# Investigator's journey

How each stage of the investigator's journey provides an opportunity for police to be victim-centred, suspect-focused and context-led.

12 mins read

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The investigator's journey takes you through the 15 stages of an investigation, from first contact with a victim to final outcomes.

At each stage, you have the opportunity to be:

- · suspect-focused
- · victim-centred
- context-led

This should guide your evidence collection and assessment throughout.

# 1. First contact and recording



The first record of a rape or other sexual offence can come in many ways.

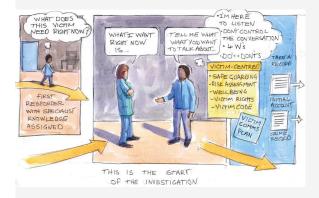
The report could come from:

- the victim
- others who call on their behalf

The first interaction is likely to be a traumatic time for victims. Approaching the police is a big step for many victims.

An investigator is unlikely to be the person taking that first call, but they must understand what happens there.

## 2. Initial conversation



Depending on the force, the initial conversation with the victim may be with:

- a first responder, specially trained to speak with rape and serious sexual offence (RASSO)
  victims, called sexual offences liaison officers (SOLOs) or sexual offences investigative technique
  officers (SOITs)
- the investigator, especially if the report has come through a third party

It is critical to remember that there is no such thing as a normal trauma response. Do not confuse victim vulnerabilities with untrustworthiness or lack of credibility. Language is extremely important to a victim. How you react and what you say will stay with them forever.

It is at the point of reporting that you need to start considering:

- the safeguarding of the victim
- risk of further harm
- the rights of the victim
- how the victim might feel

The core task here is to focus on the needs of the victim.

### Golden hour considerations

If this conversation takes place during the golden hour, you need to consider how you might start an investigation of the suspect while at the same time attending to the immediate needs of the victim.

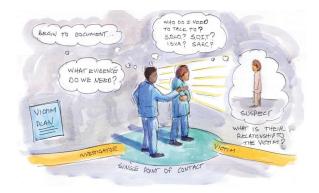
Some questions to consider are:

- what does the victim want at this point?
- are they telling or reporting?
- what are they able to tell you right now?

## Your wellbeing

You might also want to think about how you will protect your own wellbeing during the investigation of this case.

## 3. Victim-centred



This step prompts you to think about a plan for the way you speak with the victim and how to seek the involvement of others who may be able to support them.

#### Context

Victims are telling us about their lived experience. This lived experience is evidence and describes the context of the abuse. This is the start of the whole story approach.

The context is part of the evidence and provides important information for your investigative strategy.

You need to think about:

- who the victim is
- who the suspect is
- how the sexual offences happened in the context of their relationship

Past investigations have tended to focus too much on the moment of the offence and missed the wider context.

## **Grooming**

Offenders often groom their victims and target and exploit vulnerabilities. They do this to:

- establish a relationship of control, power and authority which will create the circumstances that allow an offence to take place
- undermine the victim's free choice
- minimise resistance
- reduce the chances of ever being held to account

Grooming helps to make the victim feel responsible for what happened and to cover the offending behaviour behind a good story which even the suspect may believe.

All of this provides evidence you can use. It also tells you about the suspect and the relationship they thought they had with the victim. You can use this in interview and in framing your understanding of what happened.

# 4. Suspect-focused



RASSO investigations need to be suspect-focused from the outset.

This means the investigation focuses on the behaviour of the suspect to see whether they have committed a crime, not the victim's character.

This is not 'guilty until proven innocent' – it is:

- understanding the evidence that is available and interpreting it correctly
- taking the skills you already have from other crime areas and applying them to RASSO

You should do the following.

- Prioritise suspect-facing actions and use intelligence resources to get a full picture of the suspect and their background (including Police National Database and foreign offender checks where relevant).
- 2. Risk assess suspects at every stage of the investigation.
- 3. Look to put in place disruptive tactics, including civil orders.
- 4. Link cases together to invite a court to consider that multiple independent witnesses accuse the same suspect of the same behaviour.

