 23 assessment was that it was inadequate. It is actually 24 at the bottom of that page. 25 Throughout the report, there are examples given to</p> <p style="text-align: center;">Page 46</p>	<p>1 your attention to, because this morning reference was 2 made to a concern that actually, at the local level, 3 there was a disparity between good work being done 4 nationally and perhaps it not filtering through, and 5 that picks up on these themes here. 6 The themes included huge inconsistencies in the 7 length of time it took for officers to conduct 8 investigations, with a range from days to years; 9 unacceptable delays between the police receiving 10 information about a possible offence or offender and the 11 execution of a search warrant. In one case, it was 12 96 days between the information identifying the offence 13 or the offender and the execution of that warrant. 14 Delays of between 5 and 15 months between electronic 15 devices being seized and then being examined. There was 16 a failure to conduct appropriate and proportionate 17 investigations; crimes not always being recorded; and 18 poor recording of information such as strategy 19 discussions. 20 Would that include discussions with the other 21 agencies that are often involved in looking at and 22 protecting and safeguarding the child? 23 A. Yes, the reference to strategy discussions is almost 24 always in relation to those multi-agency arrangements. 25 Q. An example in relation to the unacceptable delays to</p> <p style="text-align: center;">Page 48</p>

1 investigations was given at page 70 in the report. This
 2 is in relation to individuals possessing indecent
 3 imagery of children, which is clearly a significant
 4 aspect of online-facilitated child sexual abuse. If one
 5 looks at the "Unacceptable delays" box, for example,
 6 in November 2012, the Metropolitan Police received
 7 intelligence from two separate police forces that a user
 8 of a file-sharing programme was making images and movies
 9 of child sexual abuse available for distribution. It
 10 was in May 2013 that the force identified a suspect. It
 11 was in February 2015, that the Metropolitan Police
 12 executed the warrant and arrested the suspect. The
 13 Inspectorate makes the observation that this
 14 investigation took far too long, over two and a half
 15 years, and no evidence of any supervision of the case to
 16 check its progress along the way.

17 The report also had concerns about the Metropolitan
 18 Police's IT systems. Can we look at page 25 of
 19 the report for the conclusion there. The third
 20 paragraph down, there was deemed to be a lack of
 21 connection between the Metropolitan Police IT systems,
 22 the databases and spreadsheets used to record such
 23 analyses exacerbates this problem:

24 "As a result, much of the information on victims,
 25 offenders and risk is kept in isolated pockets across

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1 the force. This contrasts sharply with the free
 2 movement of people ... around the capital."

3 Given, Commander, that, on any view, online child
 4 sexual abuse is borderless, for want of a better phrase,
 5 and there is real concern about the lack of proper
 6 recording that any borough or any individual team would
 7 be able to access what is going on or an investigation
 8 or a suspected offence that is being brought up in
 9 a different area of London. Can you help the panel,
 10 what has been done in relation to trying to resolve the
 11 concern about the lack of a connected IT system?

12 **A. If I deal first just around the IT, the longer-term**
 13 **solution to some of these challenges is that the**
 14 **Metropolitan Police will be replacing some of our core**
 15 **systems, so our custody system, Merlin, which is where**
 16 **we record vulnerability, both for adults and children,**
 17 **crime reporting system and our intelligence system with**
 18 **a unified system to cover all of those requirements.**
 19 **That's not going to take place immediately, but we are**
 20 **in the procurement process currently.**

21 The more immediate challenge that arose as part of
 22 this -- or was highlighted by this report from HMIC, was
 23 the use of databases and spreadsheets where information
 24 was recorded that was not on the corporate systems. So
 25 corporate systems such as our crime reporting system,

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1 **CRIS, and Crimint are accessible from the centre across**
 2 **all of our boroughs and, therefore, within local**
 3 **intelligence units, local intelligence support, they**
 4 **have that access. But the really critical finding that**
 5 **we uncovered was that there was information held on**
 6 **local, stand-alone systems and processes that were**
 7 **useful but not accessible corporately. And that's --**
 8 **one of our initiatives has just been to stop that**
 9 **happening and ensure that all information is going onto**
 10 **those core systems -- CRIS, Crimint, Merlin -- where it**
 11 **is accessible and is then compliant with the management**
 12 **of police information guidelines, for example.**

13 Q. With filter down, though, to the investigating
 14 officer -- and they may potentially still need to check
 15 a number of different systems either by the name of
 16 the offender or the name of the victim, or whatever
 17 information it is that the police have -- is that
 18 something that's envisaged is going to be easily doable
 19 in a routine investigation?

20 **A. Yes, it should be. So under MiPS that should be much**
 21 **facilitated, but it is already possible, providing that**
 22 **data is in the core systems. As I said, but the**
 23 **challenge was that information, relevant information,**
 24 **was being held locally, often for what was seen as**
 25 **a good reason, but missing the point that it wasn't**

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1 accessible elsewhere. That was just one of a great
 2 number of challenges that we found out of this
 3 inspection and obviously you will have specific areas
 4 you want to examine, but I think -- I will make the
 5 point at this moment that, on receipt of this report,
 6 this will have been extremely concerning to Londoners.
 7 It was of grave concern to the Metropolitan Police and
 8 has resulted in huge efforts to address the challenges
 9 that were highlighted by HMIC in 2016 and continue to be
 10 highlighted through the quarterly reports that we have
 11 seen.

12 Changes that were required were at that corporate
 13 level around the strategic governance and connectivity
 14 of various areas of vulnerability that was required.
 15 Investment into some of our pan-London relationships
 16 with partners and also our pan-London delivery of
 17 services such as custody, our call receipt and so on, so
 18 it cut across the whole organisation.

19 Down at the frontline, we know there are issues
 20 around both capacity and capability, the training
 21 delivered to officers at the frontline, their confidence
 22 in applying that knowledge and also their capacity to do
 23 so, given the other draws on their time. All of these
 24 issues needed to be addressed, and still do, and you
 25 will be aware -- I'm sure the panel will be aware --

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1 that whilst we have made significant strides in relation
 2 to the recommendations out of the report and putting
 3 a more robust strategy in place, differences at the
 4 frontline are yet to be delivered, and that is the real
 5 challenge for the time going forward. There is
 6 certainly no lack of effort or attention on that, but
 7 I think it is fair to say that I am disappointed not to
 8 have seen those improvements starting to arrive at the
 9 frontline, but there is no lack of drive to make that
 10 happen and, indeed, on receipt of the third quarterly
 11 inspection, our approach to delivering those changes and
 12 the focus through assurance and performance management
 13 has stepped up a gear significantly to do that.

14 Q. We are going to look in a minute at the third quarterly
 15 report, but I just wanted to draw attention to one other
 16 matter found throughout that HMIC investigation at
 17 page 69 of that report. There was a specific concern in
 18 relation to investigations by nonspecialist borough
 19 officers, which might tie in with the concern about the
 20 frontline which may still exist.

21 There one can see that the report concluded that
 22 investigations carried out by non-specialist borough
 23 officers were generally of a lower standard than those
 24 conducted by specialist officers. Is that still
 25 a concern you have today?

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1 **A. Yes, that remains a concern. It will be one of**
 2 **the areas that Mr Barnes's review will look to. If**
 3 **I may, the root causes of that differential and the**
 4 **challenge for non-specialist borough officers are**
 5 **manifold, all of which are being addressed. There is**
 6 **the capacity issue. We require an awful lot of our**
 7 **frontline, particularly in that non-specialist area, the**
 8 **capability, the number things we expect them to know**
 9 **about and, at that time, their access to information**
 10 **such as the CSE protocol which you highlighted earlier,**
 11 **their confidence in applying it, and also having**
 12 **somebody leading at a strategic level where in the**
 13 **specialist unit that leadership is very clear.**

14 In the non-specialist, general local policing, there
 15 was nobody with responsibility solely for that area of
 16 work, so the prioritisation came alongside other areas
 17 of crime, and our performance framework around
 18 non-specialist borough delivery in these areas was not
 19 robust enough, was not frequent enough, for us to be
 20 able to identify direction of travel and any outliers,
 21 indeed. I think the other -- and I just make this
 22 point, as HMIC did, we lacked an assurance framework to
 23 look at the quality of these investigations on a regular
 24 basis. One was created as a result of this report
 25 arriving. And also, when we did conduct our own

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1 assurance process, as HMIC pointed out, that team's
 2 assessment of what was good, adequate, inadequate and
 3 requiring improvement was different to the HMIC
 4 assessment. I am happy to say that now it is not. Our
 5 internal assurance team are absolutely in line with HMIC
 6 and also, critically, the response, when inadequacies
 7 were found, was too slow and not effective enough, and
 8 that's another area where we have and are driving
 9 improvement to ensure that when we find something where
 10 we think a child is at risk, there is very swift action
 11 taken by the senior leadership of that local borough.

12 Q. You have spoken in that answer about difficulty with
 13 capability, capacity, confidence in the officer knowing
 14 either what to do or, if they don't know what to do,
 15 finding out how they should go about it. The concern
 16 certainly alighted upon at this page of the report was
 17 not in fact so much they hadn't investigated, in the
 18 example given, a USB stick which was found to contain
 19 indecent imagery, but that the investigation did not in
 20 fact explore the wider issues, and in particular the
 21 safeguarding of the child. So it is not just a criminal
 22 justice response of, "Here is the indecent imagery.
 23 Let's go and identify the offender and pursue him in
 24 that regard", but in this particular case, the suspect
 25 actually was involved in baby-sitting and having access

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1 to children. Now, there needs to be, does there not, an
 2 acknowledgement and training of the police so they
 3 understand the wider implications of online-facilitated
 4 child sexual abuse.

5 What is being done to address, with non-specialist
 6 officers, an appreciation of the wider perspective?

7 **A. The first issue was around training but also an**
 8 **awareness and an ownership. So before I address the**
 9 **training issue, we have run, for the first time, an**
 10 **orchestrated internal communications campaign, and the**
 11 **subject of that campaign has been child safeguarding.**
 12 **We invested into that and a survey of our staff to find**
 13 **out exactly what the issues were.**

14 What we found from officers was that they felt this
 15 was an important issue but didn't feel they knew enough
 16 about it. What the report told us was that many times
 17 that wider safeguarding angle was not being missed,
 18 whether through people being challenged in terms of
 19 their time and capacity or a lack of professional
 20 curiosity, perhaps, or not knowing what signs to look
 21 for.

22 So the campaign has focused very firmly on that with
 23 the strapline "Spot it and stop it". That goes in
 24 parallel with an organisational drive to say that
 25 safeguarding is everybody's business, where before

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<p>1 perhaps there was a cultural understanding that 2 specialists would be managing the safeguarding and it 3 was somehow a complex area that people shouldn't delve 4 into. We now make the point that this is about the 5 safety of children and, no matter what your role is, you 6 should be looking for those opportunities, looking for 7 those threats and it is your responsibility to do 8 something about it.</p> <p>9 That would be unfair without delivering some 10 training to those officers to understand how to put that 11 into practice.</p> <p>12 For our frontline, so 20,000-something officers, we 13 have four quarterly training cycles professional 14 development days, and three of the four last year were 15 around child safeguarding, which tells you the 16 prioritisation given to that. In particular, one of 17 those included an input into online investigations, 18 which was created with the assistance of that specialist 19 unit, SCO40, who also have established single points of 20 contact for all of the boroughs within their staffing. 21 So they have expertise to call upon.</p> <p>22 So it was recognising that our frontline had not 23 been trained, did not necessarily know and certainly 24 didn't have the confidence on how to deal with these 25 matters when they found them.</p> <p style="text-align: center;">Page 57</p>	<p>1 a quarterly update to be undertaken and provided to see 2 that the recommendations were actually being put into 3 effect.</p> <p>4 The Metropolitan Police have provided the inquiry 5 with all of the quarterly reports to date, but rather 6 than go through them all, it might be sensible just to 7 look at the most recent one, which is quarter 3. You 8 will find it behind tab 5 in our bundle. This is 9 reference OHY003226. The quarterly update for the 10 period July to September 2017. To put this quarterly 11 update into context, can we have a look, please, at 12 page 6. An audit of cases was undertaken during this 13 quarter; is that right?</p> <p>14 A. That's correct, yes.</p> <p>15 Q. In total, I think there were 135 child protection 16 cases -- again, I make the point not solely 17 online-specific -- that were looked at, but 93 per cent 18 of those cases demonstrated policing practice that again 19 required improvement or were inadequate.</p> <p>20 Looking at the specifics of online-related matters, 21 can we turn to page 15 of the report. One will see 22 towards the top of the page the "CSE Online" heading and 23 a number of bullet points under that. Just look at the 24 findings of the quarterly update.</p> <p>25 There were still deemed to be unnecessary delays</p> <p style="text-align: center;">Page 59</p>
<p>1 Q. In that regard, I think it is not in your bundle, chair, 2 but the commander has in fact provided the inquiry with 3 some of the statistics in relation to the training. 4 I will give you just a few so you get an indication of 5 the scale.</p> <p>6 In April to June 2017, approximately 11,000 TP, 7 territorial policing, local, to use my word, officers 8 were trained in safeguarding, and in January to March of 9 this year, it is envisaged that 6,000 officers from 10 SCO -- would you help me with that?</p> <p>11 A. Specialist Crime and Operations.</p> <p>12 Q. Thank you, will be trained in children safeguarding and 13 protection. And at the end of last year, there were 14 8,000 local officers training in a course of what was 15 called Children, Social Media, Internet and Indecent 16 Images Grooming Investigations, with a further 3,000 17 officers being trained to the end of that year. I say 18 that because a concern of the HMIC report was lack of 19 training, and it is right to acknowledge that there has 20 been information provided to the inquiry about the 21 training that's gone on in the last year and indeed this 22 year.</p> <p>23 You have acknowledged, Commander, that the 2016 HMIC 24 report was of significant concern to the Metropolitan 25 Police, and as a result of that, I think HMIC required</p> <p style="text-align: center;">Page 58</p>	<p>1 evident between the initial stages of investigative 2 ownership, which was passed between the various teams. 3 I think, Commander, we have considered already this 4 morning, perhaps, the potential problems that arise with 5 having this number of different commands and teams 6 within the Met. Investigations were not always child 7 centred. Is it envisaged that that safeguarding 8 training of which we have just spoken will go some way 9 to putting the child back at the centre of 10 the investigation and not just the criminal justice 11 process?</p> <p>12 A. Yes, it is envisaged as such. I think the point, 13 though, needs to be made that this third quarterly 14 report came after there had already been significant 15 organisational effort to prioritise child safeguarding.</p> <p>16 We always recognise that, given the scale of this 17 service, given the fact that we are about a quarter of 18 the police force in England and Wales, as I have said, 19 we knew that changes at the frontline would take some 20 time, but I think it is fair to say I was certainly 21 disappointed not see more of a change starting to take 22 effect. But that is not to say that the framework 23 that's put in place will not now enable that to take 24 place.</p> <p>25 Our assurance process now is effective. The</p> <p style="text-align: center;">Page 60</p>

