Vulnerable Adult Abuse: Investigation Procedures

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At the time of ratifying this procedure, the author is satisfied that this document complied with relevant legislation and Force requirements.

Sign and date

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(Author(s))
**Procedure Index**

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1. Responsibilities

1.1 ACPO Lead for Vulnerable Adult Abuse

1.1.1 The Assistant Chief Constable (Operations) is responsible for the implementation and development of policy and procedures relating to the minimum standards of response and investigation into vulnerable adult abuse incidents.

1.2 Chief Superintendent, Force Operations Directorate

1.2.1 An officer of at least the rank of Superintendent will be nominated who will have ownership, strategic direction and responsibility for the development of the Public Protection Unit functions within vulnerable adult abuse issues.

1.3 Area Crime Managers

1.3.1 Crime Managers will ensure that Areas have a dedicated officer to fulfil the role of Vulnerable Adult Liaison Officer, based within the Area Public Protection Unit.

1.4 Area Public Protection Unit Managers

1.4.1 The Area Public Protection Unit Manager, of the rank of Inspector, will nominate a Detective Sergeant from within the Area Public Protection Unit to be responsible for Vulnerable Adult protection and will act as their line manager.

1.4.2 Area Public Protection Unit Managers are responsible for monitoring vulnerable adult abuse performance trends and helping to ensure that the key performance areas are achieved. These key areas include;

- Reductions in repeat victimisation
- Increase in sanction detections
- Increase in offenders brought to justice

1.4.3 The Manager has a key role in identifying vulnerable adult abuse risks from offenders within Multi Agency Public Protection Arrangements, Multi Agency Risk Assessment Conferences and provides quality assurance for risk identification and assessments through the Children and Vulnerable Adult risk assessment process.

1.5 Area Public Protection Unit Referral Unit Staff

1.5.1 The Referral Unit Detective Sergeant within each Area Public Protection Unit is responsible for the processing and risk assessment of vulnerable adult abuse referrals reported directly to Public Protection Units. It is their responsibility to identify investigations that fall within the remit of the Public Protection Unit, to facilitate the allocation of these enquiries within the unit, and to provide a gateway for information sharing and provide operational investigative support. They should also ensure that investigations that fall outside the Public Protection Unit’s area of work are forwarded for appropriate allocation through the ATLAS system.
1.6 **Area Public Protection Unit Supervisors**

1.6.1 Area Public Protection Unit Supervisors have a responsibility to support vulnerable adult abuse investigations. Supervisors will evaluate and monitor risk assessments ensuring that appropriate action is taken in accordance with force policy and procedures. Supervisors will liaise with other agencies and quality assure investigations. The supervisor will be responsible for the identification of repeat victimisation and to monitor the number of arrests, prosecutions, referrals/incidents, cautions and cases where no further action is taken.

1.6.2 Area Public Protection Unit Supervisors should be trained appropriately to carry out this role and be Detective Sergeants.

1.7 **Vulnerable Adult Liaison Officers**

1.7.1 Each Area will nominate a dedicated officer to fulfil the role of Vulnerable Adult Liaison Officer. The Cheshire Police force underwent a re-structuring process in April 2005, namely “Taking Control”, which created a specialized Vulnerable Adult Liaison Officer post for each of the three Areas. This post lies within the Area Public Protection Unit.

1.7.2 Specialist Vulnerable Adult Liaison Officers will take responsibility for the investigation of some vulnerable adult abuse cases in accordance with local agreements. They will be responsible for investigating all allegations against professional carers of vulnerable adult abuse. Other cases may depend on one of several factors:
- Relationship of victim to suspect.
- Seriousness of the offence.
- The level of risk to the victim.
- Persistent / Repeat Offender

1.7.3 The Vulnerable Adult Liaison Officer should identify links between vulnerable adult abuse and other aspects of police work such as child abuse / welfare and missing persons. The Vulnerable Adult Liaison Officer will then liaise appropriately with other specialist officers in these areas. Vulnerable Adult Liaison Officers will use their knowledge to advise other officers during investigations and refer victims for relevant multi agency support.