# 5. Initial investigation planning



At this stage, the investigation is underway. Remember, whatever evidence you gather could be disclosed.

If you collect digital material evidence supporting the victim's lived experience from the victim themselves, this has to be proportionate and relevant to the investigation. Consider how you can secure the evidence without taking the victim's property for an unnecessary period of time.

Think about investigation strategies that will help you consider:

- what the suspect did
- what your strategy is to collect evidence
- how you will keep the victim informed

## **Evidence of grooming**

Take into account that the suspect may have groomed a victim. Some examples of grooming behaviour include:

- selection of the most visibly vulnerable person, such as the most drunk
- removal of the victim to a space the suspect controls, separation from friends or manoeuvring themselves into the victim's private space (for example, using the 'missed the last bus' tactic)
- creating dependence on the suspect for employment, money, transport or safety
- controlling what the victim drinks and pressuring them to drink more paying for the drinks but not drinking themselves
- building a narrative where the victim is the one at fault

Evidence of grooming can be gained from the victim's account, CCTV, billing enquiries and <u>digital</u> devices. Build up your whole story.

### 6. Advice



Investigation is a team effort. Advice and guidance are available from your colleagues and supervisors.

Colleagues can help you anticipate the <u>requirements for disclosure</u> and provide tips on how you approach writing the investigation management document (IMD). The IMD is the record of your actions, decisions and relevant lines of enquiry.

They will also help you organise the immediate priority tasks, for example, involving:

- forensics
- · digital capture
- contact with an independent sexual violence adviser or advocate (ISVA)

Start to think about the right time to approach the <u>Crown Prosecution Service (CPS)</u> for early advice.

## 7. Plan victim interview



A victim's account of their lived experience is central to any investigation. They provide the main evidence – sometimes the only evidence.

At this stage you can plan for the victim interview, gathering what you know and considering how you're going to build rapport with the victim.

Understanding what has happened from their perspective is the start. The recorded information can inform the context of the crime. It could be:

- domestic abuse-related
- an abuse of authority
- peer to peer

The key features of the suspect's behaviour can inform you about the needs of the victim. It's not just about the abuse itself, because everything before and after may provide relevant evidence. Remember to look at and evidence the whole story.

You need to prepare before you invite the victim to give an official statement or video interview.

The interview is a good opportunity to double-check that the victim has access to the victims' guide from your police force.

# 8. Victim interview – achieving best evidence (ABE)



How you approach <u>achieving best evidence (ABE)</u> in your victim interview is the key to gathering critical evidence about the offence.

## Prepare the victim

It's important to take the time a victim needs to prepare.

You can prepare the victim by:

- building rapport
- explaining the kind of questions you may ask
- outlining the process of the interview

Preparing your victim is critical to making sure you can gather their evidence effectively.

## **Victim support**

Consider what support the victim needs. Do they require an intermediary or would the support of an ISVA be beneficial?

#### Interview as evidence

Evidence in chief is the victim's description of what happened to them. The investigator can video record the victim's evidence before the trial and it will be played back during trial so that they don't need to repeat all the details of the offence in court.

Recording the interview enables the victim to give their account of their lived experience. This recording can become the evidence in chief.

The interview is a record from the victim about:

- · what happened
- the context in which the offence occurred
- how the suspect behaved before, during and after the incident

# 9. Investigation planning



As an investigator, you need to assemble a range of evidence that will be submitted to the Crown Prosecution Service (CPS).

What kind of evidence do you have?

What evidence do you still need to show the wider context (the whole story – not just the moment of the offence)? For example, elements of grooming may not be illegal in their own right but they help:

- build a picture of how an offence took place
- answer the questions that commonly arise about counterintuitive behaviour

An investigation needs to follow all relevant lines of enquiry both towards or away from any suspect. Test your evidence and your thinking. Critical analysis of the case is important at every

stage – ask yourself 'what does the evidence tell me today'?