<p>1 strategy or the strategic framework we have for 2 governance is now fully in place. So we have that 3 oversight where perhaps we didn't before.</p> <p>4 The performance framework we have for senior 5 leaders, so borough commanders and safeguarding leads 6 within the boroughs that we now have in the new 7 structure we are moving towards, are robustly held to 8 account on such things as timescales when cases are 9 allocated to being resolved one way or another, and that 10 longitudinal comparison and that peer-to-peer comparison 11 that I talked about to identify direction of travel and 12 outliers, both qualitative data and quantitative data, 13 is looked at on a four-weekly basis and those leads meet 14 with me every four weeks and their borough commanders 15 are at the central performance board every four weeks as 16 well.</p> <p>17 So where perhaps this may not have featured so 18 strongly in performance frameworks before, now it very 19 much does, in order to drive some better delivery.</p> <p>20 However, we are still seeing significant problems. 21 There is more to do around the capability of our 22 frontline and the confidence of our supervisors to 23 challenge and identify where we have these risks.</p> <p>24 Q. Can I ask you about the bullet point that begins with 25 the phrase:</p> <p style="text-align: center;">Page 61</p>	<p>1 of crime, because I think it is really important to 2 recognise that this type of crime and child protection 3 sits alongside numerous other priorities that our 4 borough commanders are required to deliver against, but 5 looking at how they manage those people who are wanted 6 and missing, who we should be finding at the high-risk 7 end in particular, and they are held to account on those 8 deliverables.</p> <p>9 Q. Do you think there is a perception, perhaps, among the 10 lower-ranking officers that online-facilitated sexual 11 abuse is somehow less serious or less pressing of 12 a concern than actual contact offending and the more 13 serious level of sexual offences?</p> <p>14 A. I don't think so. You're asking me about perception of 15 a large group of people.</p> <p>16 Q. I appreciate that.</p> <p>17 A. My only indication around that would be from a survey we 18 conducted following the HMIC report, where we surveyed 19 4,000 of our staff for their attitudes and concerns 20 around child safeguarding. Our frontline all said, or 21 a very large proportion of them said, they felt that 22 child safeguarding in all its forms was a priority area 23 of business. So based on that, and with that caveat, 24 I don't think so.</p> <p>25 Q. The final bullet point I wanted to draw from the third</p> <p style="text-align: center;">Page 63</p>
<p>1 "There was a general absence of concerted effort to 2 locate suspects whose names had been identified, and 3 delays in making such arrests."</p> <p>4 That may be of concern because, clearly, if one 5 doesn't move effectively and quickly enough to arrest 6 a suspect, there may be always the risk, if they are in 7 contact with a child or have access to a child, of 8 further offending.</p> <p>9 Can you help us: what is practically being done to 10 try to deal with that concern?</p> <p>11 A. Twofold. So from an understanding and awareness point 12 of view, it is through the training that we are 13 delivering of highlighting to the whole of the frontline 14 the genuine harm and also personalising it, you know, 15 making people realise that we have real people at the 16 heart of this, this isn't about statistics and numbers, 17 these are real children who can be at risk. So ensuring 18 that that is put into the training and is highlighted in 19 terms of our internal comms.</p> <p>20 But the other bit is around that performance regime, 21 where we are looking at that timeline from delivering 22 a case to closing it and also such things as outstanding 23 offenders and particularly the high-risk outstanding 24 offenders that are registered and how quickly they are 25 being located and dealt with, not just around this type</p> <p style="text-align: center;">Page 62</p>	<p>1 quarterly report was the bullet point that deals with 2 the general lack of technical knowledge in the 3 collection and preservation of evidence and a reluctance 4 to seize devices that were likely to contain evidence, 5 especially mobile phones from children. Now, the panel 6 will have heard and will well understand that a teenager 7 in particular does not want to be parted from their 8 phone or their iPad or their computer. But what is 9 being done by the Metropolitan Police to raise the level 10 of knowledge and in particular raise the need for the 11 fact that that device does need to be analysed and 12 analysed promptly?</p> <p>13 A. Our digital forensics model was revised as part of an 14 overall transformation programme. Where before we had 15 a single forensics lab where all material, digital 16 material, would need to go to, we have moved to 17 a self-service and hub-based model. So it is tiered. 18 To allow officers to do more themselves locally, rather 19 than have to put every device through the laboratory, 20 and thus to train officers in each borough on the use of 21 those local facilities to download telephones.</p> <p>22 Now, I'm probably not able to go into the full 23 technical detail of that, but clearly the capabilities 24 of our digital forensics laboratory differ from the 25 facilities available to local officers. The facilities</p> <p style="text-align: center;">Page 64</p>

1 available to SCO40 differ from those available to local
 2 officers as well. And indeed, our capacity to manage
 3 that quantity of digital media is extremely challenged
 4 at present, and those challenges are not insignificant
 5 for the whole of our policing delivery, not just around
 6 this area. So that's in terms of the number of
 7 technicians that have the required skills to work at the
 8 centre, the equipment that we have and the time taken to
 9 process the vast number of handsets that are seized in
 10 relation to all of our enquiries and the huge quantities
 11 of data that are now carried on a mobile phone handset.
 12 I'm sure the panel will be aware of recent concerns
 13 about how that plays into the disclosure process in
 14 trials, for example, and the challenge that we have in
 15 complying with the management of unused material and the
 16 enormous quantities of digital media that we are now
 17 seizing in all investigations, not just here.

18 Q. In your statement, you make reference to the fact that
 19 the SCO40 unit lead the Metropolitan Police's use of
 20 the child abuse image database. The sexual exploitation
 21 teams at their various -- east, west, north, south, do
 22 they have access to that database?

23 A. All officers -- all of those investigations are able to
 24 link to that, but it is -- effectively, that access is
 25 limited to a location, and that's where SCO40 regularly

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1 use it.

2 Q. Just looking at the HMIC report in 2016 and the
 3 quarterly update, can I ask you about this, please: is
 4 this right, that the Police and Crime Plan prepared by
 5 the mayor for 2013 to 2016, which would encapture the
 6 inspection done in the 2016 HMIC report, did not include
 7 child sexual abuse as one of its crime priorities? The
 8 2017 to 2021 Mayor's Police and Crime Plan does
 9 specifically discuss within it online child sexual abuse
 10 in the context of priority being given to overall child
 11 sexual abuse.

12 Do you think that change in the plan, from it not
 13 being a priority to a priority for 2017 to 2021, will go
 14 some way to addressing the concerns and putting child
 15 sexual abuse at the heart of policing within London?

16 A. I think, clearly, and understandably, and indeed
 17 legally, the Metropolitan Police work to the priorities
 18 set in the Policing and Crime Plans set by the Deputy
 19 Mayor for Policing and Crime. Those plans are
 20 formulated by MOPAC -- the Mayor's Office for Policing
 21 and Crime -- in consultation with a number of groups and
 22 the public, and then, after that consultation, they are
 23 set as to what the priorities are during that mayoralty.
 24 That's what we are required to focus on with
 25 professional judgment and operational independence, and

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1 certainly it is helpful, in terms of our delivery, to
 2 have that type of offending highlighted within the
 3 Policing and Crime Plan that we currently work to.

4 Q. The challenges for the future for the Metropolitan
 5 Police are clearly numerous, but specifically related to
 6 online-facilitated child sexual abuse, I would like to
 7 just ask you, finally, please, about not the training,
 8 because I think we have dealt with that, the access to
 9 the IT systems, we have considered that, but work that
 10 can be done with social media companies and industry.
 11 Insofar as you are able, Commander, do you have any
 12 views or observations to give to the panel about how the
 13 Met Police in particular need to do more to work with
 14 industry to help combat the threat that you face?

15 A. I think, having said that we have some differences in
 16 terms of scale and complexity, I think every force has
 17 its unique challenges. Those are ours. So things are
 18 differently difficult for the Met, not necessarily more
 19 difficult than any other force.

20 To that end, this particular challenge I feel
 21 affects all of the police forces of England and Wales in
 22 similar fashion around our challenges of capacity and
 23 complexity, and therefore, in terms of our approach with
 24 industry and partners, I don't see that we are hugely
 25 different from any other police service. Therefore, the

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1 approach taken by NPCC is exactly aligned with where the
 2 MPS is in working with industry and others.

3 It is, I think, imperative that we work as closely
 4 as possible with industry and that we look at exactly
 5 how industry and others can help with the preventative
 6 elements we talked about in making it far more difficult
 7 to engage in this type of offending, to make it far more
 8 difficult for vulnerable youngsters to be put at risk or
 9 put into risky situations, and I would welcome any
 10 initiative, either by industry alone or working in
 11 partnership with public services and the police that
 12 achieve either of those aims.

13 Q. Commander, just finally, this: you have acknowledged
 14 publicly today before the chair and panel that there are
 15 still ongoing concerns. You have spoken about the
 16 review being conducted by Detective Superintendent
 17 Barnes.

18 Is this right: as it will be some time before this
 19 investigation finally reports and provides
 20 recommendations and findings, would you be prepared to
 21 furnish the inquiry with that review, the quarterly
 22 updates which will continue I think for some time, so
 23 that we can consider the position and, I hope, consider
 24 the efforts being made by the Metropolitan Police?

25 A. I would be very happy to do so. If I may, the

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1 **Metropolitan Police is absolutely committed to respond**
 2 **to the findings of the HMIC reports and quarterly**
 3 **reports and the additional attention that this inquiry**
 4 **brings into this area is therefore extremely welcome.**
 5 MS CAREY: Chair, are there any questions for Mr Smith?
 6 I think Ms Sharpling might have one, and you, chair.
 7 Questions by THE PANEL
 8 THE CHAIR: Mr Smith, I want to take you back to the issue
 9 of the disparity between the Met's assessment of their
 10 own performance in the area of child protection and
 11 HMIC's assessment.
 12 How can we, as a panel, be confident in the ability
 13 of the Met to know how well or otherwise it is doing in
 14 the area of child protection with all the implications
 15 that has for effective practice? How can we know that
 16 you understand what needs to be changed and improved
 17 without the assistance of HMIC?
 18 **A. Thank you. So at the time of the initial report, there**
 19 **was a huge disparity between our internal assessments**
 20 **and those of HMIC. By the time -- we then stood up an**
 21 **internal assurance capability which we staffed and**
 22 **a dedicated inspection team, and in the quarter 2 report**
 23 **HMIC found that our assessments, our internal**
 24 **assessments, by then were in line with the HMIC's, as**
 25 **they continued to be through quarter 3. I have been**

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1 working with the deputy mayor for completing a crime on
 2 looking at how our future assurance continues, whether
 3 or not the HMIC stay with us, because through the next
 4 12 months I don't know what the inspection regime will
 5 look like. I'm waiting for the final reinspection, the
 6 quarter 4 reports. But I was in discussion with HMIC
 7 earlier this week to ask whether, even if they are not
 8 to remain and continue to inspect us, they would be
 9 willing to dip sample the assurance process we have in
 10 place to compare and ensure that the standard we have
 11 achieved, which is now in parity, continues to be in
 12 parity through the next 12 months. That's to give me
 13 the confidence that the data I'm getting, the
 14 qualitative data, on our delivery is accurate, and then
 15 obviously I'm hopeful to see that's improved over the
 16 year. But at the very least, I need to know that that
 17 data is an accurate representation of how we are
 18 working.
 19 THE CHAIR: Yes, I understand what you are saying about that
 20 being an important process in quality improvement, but
 21 whoever made the previous assessment clearly did not
 22 understand the nature of what good practice was, if
 23 there was such a disparity.
 24 **A. No, they didn't. But the team that is doing it now**
 25 **does, and those results, so those case audits, then come**

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1 to me and to my four-weekly meeting with the
 2 safeguarding leads where, when we have inadequate cases,
 3 those are highlighted to those leads and, where we
 4 identify them before that, within that four-week period,
 5 they are sent to them for an immediate response. So
 6 that is how we drive the improvement at the frontline.
 7 But our audit capability now is in the right place, so
 8 we can be confident that we know how well or otherwise
 9 we are doing.
 10 THE CHAIR: I have another question. Sorry to take you back
 11 to the beginning of your statement. As your protocol
 12 correctly identifies, there are many different aspects
 13 of child sexual exploitation, including relationship,
 14 grooming, actual sexual assault, online gangs and
 15 groups, familial, opportunistic, et cetera, and that's
 16 clearly made out. As we know, several of these may
 17 occur simultaneously within any particular set of
 18 circumstances.
 19 I wasn't clear if you determined a principal
 20 category for a specialist to address or how do you take
 21 into account the full range of forms of child sexual
 22 exploitation that a child may be experiencing?
 23 **A. In terms of where we place that for investigation or in**
 24 **terms of --**
 25 THE CHAIR: Yes.