1.7.4 The Vulnerable Adult Liaison Officer will be responsible for flagging repeat victims or persistent offenders to the Intelligence Unit and highlighting any risk factors. This enables a planned response, which can be adopted by call handlers and patrol officers who attend any further incidents.

1.7.5 Vulnerable Adult Liaison Officers should be trained appropriately to carry out this role. Appropriate training includes the Initial Criminal Investigation Development Program, Joint Agency Interview Course, Sexual Offence Investigation Training Course and PEACE Interview Course.

1.8 **Strategic Public Protection Unit**

1.8.1 The role of the Unit is to assist in the implementation of force policy and procedures, to ensure there is a corporate approach to the response to and
investigation of vulnerable adult abuse and to support individuals across the force who work specifically within this business area.

1.9 Call Management Bureau

1.9.1 Staff within the Call Management Bureau have a responsibility to ensure the safety of those reporting vulnerable adult abuse by:

- Prioritising the safety of the victim and children where appropriate (giving safety, first aid or other advice if appropriate);
- Keeping the victim or caller fully informed of the deployment of officers.
- Conducting an initial risk assessment

1.9.2 They also have a responsibility to ensure that calls are graded accordingly and to make first response officers aware of any relevant information including risk factors.

1.9.3 Call Management Bureau supervisors should dip sample and monitor related calls to ensure that staff have the necessary training.

2. Guidance

2.1 Introduction

2.1.1 In its publication “No Secrets: The Protection of Vulnerable Adults” (Department of Health, March 2000), the Government gave guidance on the development and implementation of multi-agency policies and procedures to protect Vulnerable Adults from abuse and on the investigation of such cases.

2.1.2 Cheshire Police has agreed multi-agency Adult Protection Policy, Procedures and Guidance with its partners in Cheshire, Halton and Warrington based on the “No Secrets” document. Copies have been circulated to Area Crime Managers and Public Protection Units and are available on the Force Information Centre database.

2.1.3 As one of the authorised agencies responsible for Vulnerable Adult Protection Investigations, there is a requirement to work closely, and share information with all other persons involved in Adult Protection. These include:

- Social Services;
- Commission for Social Care Inspection (CSCI);
- Other Local Authority groups such as Housing;
- Medical Practitioners and Health Services;
- Voluntary Organisations.

2.1.4 It is acknowledged that policy and procedures will constantly evolve. They will be refined or amended in light of implementation, operational and legislative changes. All members of the service and partner agencies are actively encouraged to feedback on aspects of the policy/procedures that have proved problematic or beneficial in their contact with vulnerable adults.
2.2 Definitions

2.2.1 For the purpose of this procedure, a Vulnerable Adult is defined as:

“A person (aged 18 or over) who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or be unable to protect him or herself against significant harm or exploitation.”


2.2.2 Vulnerable Adult Abuse is defined as:

“Allegations of abuse which have been committed against a vulnerable adult AND perpetrated by any person or persons in a relationship where there is an expectation of trust, or by someone in a position of power or authority.”

2.2.3 “A person (aged 18 or over) who is or may be in need of community care services” may include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. Their need for additional support to protect themselves may be increased when complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

2.2.4 Harm should be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which are not physical) but also the impairment of, or an avoidable deterioration in, physical or mental health; and the impairment of physical, intellectual, emotional, social or behavioural development.


2.2.5 The concept of ‘Significant Harm’ was introduced by the Children Act 1989 as the threshold for intervention in Child Protection. There is no absolute criteria on which to rely - consideration is given to the severity of ill-treatment; the degree and extent of physical harm; the duration and frequency of abuse and neglect; the extent of pre-meditation; the degree of threat and coercion, sadism and bizarre or unusual elements in sexual abuse. Significant harm can be caused by one traumatic event or a compilation of events that interrupt, change or damage a person’s physical or psychological development. In each case it is necessary also to consider the individual’s strengths and supports.