You may wish to seek early advice from the CPS at this step.

# 10. Investigation and evidence assessment



Your investigation will involve all kinds of different strategies, actions and continuous assessment relating to any relevant criminal charge.

Document every decision and action you take, why you took it and whether it leads you towards or away from any suspect.

Create the narrative that tells the whole story, while at the same time covering your legal points to prove. The narrative should show how the suspect targeted and groomed their victim and how the offence took place.

# 11. Suspect interview



Suspect interviews can be an important part of any investigation. The main task is to gain an account of the suspect's relationship with the victim.

Importantly, just as with victims, you need to consider what the suspect's rights and needs are and guarantee that their rights are understood and upheld. You may need to provide an intermediary.

You should plan what evidence you will present, how you will present it and what kinds of challenges you might want to put to the suspect.

#### No comment

Suspects may say they have no comment or do not wish to discuss any aspects of what happened. Just because an interview begins with 'no comment', it does not mean you cannot ask questions or put allegations to them.

You must be prepared with all the evidence you have and your understanding of the victim's account so that you can present the evidence to the suspect as effectively as possible.

## **Conducting the interview**

You need to conduct timely, skilled and well-planned suspect interviews which enable the suspect to:

- state their account
- explain their behaviour
- detail any reasonable belief in consent they claim to have had

Use what you know about sexual offending behaviour and how sexual offenders work to disarm, control and confuse their victim.

# 12. Early advice



There may be a variety of points during any investigation when you want to seek early advice from the CPS. Normally this would be a discussion between you and your supervisor.

Working well and engaging early with the CPS is key to building a successful prosecution.

Early advice gives the opportunity to:

- · jointly agree relevant actions and lines of enquiry
- discuss how to evidence the whole story
- · address rape myths and stereotypes from the outset

# 13. Organising evidence for submission to the CPS



At this point in the investigation you will have:

- · interviewed the victim
- knocked on doors
- looked at the relevant and proportionate third-party material
- talked to other witnesses
- interviewed the suspect

All the information and evidence can now be brought together to tell the legal story of how a crime has been committed.

## Does your evidence fit the full code test?

Speak to your colleagues and review. You are the translator for the law and your investigation sets out the case for charging.

Think about the way in which your evidence organises the CPS's brief for trial and clearly set out the narrative. This means enabling the CPS to present the case in the most effective way, reflecting the victim's perspective.

At the same time, continue to communicate with the victim. Explain to them what happens next. Always remember to keep the victim informed of what is going on.

# 14. If your investigation is not referred to the CPS



If the evidence you have gathered fails to satisfy the full code test it will not be referred to the CPS.

For RASSO investigations, this stage is particularly important. Deciding to close a case, or take no further action (NFA), has consequences. How the case is closed is important to both victims and suspects.

## Communicating with the victim

If a decision is made not to send the case to the CPS for charge, this must be communicated to the victim, including the reasons why. Consider whether you need someone to support you, for example an ISVA.

The language you use at every stage with a victim is important – they will remember everything you say to them. Do not use police jargon.

## **Disrupting future offences**

Even if the case does not go forward, you should consider opportunities for disruption of a suspect's possible future offending. At least one in four RASSO reports involve repeat offenders.

Enlist colleagues from the offender management unit or the domestic abuse unit to assist, if relevant.

# 15. Reflective practice



Investigations are hard work because you are emotionally and professionally invested and committed. Even when they end with successful prosecutions, investigations can leave a mark.

Reflective practice or critical reflection is an important part of an investigator's journey. It gives you time to reflect on what you have learned. What went well and what might you do differently?

Taking the time to do this on your own or with supervisors, peers and colleagues helps you grow both personally and professionally. The insights you gain can be applied to your next investigation.

Be aware of how you are feeling - talk to peers and prioritise your wellbeing.

Your force may offer support for your health and wellbeing.