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1 **A. In terms of our training, we are seeking to ensure that**
 2 **our frontline understand all of those different ways of**
 3 **being targeted. What we found when we started to look**
 4 **at the structural -- the kind of strategic structure we**
 5 **had, was that a lot of different vulnerabilities were**
 6 **seen in isolation. By putting a new governance**
 7 **structure in place with lead responsible officers, we**
 8 **are now better able to identify where those overlapping**
 9 **challenges take place, and also find where there is**
 10 **already good practice within some local boroughs at**
 11 **identifying where some of those pressures overlap. So**
 12 **Lambeth and Lewisham are two where I have been briefed**
 13 **recently and spoken to partners, where understanding**
 14 **that a child may be vulnerable and may be affected by**
 15 **a number of different elements of online or contact**
 16 **abusing, where, before, we perhaps only saw one threat,**
 17 **and then looking a little wider, understanding that the**
 18 **cohort of children who perhaps go missing are often**
 19 **those who are also affected by child sexual abuse. They**
 20 **may also be affected by gang issues or county lines. So**
 21 **criminal exploitation of children, which to some extent**
 22 **is a criminal manifestation of modern slavery, but with**
 23 **children.**
 24 **Often, where, before, we were seeing these in**
 25 **isolation, I think we have a growing understanding of**

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<p>1 how they overlap and also better connectivity with our 2 partners to address the fact that the child is at risk 3 rather than independently trying to address each of 4 those separate risks. 5 Does that answer your question? 6 THE CHAIR: Yes, thank you. Ms Sharpling? 7 MS SHARPLING: Just a couple of questions, Mr Smith, if 8 I may. Does the Metropolitan Police Service still 9 deploy police officers in schools? 10 A. Yes, we do. 11 MS SHARPLING: Have they received any specific training 12 about the online threat? 13 A. They would have been part of those professional 14 development days that we talked about earlier. So 15 they're no different from that. 16 The revised Violence Against Women and Girls 17 Strategy from MOPAC, which is currently being 18 formulated, is likely -- it is in draft form at the 19 moment -- to focus on the role that those schools' 20 officers should take in prioritising sexual offending, 21 for example. 22 So the short answer is, yes, they were included in 23 the training; the slightly longer answer is that we 24 really do see them as being the frontline around some of 25 this.</p> <p style="text-align: center;">Page 73</p>	<p>1 includes the Public Protection and Partnerships Command. 2 I have responsibility for the following in terms of 3 investigations and standards ..." 4 One of the teams he mentions is the Paedophile 5 Online Investigations Team, P-O-L-I-T, POLIT. 6 At paragraph 3, in a section under the people and 7 teams responsible for the response to online-facilitated 8 child sexual abuse, towards the end of that paragraph, 9 the last two lines: 10 "POLIT deals with all enquiries and investigations 11 into online child sexual abuse." 12 Over the page, at paragraph 7, it is explained that 13 POLIT was established in August 2004 as a first-line 14 response to online child sexual abuse committed by 15 persons identified as residing in Kent. 16 Moving on to page 7, this is a section on the 17 current, emerging and future threats in the force area. 18 At 29: 19 "The major current threat relates to the demand 20 placed on POLIT arising from the volume of work in terms 21 of referrals and operations. 22 "30. The establishment of POLIT was reviewed in 23 2016 as part of a major reorganisation of Kent Police. 24 It was recognised that the workload within POLIT was 25 becoming unmanageable and could jeopardise the force's</p> <p style="text-align: center;">Page 75</p>
<p>1 MS SHARPLING: Thank you. Secondly, you referred to 2 officers and police staff. Community support officers, 3 are they part of the training and development of which 4 you have spoken? 5 A. They will be also subject to the professional 6 development days, so, yes, again, the short answer is, 7 yes, they are. 8 MS SHARPLING: Thank you very much. 9 THE CHAIR: Thank you. We have no further questions. 10 MS CAREY: Thank you very much. Thank you, Commander. 11 Chair, there is a few minutes before lunchtime. 12 There is, in fact, a short statement from Kent Police 13 which would neatly fit into the time between now and 14 lunch if you are able to wait until 1.00 pm. I am going 15 to ask Mr Krishnan to deal with that. I suspect we need 16 to go back to our reading bundle, which is file 5. 17 Statement of MR ANTHONY NATHANIEL BLAKER (read) 18 MR KRISHNAN: Chair, could I ask you please to turn to tab C 19 in that bundle, which is roughly halfway through, tab 1. 20 This is the witness statement of Assistant Chief 21 Constable Anthony Blaker of Kent Police dated 27 October 22 2017. It begins at paragraph 1: 23 "I am Assistant Chief Constable 24 Anthony Nathaniel Blaker and serve with Kent Police as 25 head of its Central Operations Directorate, which</p> <p style="text-align: center;">Page 74</p>	<p>1 ability to deliver against its overarching strategic 2 ambitions to protect vulnerable child victims and to 3 place victims at the heart of all we do ..." 4 We can fast forward to the final sentence: 5 "As detailed under heading (1) above, POLIT has 6 doubled in size but continues to see an upsurge in 7 demand from online child sexual abuse." 8 Paragraph 31: 9 "Referrals and operations for POLIT have increased 10 steadily over the years." 11 At page 9, at paragraphs 41 to 44, there are figures 12 on a number of referrals, arrests and convictions in 13 recent years, some of which were covered in Ms Carey's 14 opening. Again, suffice to say, all the figures are 15 going upwards. 16 If we turn now to page 11, at paragraph 49, there is 17 a paragraph on the response to referrals from NCA-CEOP: 18 "Referrals have been received which have led to 19 arrests within a matter of hours, due to immediate risk 20 of harm; other referrals have been received where the 21 suspect has no identifiable access to children, and are 22 thus graded as low risk with KIRAT. Due to the volume 23 of referrals where access to children is known, it is 24 not uncommon in the case of those whose risk is graded 25 as low for several months to pass between receipt of</p> <p style="text-align: center;">Page 76</p>

<p>1 referral and execution of a search warrant and/or arrest 2 or other investigative action. It is not possible to 3 state exact timeframes for such cases." 4 The next paragraph, paragraph 50, sets out some 5 issues with the implementation of the child abuse image 6 database and work being done to resolve them. In the 7 second sentence, there is a mention of a combination of 8 IT issues, both external and internal, which resulted in 9 a number of challenges slowing the progress of uploads 10 to the database. 11 If we can turn to page 23, please, just to mention 12 that paragraphs 103 and 107 set out the key challenges 13 that the force perceives that it faces in this field. 14 I will just read the headlines: managing and responding 15 to demand; prevent/education; new technologies/industry; 16 suicides; vigilantism. 17 Over the page, there is a section on the 18 sustainability of the classic law enforcement approach 19 and whether an alternative approach should be taken to 20 lower-risk offenders. If I can start at 108 at the top 21 of page 24: 22 "The experience in Kent is that the classic law 23 enforcement response to online CSA is at capacity given 24 the exponential increases in demand requiring regular 25 reviews. Increasing capacity will assist and is coping</p> <p style="text-align: center;">Page 77</p>	<p>1 the proportionate approach adopted by their counterparts 2 which was ultimately therapeutic rather than punitive. 3 Kent Police's views were fed back to the Home Office." 4 Just very briefly, if I can turn you to the next 5 statement at tab 2, this is the second statement given 6 by Assistant Chief Constable Blaker, dated 7 1 December 2017. Just to mention paragraph 3, there is 8 the current budget of the paedophile online 9 investigations team of just over £1.3 million. 10 Chair, that is the reading I wanted to do for the 11 Kent Police. That might be a convenient point to break 12 for lunch. 13 THE CHAIR: Thank you, Mr Krishnan. We will return at 14 2.00 pm. 15 (12.59 pm) 16 (The short adjournment) 17 (2.02 pm) 18 MR KRISHNAN: Good afternoon, chair. We will now hear live 19 evidence from Detective Superintendent White of 20 the Avon & Somerset constabulary. 21 MR WILLIAM DEMPSTER WHITE (affirmed) 22 Examination by MR KRISHNAN 23 MR KRISHNAN: Detective Superintendent, can you state your 24 full name, please? 25 A. William Dempster White.</p> <p style="text-align: center;">Page 79</p>
<p>1 to keep pace with the continued increase in demand. The 2 longer-term solution is managing demand more effectively 3 through prevention and education at a strategic level 4 with partners." 5 109: 6 "Cease and desist letters are not used in Kent 7 following discussion at regional level where we were 8 able to provide multiple examples of cases deemed to be 9 a low level of risk ultimately leading to serious 10 contact offences. As a consequence, it was agreed that 11 regionally such letters would not be used." 12 110: 13 "POLIT would support the use of conditional cautions 14 for IIOC [indecent images of children] offenders deemed 15 to be of low risk. This approach, if applied 16 successfully to those who pose a low risk of contact 17 offending, would be difficult to fault, however, the 18 psychological assessment and success rate of 19 the Lucy Faithfull course (which is anticipated to form 20 part of the process) needs to be fully evaluated." 21 Paragraph 111: 22 "POLIT officers travelled to Rotterdam to study 23 a version of this process, based on the psychological 24 assessment of the offenders' likelihood to commit 25 contact offences. The POLIT officers were encouraged by</p> <p style="text-align: center;">Page 78</p>	<p>1 Q. You are with the Avon & Somerset Constabulary? 2 A. Yes, that's correct. 3 Q. Chair and panel, please could you pick up your file 4, 4 volume 2. Mr White, you have given two statements to 5 the inquiry, one dated 24 November 2017 and a short 6 supplementary statement on 6 December. Both of them 7 will be in the bundle in front of you at tabs 1 and 2. 8 I will be taking you to them in due course. You should 9 of course feel free to refer to them at any time. 10 I'm not going to ask you about everything in those 11 statements, but of course they are available to be read 12 in full by the chair and panel. 13 Starting at page 1 of your statement, can we begin 14 with your role within the constabulary. Just before we 15 do so, just for a bit of background to the constabulary, 16 just so the chair and panel are aware, it is a matter of 17 public record that the population served by the 18 constabulary is in the order of 1.65 million. Does that 19 sound about right to you? 20 A. Yes, I have always gone with the working assumption it's 21 about just under 2 million, but in that rough area. 22 Q. Is it fair to say that compared with the population 23 served by other forces in England and Wales, you are 24 somewhere in the middle of the pack? 25 A. Broadly, yes.</p> <p style="text-align: center;">Page 80</p>