2.2.6 Abuse is a violation of an individual’s human and civil rights by any other person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.


2.2.7 Abuse may take many forms but generally can be classified into six main types:

- Physical – including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
• Sexual – including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting.
• Psychological – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
• Financial or material abuse – including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
• Neglect and acts of omission – including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
• Discriminatory – including racist, sexist, that based on a person’s disability, and other forms of harassment, slurs or similar treatment.

Any or all of these types of abuse may be perpetrated as a result of deliberate intent, negligence or ignorance.


2.2.8 Multiple Forms of Abuse may occur in an ongoing relationship or an abusive service setting to one person, or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Older people and adults with a physical or learning disability, or who have mental health problems, are particularly vulnerable to suffering domestic violence perpetrated by their partners, ex-partners and family members. Suspects might also be the primary carers for the victim. Where abuse occurs within a relationship reference should be made to Cheshire Force Policy Reference 2006/07 – Domestic Abuse Investigation and liaison with an Area Domestic Violence Liaison Officer (Public Protection Unit) or Detective Sergeant (Public Protection Unit) should take place. On a case by case basis, careful consideration should be given as to whether the needs of the victim will be best served by the allocation of the Vulnerable Adult Abuse Liaison Officer or Domestic Abuse Liaison Officer as the investigating officer.

2.2.9 Domestic Abuse is any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. (Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or stepfamily) (ACPO 2004).

2.2.10 Cases where the victim is assessed through the Children and Vulnerable Adult database as being at “Very High Risk” under the Cardiff risk assessment model should be referred to the Multi Agency Risk Assessment Conference for further assessment.

2.2.11 Reports of offences committed by a Vulnerable Adult against another Vulnerable Adult will be investigated, as will reports of offences committed by Vulnerable Adults against Care Workers.
2.3 Roles and Responsibilities

2.3.1 A referral of concern may come from a number of sources, for example, a friend or relative, a neighbour, Social Services or other professional worker such as a health visitor or GP, a care worker, or the individual themselves. Alternatively it may become suspected as a result of a routine visit or enquiry about an unconnected matter. It is recognised that the referral could be received by the police in a number of ways.

2.3.2 Any referral that involves the disclosure of a criminal offence will be recorded as a crime occurrence in the Cheshire ATLAS record management system through the Central Crime Recording Bureau in line with ACPO National Crime Recording Standards. The Customer Service Desks will then be responsible for the allocation of the case for further investigation where required.

Call Management Bureau

2.3.3 In many cases, the first contact between the victim or referrer and the police will be by telephone contact with the Call Management Bureau.

2.3.4 An incident log will be created on receipt of all calls alleging vulnerable adult abuse.

2.3.5 Essential information on the incident must be established through the use of open questioning. Initial questions with the victim must be kept brief and be tactful to avoid causing further trauma. At all times, the operator should consider the vulnerability and level of understanding of the victim. Questions to be asked to establish the circumstances of the allegation should include:

- What has happened?
- Is anyone injured? / Do they require medical assistance?
- Is the victim in any danger?
- When did it happen? (in order to prioritise action)
- Who is involved? (enough information to take immediate steps if necessary to detain the suspect)
- Where did it happen? (enough information to identify the relevant scene(s))
- Where is the victim?
- Who are they with?
- Are there any children present and if so, are they safe?
- Are there any weapons involved?
- Is there any difficulty in communication i.e. is an interpreter required?
- Has any party been drinking or taking drugs?
- A first account of what the caller says has occurred (verbatim if possible).

2.3.6 The call taker will assess, grade and action the incident according to the information provided.

2.3.7 In the case of alleged sexual offences and dependant on when the offence occurred, the call taker may advise the victim not to wash, go to the toilet, take medication (unless absolutely necessary), eat, drink or smoke until the first officer has attended. If they have to use the toilet request that any toilet tissue and / or sanitary products used be retained. Reference should be made to the Cheshire
Police Force Policy Ref 2004/05 – Investigation of Serious Sexual Offences and After Care of the Victim for further guidance in this area.