- Find toolkits from Oscar Kilo, the national police wellbeing service
- Find resources on wellbeing

# Watch the investigator's journey

Video Transcript

This storyboard takes you on an investigator's journey, following the National Operating Model for investigating rape and serious sexual offences.

The slides walk you through an investigation, from first contact to final outcomes. This storyboard, and the National Operating Model, offers you tools and guidance to help you make decisions to the best of your ability.

The journey focuses on three key features of an investigation: suspect focus, victim centred, and context led, which will guide your evidence collection and assessment throughout. We have provided additional tools which will assist you in understanding these three features and how, by truly understanding them, you can capture the evidence needed to bring offenders to justice.

Every victim comes from a unique place – that's the context and you'll need to understand it.

Victims, and what they need to tell their story, are at the heart of what we do. They need to be at the centre of investigations. But offending starts with offenders, so our investigative focus is on the suspects.

#### 1. First contact/recording

Every call is different. The first record of a rape, or other sexual offence, can come in many ways... sometimes from the victim themselves, sometimes from others who call on their behalf.

As an investigator, you are not likely be the person taking that first call, but what happens there is important.

This first slide reflects how important first communications are. You need to understand those first interactions, particularly as this will be a traumatic time for the victims, just coming to the police is a big step for them.

#### 2. Initial conversation

You might be the first responder, specially trained to speak with RASSO victims (depending on the force, some are called SOLOs or SOITs). Or, in some forces, it might be the investigator who speaks with the victim the first time, especially if the report has come through a third party.

It is critical to remember that there is no such thing as a normal trauma response, do not confuse victim vulnerabilities with untrustworthiness or lack of credibility. Language is extremely important to a victim, how you react and what you say will stay with them forever.

It is at the point of reporting we need to start considering the safeguarding of the victim, risk of further harm... knowing their rights as victims and understanding how they feel.

By the way, this is also a trigger for how you feel about investigating this case.

The core task here is to focus on the needs of the victim. If this is the golden hour, how might you start an investigation of the suspect, while at the same time attending to the immediate needs of the victim? What does the victim want at this point... are they telling or reporting... what are they able to tell you right now?

This slide reminds you that this initial conversation is the start of the investigation.

#### 3. Victim-centred

Victims are telling us about their lived experience. This lived experience is evidence and describes the context of the abuse they have experienced. This is the start of the 'whole story' approach.

The context is part of the evidence and provides key clues as to your investigative strategy. You need to think about who the victim is, who the suspect is, and how the sexual offences happened in the context of their relationship.

We have tended to focus too much on the moment of the offence and missed the wider context. Offenders groom their victims and target and exploit vulnerabilities, and this is a rich source of evidence. They do this to establish a relationship of control, power, and authority which will create the circumstances that allow an offence to take place, undermine the victim's free choice, minimise resistance and reduce the chances of ever being held to account for it. Grooming helps to make the victim feel responsible for what happened, and to cloak the offending behaviour behind a good story which even the suspect may believe. All this provides evidence we can use, and it also tells us about the offender and the relationship he thought he had with the victim, which we can use in interview and in framing our understanding of what happened.

This slide asks you to think about a plan for the way you speak with that victim and harness the involvement of others who may be able to support them.

#### 4. Suspect Focused

Suspect focus is important to your role as an investigator, and it begins early.

Who is the suspect? Is the victim able to name their offender?

RASSO investigations need to be suspect focused from the outset. This means that they are an investigation of the behaviour of the suspect to see whether they have committed a crime, not an examination of the victim's character. This is not 'guilty until proven innocent', it is understanding the evidence that is available and interpreting it correctly. Taking the skills, we already have from other crime areas and applying them to RASSO.

Prioritise suspect facing actions, use intelligence resources to get a full picture of them and their background (including PND and foreign offender checks were relevant). Risk assess suspects at every stage of the investigation, look to put in place disruptive tactics including opportunities around civil orders, and tie cases together to invite a court to consider that multiple independent witnesses accuse the same suspect of the same behaviour.

#### 5. Initial investigation planning

The investigation is underway. Remember, whatever evidence you gather could be disclosed.