<p>1 Q. You joined the constabulary in 1995, and you've spent 2 the majority of your career in detective roles; is that 3 right? 4 A. Yes. 5 Q. In January 2016, you were appointed head of Protect? 6 A. Yes. 7 Q. As head of Protect, you were the detective 8 superintendent with responsibility for the Internet 9 Child Abuse Investigation Team? 10 A. Yes, that's correct. 11 Q. Am I right that you were in that position 12 until March 2017? 13 A. Yes. 14 Q. You now work within the Investigations Directorate and 15 you are responsible for the constabulary's response to 16 offences committed against children; is that right? 17 A. Yes. 18 Q. You say you are the thematic lead in relation to child 19 protection and child sexual exploitation. Can you just 20 help us understand what your responsibilities are as 21 thematic lead? 22 A. So if I try and explain to give you some context to it, 23 my role has changed very little from January 2016 to 24 now. That's -- April 2017 was our restructure, and so, 25 before that, I had responsibility for those various</p> <p style="text-align: center;">Page 81</p>	<p>1 So in terms of investigating offences of possession, 2 making and distributing those images, that's where their 3 primary role sits. So in terms of how we operate, what 4 we are looking, in terms of child protection and 5 safeguarding being much more the responsibility and 6 business of everyone in the constabulary, so many of 7 the offences will sit within our omni-competent 8 investigations teams where specialist child abuse 9 investigators will look at them, but in terms of 10 the specific area of indecent images, it was felt that 11 that was a particular area where, one, we needed 12 specialist skills and capabilities, and, secondly, we 13 needed the people that actually wanted to be there to 14 review and look at those images. We felt people had to 15 express that and want to do that voluntarily and we were 16 trying to minimise the exposure elsewhere. So other 17 aspects of online sexual abuse and offending against 18 children will sit within those wider teams. 19 Q. Picking up the last point you made about the 20 investigation teams outside of the ICAT, at 21 paragraphs 3.1 to 3.3 you set out the responsibilities 22 very helpfully, and if I can just summarise, am I right 23 that you say that these wider investigation teams deal 24 with three things. First of all, lower-risk referrals 25 from the NCA?</p> <p style="text-align: center;">Page 83</p>
<p>1 areas of vulnerability, and that was very much around 2 operational delivery. I had a separate strategic 3 responsibility. In the restructure, we have aligned 4 operational and strategic responsibility, so they're one 5 and the same person for the majority. So in terms of my 6 current role, within investigations, ie, basically the 7 detective world, and in terms of the core general 8 omni-competent teams we have of detectives, it comes 9 under two detective superintendents: one offences 10 against adults; and the other offences against children. 11 In terms of that, I do the operational oversight in 12 terms of a lot of the work against offences against 13 children, but in terms of the strategic direction of 14 the force and the thematic lead for the constabulary, 15 that sits with me for child protection and child sexual 16 exploitation. 17 Q. Thank you. That's helpful. Can we now turn to the 18 responsibilities of the Internet Child Abuse 19 Investigation Team and the people and structures and the 20 constabulary working in this field. I note you use the 21 acronym ICAT. Is that pronounced "I-CAT"? 22 A. Yes. 23 Q. Looking at page 3 of your statement at paragraph 3, can 24 you help us with the responsibilities of ICAT, please? 25 A. So it is primarily around indecent images of children.</p> <p style="text-align: center;">Page 82</p>	<p>1 A. Do you want to go through the three or pick up on each 2 particular one? 3 Q. Each one. 4 A. What I would say is that, in terms of that, we have gone 5 from three or four years ago where we had specialist 6 teams with remits looking at very specific areas and 7 discussions as to what would sit where, and now we are 8 moving as to, where is the right place for an individual 9 investigation to sit in terms of threat, risk and harm. 10 Q. We will be looking specifically at the allocation of 11 work between the teams. I just wanted to give 12 a high-level overview of what the investigation teams do 13 in the first instance. I will read that list, shall I? 14 First, lower-risk referrals from the NCA; secondly, you 15 say they deal with various online-facilitated child 16 sexual abuse offences that don't involve the sharing of 17 indecent images; and, third, you say these wider teams 18 deal with the sharing of images if there isn't 19 a significant risk of exploitation and abuse. You give 20 the example of sharing of images between young people 21 and that being an example, in certain circumstances, of 22 a type of piece of work that would be done by the wider 23 investigation teams. 24 Can I just pick up on that third point. Who makes 25 the judgment that what appears to be an offence of</p> <p style="text-align: center;">Page 84</p>

1 sharing of indecent images doesn't involve a significant
 2 risk of exploitation and abuse such that it can be dealt
 3 with by an investigation team as opposed to the ICAT?
 4 **A. So that's the point I was trying to make in a roundabout**
 5 **way. When we talk about the low-risk ones, the**
 6 **intention would be that they would sit within the ICAT.**
 7 **However, if capacity and timeliness of response, which**
 8 **is where we currently are, means they may have to go out**
 9 **to the wider investigation teams to be dealt with in**
 10 **a timely way.**
 11 **In terms of those decisions, it would firstly be the**
 12 **Incident Assessment Unit. It would say, "Where should**
 13 **this particular investigation sit?", then it is**
 14 **a question of individual supervisors looking in terms of**
 15 **who is the correct person to investigate this particular**
 16 **offence given the particular circumstances; what's the**
 17 **threat, risk and harm; what's the appropriate member of**
 18 **staff to pick it up and deal with it? There is guidance**
 19 **but it is very much about those individual decisions and**
 20 **discussions.**
 21 Q. Can we focus on what happens with referrals in
 22 particular from the NCA. Just to give a bit of context,
 23 can we look at the numbers, just briefly. We will find
 24 them at the bottom of page 6 of your statement,
 25 paragraph 7. There is a table there setting out the

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1 number of referrals received by the constabulary from
 2 NCA-CEOP from 2013/2014 to 2017/2018. Ms Carey
 3 displayed these figures during her opening, but it is
 4 useful to look at them again, I think, to understand the
 5 scale of what we are talking about here.
 6 We see in that table an increase in referrals from
 7 91 in 2013/2014 to 333 in 2017/2018. That figure,
 8 I understand, is up to October 2017.
 9 **A. Yes.**
 10 Q. It started from April 2017?
 11 **A. Yes, the financial year, yes.**
 12 Q. Do you happen to have, off the top of your head, a more
 13 up-to-date figure than October 2017?
 14 **A. Not at the tip of my fingers. I could access it for**
 15 **you. My understanding is we are now in the 400s.**
 16 Q. So on current trends, up to the end of this financial
 17 year, the figure, in any event, is likely to be a very
 18 significant increase on last year's figure, even.
 19 Can we go to page 8, please. At paragraphs 8 to
 20 8.1, you explain how the force responds to a referral,
 21 once it comes in from the NCA, just those two
 22 paragraphs, can you just summarise that briefly for us,
 23 please?
 24 **A. 8.1 and 8.2?**
 25 Q. 8 to 8.1.

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1 **A. Yes. So given the nature of this, most of our other**
 2 **crime will come in through our communications centre and**
 3 **our Incident Assessment Unit. Given the particular**
 4 **nature of the referrals, they will go directly into the**
 5 **ICAT team. At that point, they are looked at and**
 6 **assessed in terms of what they -- the referral is**
 7 **suggesting is there. Then there is the development of**
 8 **it from that point onwards and allocation. So sometimes**
 9 **we have intelligence as to what something may be or**
 10 **a suggestion as to what it is. It could be something**
 11 **different. So there may be a suggestion it is an**
 12 **indecent image, but once we examine it, we decide it**
 13 **isn't.**
 14 **There is also things that may have been taken in an**
 15 **innocent fashion, but may not be appropriate for where**
 16 **they are currently existing on the internet and it may**
 17 **be something that we want to have some kind of**
 18 **intervention or advice given.**
 19 **Then there is actually the indecent images**
 20 **themselves which are categorised in terms of their**
 21 **severity.**
 22 Q. Looking at paragraph 8.2, you explain the use of KIRAT
 23 as the risk assessment tool. I will read that out:
 24 "Where we are dealing with cases involving category
 25 A, B or C indecent images, an intelligence researcher

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1 from ICAT will develop a profile and a KIRAT risk
 2 assessment will be applied to any potential suspects
 3 within that address."
 4 At paragraph 8.3, you explain that the results from
 5 KIRAT determine which part of the force responds to the
 6 referral. You say that lower-risk cases go to the wider
 7 investigation teams. When you say "lower risk", do you
 8 mean just those cases graded as low by KIRAT or are we
 9 also talking about the mediums?
 10 **A. So it is primarily on KIRAT, in terms of that's the main**
 11 **thing that gives an indication in terms of**
 12 **the safeguarding risk. So that's where our primary**
 13 **concern is: is there a child at risk at the back of this**
 14 **that we need to safeguard and protect? That's going to**
 15 **be the primary guidance in terms of the allocation.**
 16 **So, yes, it is very much in terms of, when we say**
 17 **"low risk", that's in terms of where we think that image**
 18 **relates to actual risk to a child, from that individual.**
 19 Q. But if you have, for example, something that's come in
 20 and you put it through KIRAT and it comes out as
 21 a medium risk, would that go to the investigation teams
 22 or would that stay with ICAT?
 23 **A. So, again, I think what's going to happen is, you're**
 24 **going to push me for a black and white answer and**
 25 **sometimes it is going to be grey, in terms of, if it**

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1 comes back to this, the KIRAT is a risk assessment tool
 2 that we use to guide professional judgment. The
 3 professional judgment is then, who is the best person at
 4 this particular point in time that can pick up this
 5 investigation and where do they sit? So, you know, we
 6 would always want that to be someone within the ICAT
 7 team. Depending on, it may, at that particular point in
 8 time, be better elsewhere. It may be reprioritising the
 9 ICAT workload because this is a higher risk than what
 10 they currently have. So it is a fluid picture in terms
 11 of the supervisor judgment in relation to it.

12 Q. Understood. When you say higher risk cases are
 13 allocated to ICAT, I assume we are dealing with the sort
 14 of highs and very highs that KIRAT throws up?

15 A. Yes. I think it says within there in terms of it's
 16 primarily the low and sometimes the medium that would go
 17 out, but certainly, you know, the high and the high
 18 risk, obviously we want those people with that trained
 19 skill and dedicatability to pick up those incidents.

20 Q. I need your help with what you say at paragraph 8.3
 21 about timing.

22 A. Yes.

23 Q. Just a point of clarification. You say that lower-risk
 24 cases will usually be resolved within a week or two,
 25 whereas higher-risk cases, because of the complexity of

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1 investigations, can take months to finalise?

2 A. Yes.

3 Q. I just want to understand what that means in terms of
 4 the timeliness of the response. If we can just take an
 5 example, say a referral comes in from the NCA and it is
 6 graded a high risk. What's the next step?

7 A. I just appreciate in terms of when I re-read the
 8 statement before I came up, that particular section
 9 stuck out and I think it is not worded well at all. If
 10 I can just clarify, so the question was, in terms of
 11 point 1 asks for the shortest and longest such periods,
 12 so what we are trying to articulate there was the
 13 shortest ones are ones that are low risk that come in to
 14 suggest about an image that we would normally allocate
 15 to investigations that we subsequently find is not an
 16 indecent image at all. They will be finalised within
 17 a week or two.

18 The high-risk ones are the ones where we have got
 19 concerns about the individual, and then, when we go
 20 there, they can be complex, because what we find on the
 21 material we seize, it can be the volume and the extent
 22 of the images, it can be things like chat logs with
 23 actual children in reality who we have got concerns
 24 about, and the safeguarding measures we need to put in
 25 place in that, and securing all that information and

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1 that data to make sure we have done all the appropriate
 2 wider investigations and safeguarding that that
 3 particular incident requires.

4 Q. Am I right in understanding the position that it is not
 5 that it will take you weeks to respond to a high-risk
 6 referral, it is that, after you have responded to it,
 7 the actual investigation is likely to take a much longer
 8 time than a lower risk?

9 A. Yes, that's the whole point of the prioritisation, that
 10 we get to the higher-risk ones quicker. So it is
 11 just -- that was articulating the longest timescales it
 12 may take and that was an example using that. But
 13 I apologise for the way that's worded. It could have
 14 been worded much better than that.

15 Q. Understood. Are there any standards that the force
 16 follows in terms of the timeliness of responses to
 17 various risk grades of referral? For example, we heard
 18 evidence from -- well, we had evidence from one force,
 19 Cumbria, saying that they aim to respond to a very
 20 high-risk case within 24 hours and a high-risk case
 21 within seven days. Has your force any policies or
 22 standards of those kind?

23 A. No, we don't, as far as I'm aware, at this stage.
 24 I understand the drive to have expectations in terms of
 25 when you would turn these things around. I think the

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1 concern would be, it could be unhelpful that you would
 2 then be driving to try to meet those timescales.

3 In terms of the assessment, if something is high
 4 risk or very high risk and you know there is a tangible
 5 risk to a child on the back of it, the activity, you
 6 don't need a timescale and an assessment to drive that
 7 activity and that response. So you have professionals
 8 who are reviewing it, making a judgment, and they can
 9 assess in terms of how quickly something needs to be
 10 responded to and, if there is a child at risk, the
 11 response would be immediate to try to safeguard that and
 12 prevent that risk.

13 Q. Can we turn to a point you have made in passing already,
 14 which is that, ideally, all referrals would be dealt
 15 with within the ICAT, but in terms of the volume of
 16 work, that's simply not possible. You make this point
 17 at paragraph 8.4. You have answered this I think in
 18 part already, but can you clarify why you say ideally
 19 ICAT should deal with all referrals, lower risk or not?