2.3.8 If the caller is the Vulnerable Adult, it is important to bear in mind that people with a mental or physical disorder may often have a speech impediment and may sound as if they are under the influence of drink or drugs. They may also be on medication, which may affect their speech. They may be hearing impaired or foreign. They may be upset, confused, agitated because of what has happened to them. It is important to be patient, reassuring and sensitive. Be careful about using leading or repetitive questions.

2.3.9 The Call Management Bureau should check relevant databases i.e. the Children and Vulnerable Adult database, Atlas and the Police National Computer, which should be interrogated for prior knowledge of the victim and the suspect, if known; any details being logged on the NSPIS (Command and Control) incident log. All incidents relating to Vulnerable Adult Abuse should also be passed to the Area Public Protection Unit Mailbox covering the area in which the victim resides following the initial response.

2.3.10 If the incident involves domestic violence, Cheshire Force Policy Ref 2006/07 – Domestic Abuse Investigation should be adhered to (see section 3.2.8 of this procedure).

**Deployment Centre – Radio Operators**

2.3.11 On receipt of an incident log of vulnerable adult abuse the Radio Operator will deploy staff appropriate to the incident grading (attending officer). A patrol should be dispatched where a response is required to obtain further information and to assess the vulnerability of the victim.

2.3.12 The Radio Operator will maintain the current status of the NSPIS incident report adding information of the case as it is established and also resources that are allocated to the incident where appropriate

2.3.13 When dealing with an Out of Hours incident, it is very important that a patrol attends to assess the situation and the vulnerability of the victim, also to check the reliability/credibility of the information received and the preservation of any possible evidence.

**Specialist Investigation Unit Night Cover Detective Sergeant**

2.3.14 Police may need to take emergency protective action, particularly in dealing with out of hours incidents. Whilst Police investigation takes precedence it is a **REQUIREMENT** that discussion and planning take place with Social Services Department (SSD) as per the respective Inter-Agency Policy, Procedures and Guidance documents (see 3.1.2). These are available on each council website (www.cheshire.gov.uk, www.halton.gov.uk and www.warrington.gov.uk).

2.3.15 These types of incidents should be co-ordinated by the SIU Night Cover Detective Sergeant, or in their absence, the TPT Sergeant, in consultation with the SSD shift leader for OOHs and an entry should be made in the Area SIU Night Book for the subsequent attention of the Public Protection Unit.
2.3.16 The safety of the victim has to be assured and the safety of other possible Vulnerable Adults/Children, e.g. in a care home/family situation.

2.3.17 Remember the offender may also be a Vulnerable Adult and his/her safety has to be assured.

2.3.18 Full details of the incident should be recorded on the NSPIS record. NB: If, when recording details on NSPIS, ‘appropriate advice’ is given or someone has been ‘advised accordingly’, it is important to record what ‘advice’ has been given or ‘accorded’. Remember NSPIS records are subject of disclosure.

2.3.19 The following contact numbers for Out of Hours Social Services should be included in the NSPIS record for use by Police Officers involved in the incident:
- 01606 76611 (Cheshire County Council)
- 0151 907 8300 (Halton Borough Council)
- 01925 444400 (Warrington Borough Council)

**Help Desk Police Staff**

2.3.20 There may be occasions where the initial point of contact is the Help Desk. The referrer should be invited into a private area to obtain full details of the referral.

2.3.21 Help Desk staff should notify a police officer that an incident of Vulnerable Adult Abuse has been reported.

**Attending Officer**

2.3.22 The first priority of an Officer should be to protect all people present from injury or further harm. This includes the victim, children, witnesses, Police Officers and the suspect, especially in cases of Vulnerable Adult against Vulnerable Adult and Vulnerable Adult against Care Worker.

2.3.23 Make an immediate assessment of the need for first aid or other medical assistance such as an ambulance (this should include the needs of the victim and any other persons and the suspect)

2.3.24 Officers will make accurate records of everything said by the suspect, victim and any witnesses, including children. This includes recording the demeanour of the suspect, victim and any other witnesses where appropriate. Pocket notebooks will be used to record any significant statements or other evidential matters including first accounts.

