

KEY POLICY DECISIONS

Decision No. 5

Victim: FORMER RESIDENTS OF BEECHWOOD CHILDRENS HOME

OFFICER MAKING DECISION: DI DALES

DATE OF DECISION: 09/08/2011

TIME OF DECISION: 0900

DECISION:

Initial Lines of enquiry – Witness Strategy

CJ act witness statements will be obtained for all significant * witnesses (not eligible for special measures) consideration will be given to conducting video interviews with vulnerable or intimidated witnesses (includes sex abuse victims)

*Provided consent is given all significant witnesses will be interviewed on video and if that is not practicable audio recorded and an CJ statement prepared from it ASAP using the 5 part statement structure.

(Enquiry team to be briefed on definition of a significant witness)

REASON:

Secure and preserve evidence in a presentable format for any subsequent proceedings.

Invoke special measures for vulnerable or intimidated witnesses.

Safeguard the integrity of the interviewer / interview process (transparency).

Increase the amount and quality of information extracted from the witnesses.

Increase the amount of information reported by the witness being recorded.

Decision 149 – Witness Strategy – 11th September 2013

Immunity from either criminal or disciplinary action is not something that I can personally decide upon. Where there is information to suggest or indicate an(y) individual(s) have not been entirely forthcoming with the Police and may be with-holding information I will consider issuing a warning prior to the commencement of any further interviews and treating them as a 'significant witness'.

Reason

To ensure the best possible evidence is obtained from such witnesses in an ethical & professional manner and that the integrity of the witness is maintained.

Having raised this matter at GOLD and also with the CPS Lawyer, I have been advised that a global policy decision cannot be made. The circumstances of every case will undoubtedly differ between individual(s) and there is a fine line between action(s) that constitute criminal/disciplinary and/or suitable for ordinary management action in the event that the person is still working with children.

I have consulted with Sam SHALLOWS at CPS who states we are not currently in immunity territory

Decision: 194

Victim: FORMER RESIDENTS OF BEECHWOOD CHILDRENS HOME

OFFICER MAKING DECISION: DI DALES

DATE OF DECISION: 29/12/2014

TIME OF DECISION:

DECISION: SIGNIFICANT WITNESSES

Following on from policy decision 5 and 149, any persons who come forward and report to have witnessed other person(s) committing historic child abuse will be treated as a significant witness.

REASON:

Significant witnesses, sometimes referred to as 'key' witnesses, are those who:

> have or claim to have witnessed, visually or otherwise, an indictable offence, part of such an offence or events closely connected with it (including any incriminating comments made by the suspected offender either before or after the offence) but who are unlikely to have video recordings of their interviews admitted as evidence in-chief under Section 137 CJA 2003 as a result of there having been a lengthy interval between the alleged event and the interview; and/or

> have a particular relationship to the victim or have a central position in an investigation into an indictable offence.

In view of the time delays, I need to be able to safeguard the integrity of the interviewer and the interview process. The actual process is covered in the earlier policy decisions referred to.

There is a possibility that persons that have witnessed abuse at the time and failed to report this may in some way be held culpable either criminally or disciplinary, particularly if they are still working in a capacity that brings them into contact with children. For these reasons, I believe that it is necessary to record the accounts and review this carefully.

I am aware that we currently have persons on bail for serious offences and they have named others that they believe the victims have confused them with. It is therefore important that where further information comes to light re these other persons that this is dealt with in an open and transparent way, in case it affects any previous decision-making.