20 A. They are a dedicated specialist unit, so you have people
 21 with experience, skills in that area. Secondly, it is
 22 about the viewing of the images, in terms of the impact
 23 for staff, but it is also in terms of the wider
 24 safeguarding. People within that world are very attuned
 25 to it and they have the relationships with partner

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1 **agencies to be able to facilitate that.**
2 **So they are in the best position to be able to**
3 **respond to those incidents and it is just a question of**
4 **balancing how much resource we place within that unit**
5 **and then what the demand looks like, and that comes back**
6 **to the -- the timescales issue from the last question is**
7 **that demand has fluctuated quite extensively over the**
8 **last couple of years to be able to try and make**
9 **a consistent judgment either in terms of resourcing or**
10 **timescales or anything of that nature.**
11 Q. I just want to pick up on one point on that. You will
12 remember at the beginning we talked through the three
13 types of cases that are sent out to the wider
14 investigation teams. One of those cases was offences of
15 online child sexual abuse such as grooming that didn't
16 involve the sharing of indecent images. Grooming
17 offences, of course, can lead to very serious harm.
18 Someone not initiated in this field might be surprised
19 that grooming offences aren't prioritised as something
20 that's dealt with within ICAT by the specialists, as you
21 say?
22 A. **So there's the differentiation between the specialism.**
23 **So the specialist from ICAT is how we deal with images,**
24 **how we deal with offenders, how we deal with the media**
25 **devices in the most effective way possible. In terms of**

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1 **the other offences, so for grooming that's much more**
2 **about how we engage with victims and how we try and get**
3 **them to cooperate with law enforcement and to support**
4 **them and safeguard them, potentially the wider families,**
5 **and there are more investigation techniques that are**
6 **much broader than just the indecent images side of it.**
7 **So those that would deal with child sexual exploitation,**
8 **child sexual abuse, wider safeguarding and child**
9 **protection, sit in those wider investigation teams and**
10 **have those skills, and therefore, for us, in terms of**
11 **the service for that victim of grooming, that's probably**
12 **the better member of staff in relation to providing**
13 **that.**
14 Q. Can we just focus in a bit on the skills and training of
15 those in the wider investigation teams. You say at
16 page 1 of your statement that there was a restructuring
17 in 2014:
18 "The Specialist Child Protection Team was merged
19 with those for domestic abuse in 2012. There were no
20 longer such specialist teams when the constabulary
21 restructured in 2014. Officers who have completed the
22 Specialist Child Abuse Investigator Development
23 Programme are now part of force-wide investigations
24 teams."
25 First of all, can you tell us what the development

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1 programme covers, so we understand the importance of
2 having gone through that?
3 A. **Is that the Specialist Child Abuse Investigator**
4 **Programme?**
5 Q. Yes.
6 A. **That's a two-week course, so that covers a number of**
7 **different issues. It covers the importance of working**
8 **together, there's multi-agency guidance, it covers how**
9 **we work with our partner agencies, it covers the**
10 **fundamentals of child protection investigation, but it**
11 **also picks up things like child death and how we respond**
12 **to that. In the second half, there's a strong focus on**
13 **achieving best evidence video interviews, and that being**
14 **such a critical skill in this area, and that's followed**
15 **up by the development programme when they become tutored**
16 **and mentored operationally following on from that.**
17 Q. How much of an online focus is there in that programme?
18 A. **So it's weaved into a number of our different training**
19 **programmes. So in terms of how we pick that up, it's**
20 **less about bespoke training modules, it's more about how**
21 **online features in all kinds of criminality, so it will**
22 **come into what we call the SCAIDP, Special Child Abuse**
23 **Investigation Development Programme, of course, as with**
24 **others.**
25 Q. I just want to understand the effect of this

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1 restructuring in 2014. Is the effect of it that not all
2 investigators in these wider teams working on online CSA
3 cases will have had that specialised training that we
4 are talking about? Will all investigators have gone
5 through that two-week course?
6 A. **So if I try and explain it in the most straightforward**
7 **way I can, we had specialist child abuse investigation**
8 **teams when I was a DI. Then we got -- I think it was**
9 **about 2011/2012, the demand around domestic abuse and**
10 **child protection was such that we thought by bringing**
11 **the two teams together, we could better manage demand.**
12 **Then that presented key issues around the management of**
13 **demand again. So when we had a force-wide restructure**
14 **in 2014, we went towards omni-competent investigation**
15 **teams. At that time, we then split the teams around the**
16 **vulnerability I had around protect, solve which was in**
17 **terms of organised crime and serious offences, and then**
18 **convict in terms of car crime, robbery and more volume.**
19 **Again, the demand on protect and vulnerability was**
20 **such that it kept on having to be supported by the other**
21 **two disciplines. So now we have just gone to force-wide**
22 **investigation teams, so that, where the demand comes in,**
23 **we need to manage it, we have the greatest resource, we**
24 **can flexibly bend to meet that demand. Within that, we**
25 **then focus on who will pick up the child protection work**

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1 and we train them on the SCAIDP programme, and so,
 2 within that, we have a cohort of people that are given
 3 all the child protection work, but if they need support
 4 and they need extra resilience around the resourcing of
 5 it, they can straightaway go to their peers on those
 6 wider investigation teams.

7 Q. Can I just ask you a question briefly about uniformed
 8 officers. You say at paragraph 3.3 that lower-risk
 9 indecent images offences may be investigated by
 10 uniformed officers. What sort of training do they have
 11 in terms of online-facilitated child sexual abuse?

12 A. Within the trainee programme for people coming into the
 13 police service, as part of that they will be taught
 14 about the different crime types. So that would include
 15 child sexual abuse and online elements to it. There is
 16 then a particular investigating and digital evidence
 17 course that they can go on. Aside from that, it is then
 18 weaving the online element into all the different
 19 courses that police officers and staff may go on. So
 20 through the College of Policing, that's just an implicit
 21 part of it.

22 Then in terms of the support they have, they have
 23 what we call "digi SPoCs", which are champions that have
 24 an uplift in terms of their level of knowledge and
 25 understanding on teams, that they can go to ask for

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1 help, and then we also have three digital media
 2 investigators that again have a further uplift, so at
 3 force level, if there is something difficult or tricky,
 4 they have a point of referral and support and assistance
 5 from.

6 Q. Can you help us with what digital media investigators
 7 do?

8 A. In terms of that, it's mainly in terms of, how do
 9 I secure evidence? What should I do in terms of media
 10 I may be faced with and how I deal with that evidence?
 11 What support and guidance should I be giving members of
 12 the public in relation to that?

13 Q. Can I ask you one question on how things are done at the
 14 moment before we move back in time slightly. At
 15 paragraph 8.12 in your statement you set out very
 16 helpfully the outcomes of cases referred to ICAT between
 17 2013 and 2017. There are several figures there. There
 18 is just one I want to pick up on. You won't be
 19 surprised which one that is.

20 The third bullet point down, it is said that
 21 29 per cent of cases referred to ICAT were filed 'no
 22 further action'. Can you help us understand why a case
 23 referred to ICAT might result in an NFA?

24 A. So there may be an image that is taken that would show
 25 nudity of a child that may just be taken innocently,

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1 perhaps a child in a bath, and you look at it and you
 2 think, well, that may just be a family photograph that's
 3 not got a sexual connotation to it at all. So that
 4 would then be graded as a no further action in terms of
 5 it. It may be where we have intelligence where we think
 6 someone does possess indecent images and, when we go and
 7 we search and seize the computer, we then don't find any
 8 evidence to show that. So it's those kind of things
 9 that may result in no further action.

10 Q. Do you have any information on whether that percentage
 11 has changed over time? It covers the period 2013 to
 12 2017. I'm just interested if there has been any change
 13 in the practice of the force over that time?

14 A. So I think if you were to go to 2.5 on the statement, it
 15 makes reference to the increase in positive outcomes
 16 from the period September 2015 to May 2016. That's gone
 17 from 24 per cent to 45 per cent from May 2016
 18 to July 2017. So that shows an uplift. My
 19 interpretation of that is, in terms of where the demand
 20 of the referrals come from, some of those would result
 21 in higher outcomes for us.

22 Q. Can you help us with what you mean by "positive
 23 outcomes"?

24 A. In the second statement, it lists all the different
 25 outcomes. A positive outcome may be a charge summons to

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1 court, it could potentially be a caution, and there are
 2 some other ones that are included within that. But they
 3 are scheduled on the first page of the second statement.

4 Q. Just for the assistance of the chair and panel, this is
 5 behind tab 2. We see under the heading "Positive
 6 outcomes", there are a number of outcomes listed there,
 7 such as offender charge, offender summons, and so forth,
 8 community resolution is the last one listed there.

9 This I think is a good time to just go back in time
 10 a little, just to understand a bit of context for what's
 11 changed over the past few years. You have talked about
 12 the increase in positive outcomes. The figure in 2015
 13 was 24 per cent, which, on the face of it, might be
 14 thought to be rather low. To try to understand that
 15 a bit, could we look at some of the findings that HMIC
 16 has made over time in terms of the force's work in this
 17 area. We will return to that 24 per cent figure in due
 18 course.

19 Can we please look first at tab 13. This is
 20 a national child protection inspection that was
 21 conducted in February 2014. Please could we put
 22 OHY003576 on the screen. So we are going back in time
 23 to February 2014. This was, of course, well before your
 24 appointment as head of Protect. What was your position
 25 in the constabulary at this time?

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<p>1 A. Did you say February 2014?</p> <p>2 Q. Yes.</p> <p>3 A. I was working on the Regional Organised Crime Units at</p> <p>4 that stage.</p> <p>5 Q. And your role in the ROCU at that time?</p> <p>6 A. I was DCI for intelligence and the financial elements of</p> <p>7 it, financial crime.</p> <p>8 Q. I appreciate, then, there may be very little you're able</p> <p>9 to say about the specific findings, but I think just to</p> <p>10 help, for a bit of context, I will take you through</p> <p>11 them.</p> <p>12 At page 7 of this document, we see the heading</p> <p>13 "Findings -- the experiences, progress and outcomes for</p> <p>14 children who need help and protection". In the first</p> <p>15 paragraph there is a short description of what the</p> <p>16 inspection involved. In part, an examination of</p> <p>17 30 cases selected by the constabulary and a number of</p> <p>18 other cases, it's said. At the end of the next</p> <p>19 paragraph, it is mentioned that one of the types of</p> <p>20 cases examined was online sexual abuse cases. In the</p> <p>21 final paragraph, the conclusion of this part of</p> <p>22 the findings is summarised. I will read it out:</p> <p>23 "The overall conclusion of the inspection team is</p> <p>24 that the number of inadequate cases is too high and</p> <p>25 practice needs to be significantly improved."</p> <p style="text-align: center;">Page 101</p>	<p>1 on next. So there is nothing in those paragraphs</p> <p>2 I would disagree with. I would say, in terms of my</p> <p>3 awareness, we have worked on the points that were pulled</p> <p>4 out in terms of recommendations from those reports and</p> <p>5 more recent ones.</p> <p>6 Q. I will ask you about a specific recommendation in just</p> <p>7 a moment. Can we move to the post-inspection review</p> <p>8 in March 2015, which is behind tab 14. Could we just</p> <p>9 have OHY003577 on the screen. So March 2015, were you</p> <p>10 still with the ROCU at that time?</p> <p>11 A. No, at that stage, I was superintendent local policing</p> <p>12 in Bristol.</p> <p>13 Q. Your specific area of responsibility?</p> <p>14 A. My responsibility was quality and performance for</p> <p>15 Bristol local policing.</p> <p>16 Q. Can we turn to page 3 very briefly. You see some of</p> <p>17 the background here to this review and what the review</p> <p>18 comprised. So a similar thing, an inspection of</p> <p>19 a certain number of cases.</p> <p>20 I want to turn in particular to page 3 -- sorry,</p> <p>21 further down that page, we see a recommendation that was</p> <p>22 made in the previous report about timescales for media</p> <p>23 analysis. At the end of the paragraph, there is</p> <p>24 a mention of a case where an offender had been cautioned</p> <p>25 and the case finalised without the examination having</p> <p style="text-align: center;">Page 103</p>
<p>1 I should acknowledge, of course, that this</p> <p>2 conclusion is with respect to the force's child</p> <p>3 protection work in general, not specifically online</p> <p>4 work. Given what you said about what you were doing</p> <p>5 in February 2014, you may not have any views, but do you</p> <p>6 have any views about the overall conclusion reached</p> <p>7 here, at least so far as online CSA is concerned?</p> <p>8 A. In terms of what, the entirety of what you have just</p> <p>9 read out?</p> <p>10 Q. Perhaps just that overall conclusion, that the number of</p> <p>11 inadequate cases is too high and that needs to be</p> <p>12 significantly improved?</p> <p>13 A. I mean, naturally, I'm going to agree with it, in terms</p> <p>14 of HMIC set high standards around child protection,</p> <p>15 quite rightly, and in terms of that, through those</p> <p>16 reports, I'm aware of some of the findings and</p> <p>17 recommendations in the report and they are completely</p> <p>18 valid, they are things we have worked on. We have made</p> <p>19 progress in terms of a number of those areas. But in</p> <p>20 terms of that, it is not a journey with an end point, so</p> <p>21 with these inspections, they will pick out areas where</p> <p>22 we can improve and we can further developments. We had</p> <p>23 a joint targeted area inspection within the force area</p> <p>24 in the autumn, and it was a similar process, and it is</p> <p>25 very helpful in terms of focusing where we need to work</p> <p style="text-align: center;">Page 102</p>	<p>1 been completed.</p> <p>2 I appreciate what you have said more generally about</p> <p>3 HMIC's findings and the acceptance of them. Do you have</p> <p>4 any sense of whether that was in any way representative</p> <p>5 of the force's work at this time or whether that might</p> <p>6 have been an outlier?</p> <p>7 A. I can't comment on the individual case. What I can say</p> <p>8 is, in terms of my previous comments, if you were to ask</p> <p>9 me which of the recommendations from the report was</p> <p>10 probably the most acute, it was in terms of the digital</p> <p>11 backlogs. They were a huge issue at that time. It was</p> <p>12 recognised as being an issue. I think on the back of</p> <p>13 the report and the recommendation, from memory, I think</p> <p>14 our PCC provided some funding to bring the backlog down</p> <p>15 and since then we have moved this area of work to</p> <p>16 a regional collaboration that manages it in a much more</p> <p>17 effective way. So in terms of it refers to the backlog</p> <p>18 for mobile phones and computers, those numbers have come</p> <p>19 significantly down since that period. So I find it hard</p> <p>20 to comment beyond the individual incident they picked</p> <p>21 out in 2014/15, but in terms of the position we are now</p> <p>22 in and what our performance shows in terms of that, it</p> <p>23 is a very different position, because we recognise</p> <p>24 exactly the severity of that problem.</p> <p>25 Q. I should say, in fairness, and balance, that we have</p> <p style="text-align: center;">Page 104</p>