2.3.25 Officers should consider seeking the services of an interpreter / intermediary to facilitate communication if linguistic barriers to communication exist. Officers should avoid using family members, in particular children, to interpret, other than as a last resort and only to establish facts that might secure the immediate safety of all parties.

2.3.26 All available evidence is to be secured and preserved at the scene. Where appropriate consideration should be given to photographing/video recording the scene and injuries to the victim. The officer at the scene may obtain this evidence
however where serious offences have been identified a Crime Scene Investigator (CSI) will be consulted.

2.3.27 Where possible, the attending officer that has visited the scene of crime or spoken to the victim will not have any contact with the suspect or any other crime scene.

2.3.28 The victim and suspect will not be conveyed in the same vehicle.

2.3.29 Clothing and other exhibits in the case must be packaged in the environment where they were seized.

2.3.30 Consideration should be given to the use of Early Evidence Kits to preserve physical evidence at the scene in the case of sexual assault allegations.

2.3.31 Verbal evidence from independent witnesses should be sought at the time of the incident, including other family members and neighbours. All enquiries should be recorded in a pocket notebook and/or the crime report enquiry log.

2.3.32 Request checks on all parties, where appropriate.

2.3.33 Attending officers must inform the Area Public Protection Unit Referral Unit by submitting the Cheshire Vulnerable Person Form 200040a as soon as practicable and in any case prior to the end of their tour of duty. Referral forms will be submitted for all Vulnerable Adult Abuse incidents. Officers will also consider the submission of an intelligence report to highlight any risk factors for officers attending incidents in the future.

2.3.34 Where offences have been identified, officers will comply with National Crime Recording Standards and the Regulation of Investigative Powers Act.

2.3.35 Area Public Protection Units should be contacted for specialist advice during office hours where required. During out of office hours, SIU Officers can be contacted for advice or the Out Of Hours duty Social Services can also be contacted.

**Area Public Protection Unit Referral Units**

2.3.36 If a referral of vulnerable adult abuse is made directly to the Area Public Protection Unit Referral Unit (whether it indicates a crime has been committed or not) then staff will ensure it is recorded on the Children and Vulnerable Adult database as an incident in line with ACPO National Crime Recording Standards. It will then be subject of the appropriate background intelligence checks and subsequent risk assessment by the Referral Unit Detective Sergeant (or other Public Protection Unit Supervisor) who will identify any further role for the police and ensure appropriate allocation for investigation where necessary.

2.3.37 Any Police Officer or relevant Police Staff who becomes aware that a Vulnerable Adult may be suffering abuse (including cases which may not involve the commission of a criminal offence) should notify the Area Public Protection Unit Referral Unit who will consider the need to make a referral to Social Services. This should take the form of a Cheshire Vulnerable Person Form 200040a. This requirement should not preclude any immediate action that may be necessary to protect the victim.
2.3.38 The Area Public Protection Unit Referral Unit Detective Sergeant will refer all cases where it is suspected that a Vulnerable Adult may be suffering abuse (including cases which may not involve the commission of a criminal offence) to the duty officer/locally agreed point of contact for the Social Services district in which the abused adult resides. Consent should be sought from the vulnerable adult for disclosure, which will be documented on the Cheshire Vulnerable Person Form 200040a (see 2.11 for further guidance on information sharing).

2.3.39 Before making a referral to Social Services the subject should be consulted and their views taken into consideration. This consultation should be documented on the Cheshire Vulnerable Person Form 200040a. In general where an individual has the capacity to make rational and informed decisions and they are not being unduly pressurised or intimidated, their wishes should be respected. However, this does not remove responsibility to report any concerns, and where appropriate conduct an investigation; for example in cases where other vulnerable people may be at risk.

2.3.40 There are three purposes to be served by this initial referral:
   i) To pool available information
   ii) To decide how to proceed and how to co-ordinate input to any assessments/investigations deemed appropriate.
   iii) To allow Social Services to assess information and make decisions with regard to what follow-up action should be taken.