If you collect digital material evidence supporting the victim's lived experience, from the victim themselves, this should has to be proportionate and relevant to the investigation. Consider what way you can secure their evidence without taking it from them for a period of time.

Consider the kinds of investigation strategies that will help you think about what the suspect did, what your strategy is to collect evidence, and how you will keep the informed.

Remember what we said earlier around suspects grooming their victims. Some examples of grooming behaviour include:

selection of the most visibly vulnerable person (such as the most drunk)

- removal of the victim to a space the suspect controls, Separation from friends or maneuvering themselves into the victim's private space (the 'missed the last bus' tactic)
- creating dependence on suspect for employment, money, transport, or safety
- controlling what victim drinks and pressuring them to drink more paying for the drinks but not drinking themselves
- building a narrative where the victim is the one at fault

Evidence of these can gained from the victim's account, CCTV, billing enquiries, phone work – build up your whole story.

#### 6. Do you need advice?

Investigation is a team effort, and advice and guidance are available from your colleagues and supervisors. Colleagues with more experience can help you anticipate the requirements for disclosure and provide tips on how you approach writing the IMD which is the record of your actions, decisions, and relevant lines of enquiry.

Colleagues will also help you organize the immediate priority tasks, like forensics, digital capture, or contact with an Independent Sexual Violence Advisor.

Start to think about when will be the right time to approach CPS for early advice.

#### 7. Plan victim interview

Victims' accounts of their lived experience are central to any investigation, providing the main evidence... sometimes the only evidence.

Understanding what has happened from their perspective is the start.... what does the recorded information tell you so far about the context of the crime? Is it domestic abuse related? An abuse of authority? Peer-to-peer?

What are the key features of the suspect's behaviour, and what does that tell you about the needs of the victim? It's not just about the abuse itself, because everything before and after may provide relevant evidence – remember to look at and evidence the 'whole story'.

You're going to need to do some preparation before you invite the victim to give an official statement or video interview. It's a good opportunity to double check that the victim has the victim booklet.

Now you can plan, gathering what you know, and considering how you're going to build rapport with the victim.

#### 8. Victim ABE interview

How you approach Achieving Best Evidence (ABE) in your victim interview is the key to gathering critical evidence about the offence. Recording the interview enables the victim to give their account of their lived experience, and this can become the evidence in chief.

How you approach the interview, taking all the time the victim needs, is important. How you prepare them to give their evidence: by building rapport, explaining the kinds of questions you may ask, and the process of an interview... will be critical to how effectively you gather their evidence.

The interview is a record from the victim about what happened, the context within which the offence occurred, and how the suspect behaved before, during, and after the incident.

And don't forget to consider what support the victims need, do they require an intermediary or would the support of an ISVA be beneficial.

#### 9. Investigation planning

As an investigator, there's a whole jigsaw of evidence that you need to assemble that will be submitted to the CPS.

What kind of evidence do you have... what evidence do you still need to show the wider context, the whole story not just the moment of the offence. Elements of grooming for example are not illegal in their own right but they help build the story of how an offence took place and help to answer the questions that commonly arise about counter intuitive behaviour.

Remember, an investigation needs to follow all relevant avenue lines of inquiry.... both towards or away from any suspect. Test your evidence and test your thinking, critical analysis of the case is important at every stage – ask yourself "what does the evidence tell me today".

You may wish to seek early advice here.

#### 10. Investigation and evidence assessment

Your investigation will involve all kinds of different strategies, actions, and continuous assessment, relating to any relevant criminal charge.

Document every decision and action you take, and why, whether it leads you towards or away from any suspect.

Create the narrative that tells the whole story, showing how the suspect targeted and groomed his victim, how the offence took place whilst at the same time covering your legal points to prove.

#### 11. Suspect interview

Suspect interviews can be a key piece of any investigation. The key task is to gain an account of their relationship with the victim.