<p>1 reviewed the most recent HMIC inspection report which 2 wasn't a child protection inspection, it was an appeal 3 inspection, I think, and it was found that the backlog 4 issue had been more or less resolved precisely because 5 of some of the measures you have mentioned about 6 regional collaboration. I won't take you to that 7 document, but we have it and we have reviewed it. 8 A. Thanks. 9 Q. Can we turn to page 6 of this particular report. We see 10 that the recommendation at the top of this page is about 11 training on safeguarding children. We can skip the 12 first few paragraphs, and just go to the end of this 13 page. I will summarise, given the time. 14 There is a mention of a review carried out in 2015 15 in anticipation of an influx of new staff to meet 16 increases in demand in public protection and because of 17 an unprecedented number of staff retiring in child abuse 18 units. 19 It carries on at the top of page 7: 20 "This resulted in the transfer of a significant 21 number of inexperienced officers to these specialist 22 posts. At the time of the post inspection review, not 23 all officers investigating child protection cases had 24 received essential training ..." 25 In the next paragraph, there is an account of</p> <p style="text-align: center;">Page 105</p>	<p>1 of investigations in a number of cases." 2 Then we see the recommendation in bold there: 3 "We recommend that, no later than 31 May 2015 ... 4 constabulary allocates every investigation to an 5 officer, trained in child protection with the skills, 6 capacity and competence to undertake it." 7 Can you help me with whether and to what extent this 8 recommendation has been implemented, at least with 9 respect to online child sexual abuse? 10 A. So what's articulated there is, I mentioned in the first 11 page of the statement about the two restructures. The 12 restructure in 2014 is when we went to the wider 13 investigation teams and stopped having the specialist 14 teams. During that process, people asked where would 15 they like to work in the new model and a lot of our 16 child protection officers decided they fancied changing 17 where they were working and to do something different. 18 In addition, we had the retirements. That had an impact 19 in terms of our organisational knowledge, expertise and 20 resilience in that area. 21 So that was recognised, and what we have done is we 22 have maximised the number of specialist child abuse 23 investigation development courses since then and we have 24 put I think it is six each year on and each can fit 25 12 to 15 people on the course. So we have tried to</p> <p style="text-align: center;">Page 107</p>
<p>1 the effect of this: 2 "... the limited safeguarding experience of new 3 staff ... have impacted adversely on the quality of 4 investigations and resulted in missed investigative 5 opportunities and failures to safeguard the most 6 vulnerable children. This was evident in the audit of 7 26 child protection cases ... six cases to be good, ten 8 requiring improvement and ten inadequate." 9 If I can take you briefly to the top of page 8, 10 there is a case specifically involving, at least in 11 part, online child sexual abuse: 12 "A 12-year-old child had sent naked and graphic 13 images of herself to men on social media (showing 14 penetration with an object). The child's natural 15 father, a registered sex offender, had been convicted 16 previously of downloading indecent images of children." 17 There is a discussion of what happened to a sibling. 18 At the end of the paragraph: 19 "No joint investigation or strategy discussion took 20 place in this case and the investigation was closed 21 without wider safeguarding issues being considered." 22 There is then a paragraph with respect to 23 supervision and it is found that supervision was: 24 "... superficial and lacking in rigour. It had not 25 resulted in the improvement to the timeliness or quality</p> <p style="text-align: center;">Page 106</p>	<p>1 build that resilience up in terms of it and then we have 2 also spoken to child protection staff in terms of what 3 would help them do the role, what would support them 4 within it, and tried to build those things in to support 5 the role in terms of what they want to do as a sense of 6 vocation and how we can support them in achieving that. 7 So in terms of that, there's then the latter point 8 about the management and oversight, and that's something 9 that we have picked up properly for the last year and 10 a half to two years, trying to bring in that management, 11 supervision and rigour. 12 In terms of the individual incident involved, when 13 we went through the structure, what we have now is 14 investigation of child protection sitting in my world 15 and what we call a safeguard coordination unit which 16 manages referrals. So if there is a concern for 17 a child, that referral will go into the safeguarding 18 coordination unit, they would do the research, they 19 would do the information sharing with other agencies and 20 then they would do the coordination of what multi-agency 21 response is required. 22 So it is that process that should prevent that kind 23 of incident happening again. 24 Q. Can we move forward in the chronology and talk 25 specifically about funding. If you can turn to tab 4,</p> <p style="text-align: center;">Page 108</p>

<p>1 please, and put up OHY003125 on the screen. This is 2 a table of ICAT's funding from 2014/2015 to 2017/2018. 3 We can go straight to the bottom row, the figures of 4 the budget, which is on the right-hand side of every 5 row. We see the budget of £271,000-odd in 2014/2015, 6 rising slightly in 2015/2016, a substantial rise in 7 2016/2017 and a very substantial rise to the figure of 8 just over £700,000 in 2017/2018. 9 I understand there was a business case that was put 10 forward for increased funding in early 2016 or so. Can 11 you tell us about the genesis of that business case and 12 what stage it was accepted by the management of 13 the force? 14 A. So I came into that post in January 2016, and the issues 15 in terms of the ICAT and their resource and their rules 16 I would have said was my immediate short-term priority. 17 In terms of that, a new chief constable came in 18 that February and by the March we had put together the 19 business case of what we thought was required. We knew 20 what demand was likely to be potentially coming in and 21 we were trying to put in the resources to be able to 22 manage that demand. There was a number of different 23 options there, and you have to remember this was in the 24 context of the comprehensive spending review and a wider 25 savings project, but I thought the need was such that we</p> <p style="text-align: center;">Page 109</p>	<p>1 OHY003403 on the screen. Could we turn, please, to 2 page 43. Under the heading "Austerity measures", I will 3 just read the salient bits: 4 "Failure to set a sustainable balanced budget 5 remains a key risk to ... the constabulary ..." 6 There is an explanation of the reasons for that 7 failure. The last sentence: 8 "The force is targeting savings through 9 collaboration in the delivery of its enabling services 10 functions, however further savings beyond those from 11 enabling services will be needed." 12 You will anticipate my question, which is, to what 13 extent can the present level of ICAT funding be 14 maintained or indeed increased, given the trend of 15 increasing referrals, among other things? 16 A. I think it is very important to give the context of 17 that. So the way we talked about that last bit was -- 18 it sounded quite dry. You will remember March 2016, 19 that was a significant increase in resourcing. That's 20 the last increase in resourcing of that nature anywhere 21 across the constabulary I'm aware of. Later that year, 22 we then went into a programme to reduce the cost of 23 operational policing by £5 million. So since 2010, my 24 understanding is we have saved £65 million from our 25 budget and we have got 650 fewer officers as a result of</p> <p style="text-align: center;">Page 111</p>
<p>1 put in the most extensive proposal in terms of cost as 2 the one we preferred and we wanted supported, and it was 3 supported by the constabulary on the back of that. 4 Q. So you were allocated all the funds that you asked for? 5 A. Yes. 6 Q. I would like to explore now the effects of the increased 7 funding. Perhaps this is a convenient point now to go 8 back to paragraph 2.5. So we talk about the increase in 9 positive outcomes from 24 per cent from September 2015 10 to May 2016 to 45.5 per cent from May 2016 to July 2017. 11 How much of an influence did increased funding have with 12 improving that figure? 13 A. If I'm being honest, the short answer is, I don't know. 14 It may be the increased resourcing; I think it's equally 15 likely that around that time we developed capabilities 16 that I think gave us the ability to get much higher 17 outcome rates for that particular measure. I can't tell 18 you which one played the greater part. 19 Q. Do you happen to know ICAT's budget for the 2018/2019 20 financial year? 21 A. I don't. My intuitive view would be that it would be 22 the same. 23 Q. If I can take you briefly to tab 9, this is the 24 strategic threat assessment published by the 25 constabulary for 2017/2018. Could we please put up</p> <p style="text-align: center;">Page 110</p>	<p>1 that. We still have 17 million to save by 2021/22. So 2 I don't think realistically necessarily I would get more 3 funding to support ICAT. It would be how would we 4 redivide the cake if we wanted more resource in that 5 area in terms of it. So the additional funding to 6 expand any unit now is a real challenge. So in terms of 7 what's been described there, I think what we have to do 8 is just -- when we look at strategic priorities, it is 9 not where do we invest funding, it is, what decision do 10 we make if we want to support that area more. Does that 11 make sense? 12 Q. If we assume that the funding level will remain flat in 13 the foreseeable future, that's the best-base scenario, 14 it sounds like, what plans are being put in place to be 15 able to deal with the increasing demand coming through? 16 A. So at the minute, the demand over the last 18 months to 17 two years for the ICAT team has varied. It's really 18 moved around month by month. I think at the minute we 19 are looking for it to stabilise to a level. It may come 20 down. The underlying trend we expect to increase, but 21 what we have seen over the last year may stabilise, may 22 come down a little bit. I think the conversation is 23 more in terms of what decisions do we make in terms of 24 how do we manage that demand. Do we further support the 25 ICAT or do we make a decision about some of the lower</p> <p style="text-align: center;">Page 112</p>

1 **risk going out again to the wider investigations team in**
2 **the way it currently does to a greater extent? It is**
3 **those kind of conversations and decisions in terms of:**
4 **what's our overall demand, how do we prioritise it, and**
5 **then, how do we reallocate what we have to make most**
6 **effective management of that risk and harm and what the**
7 **public expect from us?**
8 Q. Is the trend towards farming out more and more cases
9 from ICAT to investigation teams and uniformed officers,
10 given the pressure on ICAT?
11 A. Again, my aspiration would be that all indecent images
12 are dealt with only in the ICAT. It depends if that is
13 a realistic proposition or not. Then, how do we manage
14 it? Are there forces that have developed ways to manage
15 that demand more effectively? There are decisions about
16 how we do that as a process that we need to make. So it
17 is not a hard and fast decision of, here is the
18 strategic for that, here's the demand, resources go
19 there.
20 At the minute, we are saying, how can we most
21 effectively reshape ourselves as policing on the money
22 we have available to do the things we have to do and
23 meet the threats that we know are there. So I can't
24 give you a hard and fast answer, we would do this or we
25 would do that. We would look at what the issue was and

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1 **the challenge and then review all the options to come to**
2 **an agreed position as to what's the best proposal.**
3 Q. Can we just take one example in terms of how the force
4 is coping with capacity and demand pressures. If we
5 turn to your second statement behind tab 2, and turn to
6 the second page of that at paragraph 4. It is quite
7 a long discussion, if I can summarise the gist of it.
8 You say there that at least -- of the cohort of
9 registered sex offenders who are managed by the
10 constabulary, of 1,937, at least 131 were convicted of
11 offences relating to indecent images of children and are
12 subject to a sexual harm prevention order. You go on to
13 say that, as those types of orders only came into
14 existence in March 2015, there will be some other
15 offenders who are subject to a sexual offence prevention
16 order but you aren't able to collect those numbers
17 easily. You say at the end of the paragraph, third from
18 the bottom, the actual number would be significantly
19 more, but that's why you said at least 131, it could be
20 significantly more than that.
21 I just want to explore the extent to which the force
22 is able to monitor compliance with these orders. Just
23 before I do that, can you help us with what sort of
24 conditions are typically placed on offenders who are
25 convicted of indecent images of children offences and

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1 receive ancillary orders of some kind, what sort of
2 conditions are put on them?
3 A. I don't have the knowledge to be able to tell you in
4 detail. My expectation is, it would be around their
5 contact with children and how that's managed and their
6 use of technology and how -- what the expectations are
7 of them in relation to that. I'm not in a position to
8 be able to tell you examples of conditions that have
9 been given, I'm afraid.
10 Q. How is compliance with those conditions monitored by the
11 force?
12 A. So there's obviously legislation that sets out the
13 requirements in terms of that, so I think within the
14 statement itself it talks about the different things
15 that we do in terms of some of the multi-agency work,
16 the offender manager work and what's required in terms
17 of that.
18 So I would have to find the relevant statement to
19 give you that beyond that detail. But in terms of what
20 we did to manage it, the guidance sets out quite --
21 again, the categoric numbers of how many times, certain
22 of these categories, an offender should be managed.
23 I think we are moving more towards, again, what does the
24 risk assessment tell us and what does the professional
25 judgment tell us? So rather than slavishly adhering to

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1 a set number, if there is someone we have more concern
2 of, we are going to visit them more, and if there are
3 some we have less concern about, we wouldn't necessarily
4 adhere to the figure just for the sake of it. It is
5 more in terms of, what is the most effective way of
6 managing that cohort of offenders?
7 Q. Is that a move towards a more risk-assessment-based
8 approach? Is that mainly resource-driven, do you think?
9 A. I have not been directly involved in the offender
10 management world to say it is directly resulting. It
11 would obviously be a factor. The cohort is growing by,
12 I think, about 10 per cent a year or something in that
13 kind of region, so that is a challenge in terms of,
14 again, how do we manage that responsibility and that
15 requirement with the resources and the budget we have in
16 the context of wider policing.
17 Q. Can I just ask you one more question, Mr White. This is
18 on the subject of industry. There is material on this
19 in your second statement from paragraph 13 onwards.
20 Just one point. I appreciate you have said quite a lot
21 here, but just to pick up on one point. At
22 paragraph 9.2 you say:
23 "Most internet service providers ..."
24 I understand you use that term in the broader sense,
25 including social media platforms and so forth.