2.3.41 In urgent cases officers should contact Social Services directly. Out of office hours contact should be made with the Social Services “Out of Hours” service (see 2.3.19 for further details).

2.4 Assessment and Intervention

2.4.1 Interagency discussions will take place following any referral and these can be broken down into the following categories:
   • **Strategy Discussions/Meetings** – discussions either face to face, via e-mail, or over the telephone, at Manager/Supervisory level between relevant investigating agencies, prior to an investigation taking place.
   • **Case Conferences** – inter-agency meeting to discuss the circumstances of a case of abuse, the legal context for intervention, roles and responsibilities of different professionals involved, recommendations for the development of a protection/care plan and process for reviewing and monitoring the case.

2.4.2 At the initial planning stage a decision will be made whether the referral necessitates a criminal investigation. This decision will generally be made by the Area Public Protection Unit Referral Unit Detective Sergeant. The decision making process should be clearly documented within the Children and Vulnerable Adult database Referral document.

2.4.3 All vulnerable adult abuse investigations will require a strategy discussion/meeting, and/or case conference. These will be co-ordinated by Social Services. The majority will take the form of a strategy discussion held over the telephone, which will identify the need for any further police involvement (see 2.4.2). A decision will be made to convene a Strategy Meeting only in the more complex cases i.e. cases...
necessitating criminal investigations, potential disciplinary actions or internal complaints. Cheshire Constabulary will send a representative to all such strategy meetings. The representative will normally be the officer in the case.

2.4.4 Vulnerable Adult Liaison Officers will normally partake in planning/discussion meetings with Social Workers, which will always be documented within the Cheshire Police Child and Vulnerable Adult database.

2.4.5 Sergeants should ensure they are fully aware of all planning discussion decisions and intended actions taken by their Constables.

2.4.6 The Detective Inspector (Public Protection Unit) or a Detective Sergeant (Public Protection Unit) should personally partake in the planning discussions involving more serious cases, which should be investigated by Public Protection Unit staff, examples of which are: -
• The alleged perpetrator is an employee or ex-employee of the local authority or in a position of trust e.g. Doctor, Social Worker;
• It is suspected that there are multiple victims or offenders;
• Satanic or ritual abuse is suspected;
• The case involves death or serious injury;
• There is conflict between agencies;
• There is a pattern of abuse over time whether within ongoing or in previous relationships.

2.4.7 The discussion should include: -
• The sharing of information;
• Agreement as to the conduct and timing of any criminal investigation. Police Officers should discuss the basis for any criminal investigation, and any relevant processes that other agencies might need to know about, including the timing and methods of evidence gathering;
• Agreement as to what action is needed immediately and in the short term to protect the adult or provide interim services;
• A decision as to whether or not a care management assessment or other non-adult protection work is required;
• Agreement as to what information will be shared with the family. Recognising that on occasions such information sharing may place an adult at risk of significant harm, or jeopardize Police investigations and may therefore not be appropriate;
• Agreement as to what other action is required e.g. the removal of person to a place of safety.

2.4.8 Attending officers must record details of the discussion and any decisions should be recorded on either the Children and Vulnerable Adult referral (for Public Protection Unit investigations) or on the ATLAS Crime Occurrence enquiry log (for non-Public Protection Unit investigations). These decisions will be subject of subsequent supervisory review.

2.4.9 Police Officers should:
• Assist staff from other agencies to understand the reasons for concern about the Vulnerable Adult’s welfare and safety. In this respect Police Officers should be prepared to challenge the findings and opinions of other professionals;
• Contribute to discussions by making available to other professionals any evidence that has been gathered, whether or not that evidence reveals grounds for instigating criminal proceedings;
• Protect suspect’s rights by adherence to the Police and Criminal Evidence Act 1984, and the Criminal Procedure and Investigations Act 1996. This would normally rule out, for example, the suspect being confronted with the evidence by personnel from other agencies, other than the Police as the lead investigative agency;
• Where a decision is made to undertake an interview of a Vulnerable Adult as part of the criminal investigation, ensure the guidance set out in ‘Achieving Best Evidence in Criminal Proceedings’ is followed. The force procedure relating to the Youth Justice and Criminal Evidence Act 1999 should be referred to and is available to view through the Force Information Centre under Criminal Justice in such cases;
• Supervisory officers should decide who is the most appropriate officer to attend any strategy meeting or case conference, and those Police Officers attending should be able to take a full part in the decision-making process.