Importantly, just as with victims, you need to guarantee that suspects' rights are understood and upheld. And take a moment to consider what the suspect's needs are and what their rights are. You may need to provide an intermediary.

Suspects may say they have no comment or may not wish to discuss any aspects of what happened. Or they may wish to tell you their side of the story.

Just because an interview begins with 'no comment', doesn't mean you can't ask questions, or put allegations to them. You must be armed with all the evidence you have, and your understanding of the victim's account, so you can present the evidence to them as effectively as possible.

We need to conduct timely, skilled and well-planned suspect interviews which put legitimate pressure on the suspect to explain their behaviour and detail any reasonable belief in consent they claim to have had.

Use what you know about sexual offending behavior, or how sexual offenders work to disarm, control and confuse the victim. What evidence will you present, how will you present it, and what kinds of challenges might you wish to put to the suspect?

#### 12. Early advice

There will be a variety of points, during any investigation, when you may wish to seek early advice from the CPS. Normally this would be a discussion between you and your supervisor. Working well and engaging early with the CPS is key to building a successful prosecution. Early advice gives the opportunity to jointly agree relevant actions and lines of enquiry, discuss how to evidence the whole story and address rape myths and stereotypes from the outset.

13. Organizing evidence for submission to the CPS

You've interviewed the victim.

You have knocked on doors.

You've looked at the relevant and proportionate third-party material.

You may have talked to other witnesses.

You've interviewed the suspect.

All the information and evidence can now be brought together to tell the legal story of how a crime has been committed.

So.... does your evidence fit the full code test?

Speak to your colleagues and review. You are the translator for law, and your investigation sets out the case for charging. Think about the way in which your evidence organizes the CPS's brief for trial and clearly set out the narrative, so the jury are given the story from the perspective of the victim.

At the same time, continue to communicate with victims. Explain to them what happens next. Always remember to keep the victim informed of what is going on.

14. If your investigation is not referred to the CPS

If the evidence you have gathered fails to satisfy the full code test, what happens next?

For RASSO investigations, this stage is particularly important. Deciding to close a case, or 'no further action', has consequences. How the case is closed is important to victims and suspects alike.

If there is a decision not to send the case to the CPS for charge, this must be communicated to the victim, including the reasons why this decision has been reached. Do you need someone such as an ISVA o support you? Don't forget the language you use at every stage with a victim is important – they will remember everything you say to them – be careful not to use police jargon.

Consider your exit strategy - even if the case does not go forward, you should consider opportunities for disruption of any suspect's possible future offending. Remember, at least one in four RASSO reports involve repeat offenders!

Don't forget to enlist colleagues from the offender management unit or the domestic abuse unit to assist, if relevant.

15. Investigation is over – how are you feeling?

Investigations are hard work because you are emotionally and professionally vested and committed.

Even when they end with successful prosecutions, investigations can leave a mark.

Reflective Practice or critical reflection is an important part of an investigators journey.

It give you time to reflect on what you have learned...

What went well and what you might wish to do differently? Taking the time to do this on your own or with peers / colleagues and supervisors helps you grow both personally and professionally, allowing the insights you gain to be applied to your next investigation.

You may also benefit from exploring what your force offers in the way of support for your health and wellbeing. Take time out for you and be aware of how you are feeling – talk to peers, look out for each other and prioritise your wellbeing.

## **Timestamps**

• 1.13 First point of contact/recording

- 1.49 Initial conversation
- 3.11 Victim-centred
- 4.43 Suspect-focused
- 5.55 Initial investigation planning
- 7.22 Do you need advice?
- 8.04 Plan victim interview
- 9.06 Victim ABE interview
- 10:03 Investigation planning
- 10.56 Investigation and evidence assessment
- 11:30 Suspect interview
- 12:51 Early advice
- 13:22 Organising evidence for submission to CPS
- 14:14 If not referred to the CPS
- 15:25 Pause point how are you feeling now?

Go back to national operating model for investigating rape and serious sexual offences.

# Tags

Rape and sexual offences