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1 Apologies, it is the first statement, page 13,
 2 paragraph 9.2. You say there:
 3 "Most internet service providers have a dedicated
 4 single point of contact ..."
 5 But you go on to say:
 6 "It remains a significant challenge in the
 7 increasing number of internet service providers without
 8 a dedicated law enforcement portal."
 9 How do you contact internet service providers,
 10 social media companies, who lack a law enforcement
 11 portal, as it were?
 12 **A. I couldn't give you a definitive answer on that.**
 13 **I assume we will find a point of contact somewhere**
 14 **within the organisation. It is just -- I know what's**
 15 **been highlighted is, where those companies have provided**
 16 **that single point of contact for us, we've got all these**
 17 **requests, that immediately improves the response we get**
 18 **and how the whole process works. I don't know exactly**
 19 **how we do it, but finding a point to be able to deal**
 20 **with enquiries outside of that, we will find it, I'm**
 21 **sure, no doubt. The point being made was, that SPoC**
 22 **position does make a huge difference where it exists.**
 23 MR KRISHNAN: Those are my questions. Chair, do you or the
 24 panel have any questions?
 25

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1 Questions by THE PANEL
 2 THE CHAIR: Just one point of clarification, please,
 3 Mr White. When you referred to the base budget not
 4 increasing now, does that in fact mean it will buy less
 5 because of annual cost of living increases?
 6 **A. Potentially. I think -- what I can confidently say, as**
 7 **far as I'm aware, I'm not aware of any expansion of**
 8 **the resourcing or the staffing of that unit. So there**
 9 **may be some slight changes with the budget in terms of**
 10 **equipment or something of that nature, and then, in**
 11 **terms of how inflation works and the impact of our**
 12 **budget and the result of that, then --**
 13 THE CHAIR: The usual impact of a static budget is that it
 14 purchases less service one way or another.
 15 **A. Yes.**
 16 THE CHAIR: Thank you.
 17 MS SHARPLING: In relation to the recorded outcomes that you
 18 have set out in your second statement, is the force in
 19 any way measured on the number of positive outcomes as
 20 opposed to other outcomes? Are there performance
 21 targets or the like?
 22 **A. So we very much moved away from performance outcomes and**
 23 **the strong performance culture we had probably five**
 24 **years ago. So there is not the same scrutiny in the**
 25 **same way. What we would do is much more in terms of our**

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1 **constabulary management board, we would look at that**
 2 **data and outcomes in terms of, what does that tell us.**
 3 **We may do comparative benchmarking with other forces to**
 4 **see, are we very different and is there something to**
 5 **look at in relation to that. But then, importantly, we**
 6 **would do qualitative detailed assurance work around**
 7 **individual cases, in the same way HMIC would, to give us**
 8 **that reassurance. So, yes, there is review of**
 9 **the outcomes but not in the way there would have been**
 10 **five years ago.**
 11 MS SHARPLING: Thank you. In relation to outcome 21, which
 12 is further investigation not in the public interest
 13 police decision, which we have heard evidence about is
 14 used as an outcome in relation to the exchange of images
 15 between young people not for an illegal purpose but for
 16 exploring sexuality, for example, has any review on
 17 whether outcome 21 has been properly and appropriately
 18 used been undertaken in the constabulary?
 19 **A. I know that a force crime registrar has done an**
 20 **assurance report in relation to it. I couldn't tell you**
 21 **the exact findings of it. But I know in terms of it, it**
 22 **will be increasingly important in the year coming ahead.**
 23 **What we have looked at, and certainly what we have**
 24 **picked up from the HMIC work last autumn, was a much**
 25 **more nuanced understanding in terms of where there's**

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1 **offending from a young person but there's also**
 2 **victimisation and how do we get the balance right in**
 3 **terms of managing risk and not criminalising too**
 4 **extensively young people. So, yes, there's been an**
 5 **assurance report. I can't tell you the findings, but in**
 6 **terms of the direction of travel, it is something that**
 7 **we absolutely need to do much more of an**
 8 **understanding -- much more beyond sexting and the**
 9 **exchange of sexualised images, but much more in terms of**
 10 **the exploitation and abuse of young people and their**
 11 **related problematic behaviour.**
 12 MS SHARPLING: Thank you.
 13 PROF SIR MALCOLM EVANS: Just one question, and forgive me
 14 if I did not quite understand. This is going back to
 15 the figures in 8.12, where a question was put to you
 16 about the 29 per cent of cases which were referred to
 17 ICAT which were filed under "no further action" and you
 18 gave a helpful account of why that might be the case in
 19 some instances.
 20 However, perhaps I was misunderstanding you.
 21 I thought that you had implied earlier that it was only
 22 those that had come through the KIRAT system as a high
 23 rating that would be passed on in the first place to
 24 ICAT at the moment. So what I am wondering is, is there
 25 a problem with the risk assessment producing them as

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<p>1 being high to be passed on or is there still some reason 2 why some that may be being passed on as categorised 3 initially as high turn out not to be pursued? 4 A. So the difference of most of our other incidents that 5 come through the Communication Centre or the Incident 6 Assessment Unit, the referrals will come for this type 7 of work directly into ICAT from the NCA and then the 8 person receiving that will put that on Niche, which is 9 our incident and crime recording system. There will 10 then be the intelligence research done around it, 11 including the KIRAT assessment, and then a decision as 12 to where it should be allocated. Some of those will be 13 the referral will then be followed up with the actual 14 image involved being forwarded on from the NCA and, at 15 that stage, once it is already on our system and we are 16 doing the risk assessment, it may turn out that the 17 image wasn't quite as we initially thought and it may be 18 recategorised on our crime recording system as a result. 19 So that's the process. The incident comes in, recorded, 20 intelligence research, assessment, allocation to the 21 appropriate department and then progression. 22 PROF SIR MALCOLM EVANS: Thank you. 23 MR KRISHNAN: Thank you, Mr White. 24 (The witness withdrew) 25 MR KRISHNAN: Chair, there is some further read evidence to</p> <p style="text-align: center;">Page 121</p>	<p>1 GMP which includes responsibility for structure, policy 2 and procedure in relation to the investigation of online 3 child sexual abuse as well as all other force 4 safeguarding responsibilities." 5 Over the page, the top of page 3, the first line: 6 "The SCU ..." 7 Which the previous page explains is the Sexual Crime 8 Unit: 9 "... has lead responsibility within GMP for online 10 child sexual abuse investigations." 11 At the end of that paragraph: 12 "Most low-risk intelligence is disseminated for 13 action to frontline, borough-based officers via local 14 policing hubs." 15 The next paragraph: 16 "The SCU has other competing work streams in so much 17 as it also deals with serious sexual crime 18 investigations." 19 The last paragraph on that page: 20 "Whilst the Sexual Crime Unit leads in this field, 21 the level of demand in GMP means that some 22 investigations are managed at borough level by both 23 uniform constables and detectives." 24 Over the page, under the heading at the bottom there 25 is a reference to the Regional Organised Crime Unit also</p> <p style="text-align: center;">Page 123</p>
<p>1 go through this afternoon, but looking at the time, 2 I wonder if it would be a good moment for an afternoon 3 break? 4 THE CHAIR: Thank you. We will return at 3.15 pm. 5 (3.05 pm) 6 (A short break) 7 (3.21 pm) 8 Statement of MS DEBBIE FORD (read) 9 MR KRISHNAN: Chair, I will be reading two statements, so if 10 we could please pick up file 5 again and turn to, first, 11 the statement at tab B/1. This is the witness statement 12 of Assistant Chief Constable Debbie Ford of 13 the Greater Manchester Police, dated 27 October 2017 14 starting at page 1: 15 "I am Debbie Ford, an Assistant Chief Constable with 16 Greater Manchester Police. My portfolio includes 17 responsibility for Serious Crime and Public Protection. 18 I am authorised by the Chief Constable to make this 19 statement on behalf of the Greater Manchester Police." 20 Turning to page 2, under the heading of "The people 21 and teams within the force who are responsible for the 22 response to online-facilitated child sexual abuse", it 23 reads: 24 "As Assistant Chief Constable, I have command 25 responsibility for the Public Protection Division within</p> <p style="text-align: center;">Page 122</p>	<p>1 being involved in the prevention and detection of online 2 sexual abuse against children. If we turn to page 6, 3 the second paragraph from the top: 4 "Since 2014 the SCU [Sexual Crime Unit] has improved 5 its resilience and expertise in order to deal with 6 online child sexual abuse and this work stream alone now 7 accounts for around 70 per cent of its current case 8 load." 9 There is then a list of significant improvements 10 implemented since 2014. If I can just take one as an 11 example, the penultimate line from the bottom: 12 "Recruitment of candidates with IT, data management 13 and serious crime investigation skills." 14 The next page, page 7, the first full paragraph: 15 "These measures have raised the level of expertise 16 in the team and the Sexual Crime Unit is now perceived 17 as a highly specialised unit in relation to online child 18 sexual abuse investigations not only within GMP but 19 regionally and nationally. 20 "However, it should be acknowledged that the unit 21 still does not have the capacity to deal with all of 22 GMP's online CSA demand and as such, locally based 23 officers are routinely allocated CSA intelligence for 24 investigation. Levels of specialist investigative 25 skills, experience and access to IT resources is</p> <p style="text-align: center;">Page 124</p>

<p>1 variable for these officers." 2 At page 8, the paragraph start, "Undoubtedly": 3 "Undoubtedly, the progress and development of 4 the Sexual Crime Unit, along with increasing borough and 5 CSE teams' experience and knowledge of online CSA has 6 significantly improved GMP's overall response to online 7 CSA, albeit ever-increasing demand on resources coupled 8 with year on year reductions in the organisation's 9 operating budgets present some significant challenges." 10 Over the page, the first paragraph down: 11 "In December 2014 the force was suffering from 12 a severe operational backlog in relation to expediting 13 digital device examinations." 14 There is a table there, under there, where there are 15 some examples given. For example, standard computer 16 examinations. There were 74 cases and the oldest case 17 was 61 weeks. If we turn to the paragraph under that: 18 "A 'Systems Thinking' review was conducted resulting 19 in changes being made to the structure and establishment 20 of the DIU [Digital Investigation Unit] under the 21 Pegasus Review Programme. Since 2014 there has also 22 been additional investment in the DIU in order to reduce 23 the backlog of digital device examinations." 24 At page 10, we have a similar table giving the 25 figures as at 31 March 2017. If we can look at standard</p> <p style="text-align: center;">Page 125</p>	<p>1 Examinations highlights a challenge for GMP in reducing 2 investigation periods and risks to victims. 3 "Significant work has already been done in seeking 4 to address this problem." 5 Over the page, page 59, the second paragraph down: 6 "GMP does not have a dedicated Paedophile Online 7 Investigation Team, albeit the Sexual Crime Unit's focus 8 in this area comprises 70-75 per cent of their work 9 stream. This causes issues around competing demands. 10 "As demand for resources in relation to NCA-CEOP 11 referrals and file sharing offences increases, 12 additional demand will by definition fall on GMP's 13 borough resources. Austerity measures have created 14 significant challenges to simply meet existing demand; 15 further strain will undoubtedly be felt. GMP ranks 16 second only to the Metropolitan Police in terms of 17 volume of intelligence and threats." 18 There is a discussion about working in partnership 19 with other institutions. The example given in the 20 second sentence is that diversion to rehabilitation 21 courses offered by organisations such as the 22 Lucy Faithfull Foundation and Safer Lives: 23 "This is a key strategic decision under 24 consideration at national level." 25 Over the page, under the heading "Training":</p> <p style="text-align: center;">Page 127</p>
<p>1 computer examinations, the number of cases had grown 2 from 74 to 151, but the age of the oldest case was down 3 from 61 weeks to 24 weeks. 4 If we can turn next to page 12, under the second 5 heading down, "Volume intelligence leading to an 6 investigation", there is a discussion there about how 7 referrals, in other words, are dealt with within the 8 force. I just wanted to pick up on the penultimate 9 line: 10 "Most (circa 80-85 per cent) of this caseload is 11 dealt with by borough officers (uniform police officers 12 and/or local detectives) supported by DIU [Digital 13 Investigation Unit] and SCU [Sexual Crime Unit]." 14 Can we now fast forward, please, to page 34. There 15 is a description there of what is known as the 16 significant challenges that the force has had in 17 implementing the child abuse image database, such as not 18 having necessary network connections and the plans that 19 are in place to resolve those issues. 20 Page 58, please. This is a section on the 21 weaknesses of the force responding to online-facilitated 22 child sexual abuse. Just taking a few examples from the 23 material here, under the heading "Resources": 24 "As highlighted previously in this statement, the 25 existence of backlogs within Digital Forensic</p> <p style="text-align: center;">Page 126</p>	<p>1 "Whilst training inputs are provided on specialist 2 investigator courses, there is no current training for 3 frontline responders." 4 Next paragraph down: 5 "It is recognised there are spatial variances in how 6 online CSA cases are managed. Training has been 7 recognised at strategic level as essential to ensure 8 a holistic approach to cyber policing and this has now 9 been developed for implementation." 10 Over the page, page 61, the second paragraph down: 11 "College of Policing training is currently limited 12 in terms of its structure, content and availability." 13 Carrying on, under the heading "Sex offender 14 management": 15 "With well in excess of 3,000 registered sex 16 offenders resident in the GMP area, management by finite 17 Sex Offender Management Unit resources is a significant 18 challenge for the force and one which is becoming ever 19 more acute. A number of initiatives are currently under 20 way under innovation funding provided by Operation 21 Accord ... to improve efficiencies and focus on those 22 offenders assessed as posing the highest level of risk." 23 At page 62, over the page, this is a section on the 24 force's response to those recommendations that were made 25 by HMIC in the "Online and on the edge" report</p> <p style="text-align: center;">Page 128</p>