2.4.10 The Detective Sergeant (Public Protection Unit) with responsibility for vulnerable adult protection should ensure that they keep themselves appraised of all strategy meeting/case conference decisions and intended actions and provide supervision and guidance to their Constables.

Case Conferences Involving Wanted Persons, Persons on Bail or Persons Otherwise Suspected of Committing Criminal Offences

2.4.11 A case conference is not an ‘interview’ but a forum for sharing information. Police Officers should not withdraw from a case conference because an offender or suspected offender is present.

2.4.12 Where it is necessary to withhold the disclosure of any information relevant to any criminal investigation, discussions should be held with the conference chair regarding what information should be shared with carers and when.

2.4.13 A conference chair can be asked to remove a person from a conference while information likely to prejudice the enquiry is shared or where that person presents a risk to others present. At all times the welfare of the victim must be paramount.

2.4.14 Where a person attending a case conference is on bail for a criminal offence this should not normally deter the attendance of a Police Officer. Such meetings must be recorded on the Children and Vulnerable Adult database. Although no authority is required, a Detective Sergeant (Public Protection Unit) should be informed prior to attendance.

2.4.15 When attending a case conference, it is possible that enquiries and investigations have revealed a carer to be wanted by the Police, either in connection with that or another offence or on warrant. In these circumstances the officer in the case should decide whether or not to carry out an arrest, and if so, when that should occur. The decision to arrest is likely to depend upon the seriousness of the offence and the risks to the contamination of evidence, balanced against the principle that the welfare of the victim is paramount. Any arrest should ideally be made either before the conference is called or after it has been completed. Where
this is not possible it must be carried out with minimum disruption to the conduct of the conference.

2.4.16 A decision not to proceed to a Case Conference may be made by the relevant manager or Principal Officer at Social Services. If there are any concerns about a case being brought prematurely to a close these should in the first instance be resolved by the Detective Inspector (Public Protection Unit) or Detective Sergeant (Public Protection Unit) by telephone or in writing to the relevant person making the decision with a request that he/she review their decision. Cases of dispute, which are unable to be resolved at a local level, should be referred via the Detective Chief Inspector (Area Crime Manager) to the Detective Chief Inspector (SPublic Protection Unit).

2.5 Reporting of Serious Cases

2.5.1 Cases in the following categories must be brought to the immediate attention of the Detective Inspector (Public Protection Unit)/Detective Sergeant (Public Protection Unit) or in their absence the Detective Chief Inspector (Area Crime Manager). They should ensure that an appropriate investigation/response is undertaken:

- Death or serious injury of a Vulnerable Adult within a care situation under suspicious circumstances;
- Sexual Assault;
- Incidents of multiple/organised abuse;
- Incidents involving significant professionals, e.g.
  - Police Officers;
  - Social Workers;
  - Care Workers;
  - Health Service Staff.
- Other cases that may attract significant media interest, e.g. complaints against General Practitioners;
- Cases involving neglect of a Vulnerable Adult who lacks capacity (as defined by the Mental Capacity Act 2005);

Notification to the Strategic Public Protection Unit/HQ

2.5.2 Cases in the following categories must also be brought to the attention of the Detective Chief Inspector/Detective Inspector Strategic Public Protection Unit/HQ:

a) Death or serious injury of a Vulnerable Adult within a care situation under suspicious circumstances.
b) Other cases that may attract significant media interest, e.g. complaints against General Practitioners.

