



NOTTINGHAMSHIRE
POLICE

PROUD TO SERVE

OPERATION EQUINOX

INVESTIGATION PRIORITISATION POLICY

AUGUST 2016

Detective Superintendent A.J.J Pearson

1. I am going to review and re-focus the priorities and progress of this investigation.

RATIONALE:

Operation Equinox was established by Nottinghamshire Police in order to provide a dedicated, professional investigative response to allegations of historic abuse of children in establishments controlled by the local authorities in Nottinghamshire and Nottingham City. This policy gives due cognisance to the principles of "Working Together to Safeguard Children". The key consideration being that any immediate risk to a child or young person would always warrant an immediate response.

This rationale is designed to provide a clear framework by which finite resources, across all public agencies involved in such investigations may be directed in order to prioritise the most serious offences and offending

I was appointed as Senior Investigating Officer on Monday 22 February 2016. Since then I have had the opportunity to:

- See significant prosecutions come to a successful conclusion at Crown Court
- Review the progress with on-going and planned investigations
- Review the number of allegations held within the investigation, the periods they relate to, their nature, and when they were reported
- Discuss progress and current best practice with Operation Hydrant
- Understand the impact upon survivors of this investigation
- Participate in the various multi-agency structures and meetings
- Interact with the Independent Inquiry into Child Abuse
- Research best practice, CPS guidance and media scrutiny of this type of investigation elsewhere
- Understand the complexities of disclosure, particular to children's care records
- Understand the complexities of information sharing with the county and city councils, particularly in relation to civil claims for damages

2. The priorities for Operation Equinox from this date are (policy decision 255 refers):

- Any offence where it is suspected that the perpetrator might present a current and on-going risk
- Serious sexual offences taking place from 1980 onwards
- Serious sexual offences taking place from 1970 onwards
- Serious sexual offences taking place prior to 1970
- Serious physical assaults taking place from 1980 onwards
- Serious physical assaults taking place from 1970 onwards
- Serious physical assaults taking place prior to 1970

Serious sexual offence is defined as including rape (as currently defined) and sexual assault. It does not include sexual touching and grooming.

Serious physical assault is defined as including grievous bodily harm, wounding and actual bodily harm. It does not include common assault.

In relation to these investigations, (in the categories of offences above) if a less serious offence is disclosed that would not in itself be investigated in their own right (see policy below) I have decided that they will be included in the overall investigation. The degree to which this takes place will be at the direction of the senior investigating officer, taking appropriate advice from the CPS and partner agencies

The following offences that have been reported to Operation Equinox will receive a limited investigation:

- Common assault
- Neglect or cruelty
- Threatening behaviour
- Grooming type offences

A limited investigation will involve:

- The recording of the witness evidence of the victim
- Safeguarding enquiries will be carried out with the Local Authority, PNC, PND and local police intelligence systems
- A review of the HOLMES database to search for similar offences and links to suspects

This prioritisation is based upon the following broad rationale:

- It provides the greatest opportunity to bring the most serious offenders to justice
- It gives due consideration to the statutory limitation on proceedings that affect a significant number of the allegations that are currently recorded
- It reflects analysis of the allegations that have been reported at the time of this compilation
- It prioritises those crimes that may have current safeguarding implications
- It recognises that many suspects will be now deceased or elderly
- It adopts a proportionate threat, risk and harm approach, in line with current professional practice

Nothing in this is in any way meant to discourage reporting to the authorities. The victim will always be treated as believed and supported.

3. In the event that a suspect is proven to be dead, I will conduct a proportionate investigative response. I will consider death to be proven (policy decision 256 refers) when a death certificate has been obtained. In that eventuality, I will ensure that the following takes place:

- That victim/s are told at the first available opportunity
- The victim/s accounts will be obtained
- It will be established if the named suspect offended with others or if others facilitated or condoned that offending
- Establish if the named suspect had links with other child sexual abusers
- Determine if any other persons identified presents a safeguarding risk to children
- Where necessary, take any appropriate safeguarding action
- Learn any lessons that would help to prevent future offending

The investigation need not extend beyond these parameters unless other suspects are identified. The purpose is not to prove or disprove the offence reported but to establish the involvement of

others and/or to assess the current risk to children. A full and detailed criminal investigation may not be required, and I will make a judgement on each individual situation.

I will ensure that:

- Niche will be updated accordingly and the investigation closed
- There will be no requirement to submit a file for crime recording purposes.

The exception to this policy is that we will conduct an investigation where the suspect is known to be dead in the following circumstances:

- Significant public interest, such as a person of high public profile or position of significant power or influence
- Disclosure issues within the prosecution process of other suspects
- Professional dialogue at senior level with other public bodies.

This decision is based upon the following rationale:

- 2016 Director of Public Prosecution guidance on charging advice where the suspect is deceased
- July 2016 College of Policing Operation Hydrant “Investigating Deceased Suspects” guidance
- A proportionate approach based upon threat, risk and harm considerations.

4. In the event that a victim or witness is only able to provide a limited description of a suspect, and cannot identify them partially or otherwise, by name, then I have decided that the following enquiries will be conducted (policy decision 257 refers):

- Witness evidence from the victim/witness, given due regard to the location and potential offenders present.
- Intelligence checks of systems in relation to description, modus operandi and other reported offending.
- The analysts will regularly review across these factors, in order to assist identification.

Should those enquiries not indicate a suspect, then the investigation will come to me for referral. I will then make a decision based upon:

- Investigative opportunities, with due regard to the time elapse since occurrence
- The nature of the allegation, given the prioritisation policy already outlined
- An assessment of risk, threat and harm considerations

This is based on the following rationale:

- It adopts a proportionate threat, risk and harm approach, in line with current professional practice
- It takes a pragmatic approach to investigative opportunities.