<p>1 in July 2015. I just wanted to note under 2 recommendation 1 there is an acknowledgement that there 3 is limited access to social media applications across 4 the force. 5 Turning to page 74, under the heading "The force's 6 assessment of the key challenges it faces in detecting 7 and responding to online child sexual abuse", there is 8 a discussion there of persistently increasing demand 9 both in terms of criminal investigation, digital 10 forensic investigation and the need for enhanced IT 11 provision. The challenge of this exponential demand is 12 that online CSA investigations will need to be dealt 13 with more and more at borough level, which may entail 14 investigations being conducted by inexperienced staff: 15 "Training for all staff in this complex and 16 demanding field is acknowledged as a key component of an 17 effective response to investigating online child sexual 18 abuse and as a force we are addressing this issue, 19 albeit the challenge remains very real considering the 20 limited budget provision at our disposal." 21 Over the page, there is a section on the classic law 22 enforcement response and whether alternative approaches 23 should be taken to lower-risk offenders: 24 "GMP acknowledges that classic law enforcement 25 approaches to dealing with online sexual exploitation</p> <p style="text-align: center;">Page 129</p>	<p>1 paedophiles. 2 "The question therefore remains how confident can we 3 be of categorising low-risk offenders at the 4 intelligence stage? GMP has illustrative examples where 5 offenders make admissions and plead guilty to charges to 6 mask the actual gravity of their wider offending, 7 sometimes not realised until later, and after the above 8 processes have been completed. By adopting alternative 9 disposal methods at an early stage, we run a real risk 10 of allowing potential high-risk offenders to slip the 11 net. 12 "I would pose the question as to whether we might 13 seek alternative disposals at a later stage when we 14 fully understand the true level of risk posed by an 15 individual offender and only when we are satisfied that 16 the actual level of risk is low after completing device 17 examinations, research and investigation. The caveat to 18 that scenario of course is that this approach would ease 19 the current burden on the Crown Prosecution Service and 20 the judicial system, but absolutely not on the police." 21 Turning now to the second statement of 22 Assistant Chief Constable Ford, which is behind tab 2, 23 just a couple of points in this one. At pages 2 to 4, 24 there is further detail on how these investigations are 25 carried out at a local level. At pages 7 to 9 there is</p> <p style="text-align: center;">Page 131</p>
<p>1 via the internet may not always be effective and in any 2 event our ability to pursue that approach is already 3 restricted due to our limited resource capacity. 4 Arresting our way out of the problem is clearly 5 unrealistic as year-on-year demand continues to grow 6 against a trend of reducing police resources. 7 "It is difficult to envisage an alternative solution 8 which relies upon risk assessment alone to determine 9 appropriate action against a suspect. Intelligence, 10 regardless of the source, does not necessarily identify 11 the true level of risk at an early stage in an 12 investigation. 13 "The actual level of threat is often not realised 14 until intelligence has been developed, a warrant applied 15 for and executed and the potential victim and/or 16 offender identified, interviewed and researched. 17 Moreover, the actual risk a suspect may pose cannot be 18 fully understood until a forensic digital examination of 19 their seized devices has been undertaken. This may be 20 months after the warrant has been executed (dependent on 21 prioritisation). A suspect who purports to be a simple 22 collector of online abusive images may be concealing 23 online grooming, incitement of children to engage in 24 sexual activity, or actual contact and sexual abuse of 25 children, as well as wider collaboration with fellow</p> <p style="text-align: center;">Page 130</p>	<p>1 a description of the proposals under which the force 2 intends to "future proof" digital forensic 3 investigation. If we take one example at 2.6.2, at the 4 top of page 8, the first bullet point, "Increasing the 5 DIU from 40 to 76 staff". 6 If I can turn now to the statement from Norfolk 7 Constabulary, this is behind tab D/1, this is the 8 witness statement of Assistant Chief Constable 9 Paul Sanford, dated 27 October 2017. The first 10 paragraph of the statement, he explains he has 11 responsibility for Norfolk local policing, including the 12 county policing command and the Safeguarding and 13 Investigations Command: 14 "I have been in this post since April 2017. I have 15 been a police officer with the Norfolk Constabulary for 16 over 18 years." 17 Over the page, in the section on the resources 18 available to the force for responding to 19 online-facilitated child sexual abuse, we start at the 20 second paragraph down: 21 "While the number of officers and staff has reduced 22 across the constabulary in recent years, from a total 23 establishment of 2916.17 in 2013 to 2715.89 in 2017, 24 investment has been maintained in the Safeguarding and 25 Investigation Command and increased in the online area,</p> <p style="text-align: center;">Page 132</p>

<p>1 specifically in the Safeguarding Children Online Team 2 (SCOLT)." 3 We fast forward to the bottom of that page: 4 "In 2013, Norfolk Constabulary restructured some of 5 its resources and teams in order to create the 6 Safeguarding and Investigations Command. This was 7 further enhanced in 2014 with the creation of the SCOLT 8 and the Multi-Agency Sexual Exploitation Team (MASE)." 9 It is explained then: 10 "The creation of the specialist teams in recent 11 years under the Safeguarding and Investigation Command 12 has further enhanced the force's capability and capacity 13 in order to deal with what are often complicated and 14 sensitive investigations using highly trained, dedicated 15 staff." 16 At the end of that paragraph: 17 "By working collaboratively with Suffolk 18 Constabulary, we have been able to deliver specialist 19 services against a backdrop of reducing budgets." 20 There is then a chart which outlines the annual 21 staffing costs of the various teams involved in this 22 field. The cost of the staff in the SCOLT is given as 23 just over £880,000. 24 If we turn, please, to page 5, there is some 25 material on the SCOLT:</p> <p style="text-align: center;">Page 133</p>	<p>1 the internet for convicted offenders, greater 2 enforcement by companies of their own terms and 3 conditions and providing access to help services for 4 persons yet to offend but with a sexual interest in 5 children." 6 If you go over the page to page 35, there is 7 a description of the force's assessment of its strengths 8 and weaknesses in this field. If we start with the 9 first paragraph: 10 "The main strengths are achieved by the formation of 11 the dedicated SCOLT and MASE teams providing a robust 12 and highly-trained response to this issue." 13 The third paragraph down, there is an 14 acknowledgement of the main weaknesses relating to data 15 quality, the development of CAID to expand the 16 opportunities it presents and a requirement for a peer 17 review of SCOLT. 18 If we go over the page, the last paragraph: 19 "In February 2016, the force provided further 20 funding for the SCOLT. These funds were used to 21 purchase specialist triage equipment and a van to enable 22 the mobile service to examine electronic devices at the 23 scene of warrants executed against persons suspected of 24 being involved in IIOC and 'grooming' offences. It was 25 hypothesised that this approach could make the team more</p> <p style="text-align: center;">Page 135</p>
<p>1 "The Safeguarding Children Online Team was set up in 2 2014 at a cost of £251,733, as a dedicated resource to 3 investigate online CSA, CSE and grooming." 4 The last sentence in that paragraph: 5 "Investment in the SCOLT has continued in order to 6 keep pace with reported online CSA as well as to keep 7 pace with technology." 8 If we can turn, then, please, to page 8, at the 9 bottom of page 8 there is a section on the Digital 10 Forensics Unit. There was just one point on this 11 I wanted to take you to, which is in the middle of 12 page 9, the third paragraph from the top, starting, "The 13 DFU utilise". It is the last sentence of that 14 paragraph: 15 "The DFU utilises Forensic 21, a matrix to 16 prioritise each submission, defining low, medium and 17 high priority." 18 Page 34, please. This is the section on industry. 19 There is a short paragraph towards the top of the page 20 on "Whether and, if so, what assistance from industry 21 would be welcome but has not been forthcoming". It is 22 said there: 23 "We would welcome greater preventative activity to 24 stop CSE and CSA online offences. These could include 25 industry-led education in schools, limiting access to</p> <p style="text-align: center;">Page 134</p>	<p>1 efficient, with less time spent seizing and logging 2 exhibits, and less subsequent viewing and grading of 3 images. It was also hypothesised that these effects 4 would reduce demand on the Digital Forensics Unit with 5 fewer devices needing to be sent through to that team 6 for examination." 7 If we can turn next to page 38. This is the section 8 on the force's examination of the challenges that it 9 perceives in terms of responding to online CSA: 10 "Technological advancements and associated online 11 behaviour has significantly increased opportunities for 12 the online exploitation of people as well as providing 13 abusers an opportunity to conceal online criminality. 14 All police forces, including Norfolk Constabulary, have 15 seen the impact of increased reporting in the online 16 space. This has come at a time of reducing police 17 budgets and workforce. 18 "There is a significant challenge in keeping pace 19 with technology. The rapidly developing technology not 20 only poses challenges for training officers, but also in 21 policing's ability to identify, capture and extract 22 evidence from devices ..." 23 Next paragraph: 24 "Education of young people and parents is 25 a significant challenge ..."</p> <p style="text-align: center;">Page 136</p>

<p>1 There is a discussion about investment in the Safer 2 Schools Team and the Thinkuknow programme to secondary 3 schools: 4 "We do not have the resourcing to deliver the 5 messages to primary schools where there is potential to 6 have greater impact. An effective PSHE programme in all 7 schools is essential in educating, building resilience 8 and intervening earlier in order to protect children. 9 We welcome to recent announcement to implement this in 10 schools. 11 "There is a requirement for industry to play 12 a greater role in safeguarding and stepping in, in order 13 to prevent offences occurring. An example of this is 14 the role of industry in preventing the circulation of 15 indecent images and victimisation of young people." 16 Over the page, this is the section on lower risk 17 offenders and alternative approaches. Just picking up 18 one line in the middle of that page, the last line at 19 the middle paragraph: 20 "There will be a point in time when demand exceeds 21 capacity and we are getting ever closer to that point." 22 Moving on to the last paragraph on that page: 23 "Norfolk Constabulary does believe that there is 24 a need to move away from the full forensic examination 25 of all devices, images and videos associated with each</p> <p style="text-align: center;">Page 137</p>	<p>1 "Our overarching objective is the protection of 2 children from harm. We are aware that the majority of 3 persons prosecuted for IIOC offences are not subject to 4 custodial sentences and often receive limited 5 interventions to address their behaviour. The time 6 period between an offender being charged and convicted 7 is also often lengthy. If there was an available 8 condition to be attached to a caution which was more 9 likely than current arrangements to prevent an 10 escalation of offending and therefore provide greater 11 protection to children, we would consider that route." 12 Can we turn briefly, please, to the second statement 13 by Assistant Chief Constable Sanford, which is behind 14 tab 2. There is a discussion of the mobile forensics -- 15 it is the mobile forensics trial. It started 16 in September 2016 and concluded on 5 June 2017. This 17 trial was deemed a success. At 1.2: 18 "The MFC forms a permanent fixture within SCOLT and 19 is to remain as a deployable asset in the future. It is 20 deployed on the vast majority of search warrants." 21 Over the page, there is an explanation of 22 the difference between the two risk assessment tools 23 that are mentioned in the first statement: 24 "KIRAT is a suspect based risk assessment designed 25 to prioritise incidents according to the circumstances,</p> <p style="text-align: center;">Page 139</p>
<p>1 suspect. We take a risk-based approach whereby the 2 devices associated with those offenders deemed to be at 3 a low risk of being contact sex offenders receive 4 a proportionate level of examination. Doing this 5 enables us to increase the throughput of cases and 6 ultimately bring more offenders to justice. It is the 7 case that the risk associated with an offender is only 8 best understood once an investigation commences. We 9 therefore take the view that we should increase our 10 capacity to investigate more offenders by streamlining 11 the investigations against those suspects who initial 12 enquiries suggest are lower risk." 13 There is a discussion in the middle of that page on 14 the use of conditional cautions. It is said that the 15 constabulary would use such cautions if authorised as an 16 appropriate sanction by the Home Office for IIOC 17 offences in the following circumstances, and there are 18 four circumstances laid out. The first is for offenders 19 with no prior convictions; for offenders considered to 20 be a low risk of contact abuse offending; where the 21 images recovered and means of their collection is at the 22 lowest end of the spectrum as set out in the current 23 Sentencing Council guidance; where conditions are 24 available that are sufficiently robust given the offence 25 committed and will address the offending behaviour.</p> <p style="text-align: center;">Page 138</p>	<p>1 attachments to children and a suspect's offending 2 history." 3 The last sentence in that paragraph: 4 "The Forensic 21 process provides an initial 5 assessment as to whether a case is accepted by the DFU 6 and whether the investigation is prioritised as low, 7 medium or high; it provides a more accurate assessment. 8 "Both risk assessments are used in conjunction with 9 one another." 10 At 2.3: 11 "The full circumstances of the investigation, any 12 admissions by the suspect and the current KIRAT level 13 are made available to the DFU gatekeepers. This 14 provides a strong indicator to the forensic analysts of 15 what evidence is expected to be retrieved." 16 Chair, that is what I wanted to read to you from 17 those two statements. This may be a convenient moment 18 to break for the day. We have a live witness coming in 19 tomorrow morning from elsewhere in the country, and 20 there will be one more statement to read later tomorrow. 21 THE CHAIR: Thank you, Mr Krishnan. We will break for the 22 day, as you suggest, and we will reconvene at 10.30 am. 23 Thank you. 24 (3.54 pm) 25 (The hearing was adjourned until</p> <p style="text-align: center;">Page 140</p>

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