



Service Procedure

INVESTIGATING SEXUAL CRIME: STANDARD OPERATING GUIDELINES

SP Identification Number 2/14

Protective Marking **NOT PROTECTIVELY MARKED**

Policy Ownership:
 Department Service Improvement Department
 Branch Public Protection
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Procedure Approved By:

Service Executive
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 Date Of Approval

Date First Issued: 30 April 2014

Version Number 2

This Version Issued: 6 July 2015

Review Date: 1 year from issue date

Governing Policy Directive:

ABSTRACT: The Police Service of Northern Ireland’s (the Police Service’s) aim is to make Northern Ireland safer for everyone through reducing crime and the fear of crime; preventing re-offending and bringing those to justice who break the law. It is also committed to increasing public confidence through effective, efficient, visible and accountable policing. In pursuit of all of these commitments the Police Service will be an effective partner in working with other criminal justice agencies, other partner organisations, including the Sexual Assault Referral Centre for Northern Ireland (SARC NI), hereafter known as ‘The Rowan’, and the whole community, in order to tackle sexual violence and abuse.

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1. AIM OF SERVICE PROCEDURE

- (1) The aim of the Police Service is to keep people safe through reducing crime and the fear of crime; preventing re-offending and bringing those to justice who break the law. It is also committed to increasing public confidence through effective, efficient, visible and accountable policing. In pursuit of all of these commitments the police service will be an effective partner in working with other criminal justice agencies, other partner organisations, including the Sexual Assault Referral Centre for Northern Ireland (SARC NI), hereafter known as 'The Rowan', and the whole community, in order to tackle sexual violence and abuse.
- (2) **However, the key priority for the police in terms of sexual violence is to ensure that the needs of the victim are paramount and that these in turn will inform the nature of the police response and subsequent investigation.**

2. INTRODUCTION

It is the responsibility of the Police Service, working in partnership with other criminal justice agencies, to protect the public, to investigate criminal offences and to gather evidence that may be later used in court. Evidence and other information gathered during the course of the police investigation will be submitted to the Public Prosecution Service (PPS). The PPS will provide the Police Service with prosecutorial advice, if and when required, during an investigation; make a decision as to whether or not to prosecute; prepare cases for trial; and either present cases at court or instruct external barristers to do so on their behalf.

3. OBJECTIVE

The objectives for the Police Service in responding to reports of sexual crime are to:

- (1) Maximise the standard of investigation and prosecution of sexual crime;
- (2) Maximise the quality of service for victims who report sexual crime, and their families;
- (3) Take effective action against offenders so that they can be held accountable through the Criminal Justice System;
- (4) Increase confidence in the Criminal Justice System, particularly the Police Service, and to encourage more victims to report; by providing better support and education and through effective partnership working;
- (5) Increase the proportion of cases which result in a charge, court case and conviction;
- (6) Implement effective training and practice in the investigation of sexual crime;
- (7) Where appropriate initiate measures to effectively assess and manage risk through the Public Protection Arrangement for Northern Ireland;
- (8) Use existing national systems to record information and intelligence that will assist in the identification of linked offences;
- (9) Work in partnership with statutory and non-statutory agencies in tackling sexual crime;
- (10) Adopt a proactive multi-agency approach in the development of services to victims; and
- (11) Ensure all crimes will be recorded and disposed of in accordance with the Home Office Crime Recording Standards (HOCRS).

4. LEGAL BASIS

The legal obligations underpinning the above priorities include the:

- (1) Duties within the Human Rights Act (1998), incorporating the European Convention on Human Rights (1951) (ECHR), to protect life and to protect individuals from inhuman and degrading treatment;
- (2) Duties under Section 32 of the Police (NI) Act (2000) namely to protect life and property; to preserve order; to prevent the commission of offences; and where an offence has been committed to take measures to bring the offender to justice.

5. IMPLICATIONS OF THIS SERVICE PROCEDURE

(1) Financial and Efficiency Implications

By fully implementing this policy the Police Service will ensure that it deals with every reported incident involving sexual violence appropriately, effectively and consistently.

(2) Partnerships

The Police Service must continue to proactively establish new, and build on the existing, partnerships within groups and organisations who engage with victims of sexual violence and their families.

(3) Risks

- (a) This policy must be consistently applied across the Police Service to ensure that every reported incident is dealt with to the same standard and that every person receives the appropriate level of assistance, support and safeguarding.
- (b) By not fully implementing this policy the Police Service will be failing in its duties and responsibilities under Section 32 of the Police (NI) Act, the Human Rights Act 1998 and Section 75 Northern Ireland Act 1998.

(4) Consultation

The following have been consulted during the preparation of this procedure:

- (a) District Commanders;
- (b) Crime Operations Department including C7 Public Protection Branch;
- (c) Crime Managers;
- (d) Service Improvement Department;
- (e) Crime Training;
- (f) Human Rights Advisor;
- (g) Department of Health and Social Services;
- (h) Forensic Medical Officers;

- (i) Public Prosecution Service;
- (j) Forensic Science Northern Ireland;
- (k) The 'Rowan' Project Steering Group;
- (l) NISRA;
- (m) Consultant Paediatrician.

6. HUMAN RIGHTS/EQUALITY/INTEGRITY/FREEDOM OF INFORMATION

- (1) This Service Procedure is deemed to comply with the Human Rights Act and UNCRC. It has been screened for Section 75 considerations and meets the organisation's integrity standards.