2.6 Crime Investigation

2.6.1 Vulnerable persons are entitled to the same level of protection under the law as any other person. However, they may require extra help and resources to enable them to achieve this. Whilst criminal investigations by the Police are important, officers must also ensure the safety of victims. Regardless of whether or not criminal proceedings are contemplated, Police Officers should consider the well-being and safety of victims of abuse by ensuring that appropriate referrals are made to other agencies such as Social Services and by sharing information, such
as is necessary to ensure the protection of an individual or individuals from abuse (as per 2.1.3).

2.6.2 The Police will be the lead agency for any criminal investigation. It is the Police’s responsibility to gather evidence and to interview witnesses. Normally this will be whilst working in partnership with Social Services, sharing relevant information, but a criminal investigation should not be delayed because of the unavailability of Social Workers/Care Managers, particularly where this will place a Vulnerable Adult at risk of significant harm.

2.6.3 Four key processes underpin the Police role in Adult Protection, each of which needs to be carried out effectively in order to achieve improvements in the lives of adults at risk. They are the recognition, referral, assessment and intervention.

2.6.4 Detective Chief Inspector (Area Crime Managers) are responsible for ensuring that allegations of abuse against Vulnerable Adults are investigated expeditiously and thoroughly and ensuring that investigators conducting such criminal investigations on their Area are assisted by the Crime Unit where necessary.

2.6.5 At the initial referral stage the Police will confer with Social Services to determine whether to proceed to a criminal investigation, or where no criminal offences are disclosed to leave the matter for internal enquiry by Social Services or other appropriate agency.

2.6.6 Information relating to alleged abuse must be brought into a consistent and co-ordinated framework for investigation and further work. A properly co-ordinated joint investigation will achieve more than a series of separate investigations. It will ensure that evidence is shared and is not contaminated. Repeated interviewing is to be avoided and will cause less distress for the person who may have suffered abuse.

2.6.7 Where practicable and appropriate, interviews with Vulnerable Adult victims of crime should be conducted with the support of Social Services. Good co-ordination will also take into account the different methods of gathering and presenting evidence and the different requirements with regard to standards of proof. Help and advice can be obtained from the government document – “Achieving Best Evidence in Criminal Proceedings – Guidance for Vulnerable or Intimidated Witnesses, Including Children.” Copies of this document are held in Area Public Protection Units or can be downloaded from the Internet under www.cps.gov.uk and www.homeoffice.gov.uk.

2.6.8 The Care Standards Act 2000 gives powers to authorised staff within the Commission for Social Care Inspection (CSCI) to enter and inspect agencies providing care to Vulnerable Adults. They are a national body responsible for registering and inspecting providers of social care. (Not to be confused with Social Services). Generally, all such agencies must be registered with the CSCI. The Commission have wide ranging powers under the Act and can provide invaluable assistance to the Police in conducting criminal investigations. The CSCI must be contacted in the event of an investigation involving agencies as outlined above. Details of contact points are obtainable from local Social Services offices.
2.7 Scene Preservation

2.7.1 Officers should:

- Note that the victim is the primary scene and should be treated as such (the Officer’s first concern should be the victim’s safety, state of mind and ability to cope with forensic requests);
- Note that the suspect is a scene, and other persons at the premises may also be scenes;
- Secure, preserve and control the scene to limit any access until sufficient information is available to make an informed assessment of the situation;
- Remove people and animals from the identified areas of activity, and ideally from the whole area, if practicable;
- Dependent on the severity of the incident, the following should be considered:
  a) Secondary scene parameters should be established, potentially the whole of the premises.
  b) The suspect’s actions following the incident may create further sites of forensic interest.
  c) The erection of cordons and the putting in place of an officer to log/record persons entering and leaving.
  d) Potential areas of contamination that could impact upon the integrity of evidential material.
  e) Requests for a Crime Scene Investigator (CSI) to attend or record the reasons why one was not called or did not attend.
  f) Establish a work base in a safe area of the premises.
  g) The scene to be photographed or videoed as soon as possible.

2.8 Powers of Entry

2.8.1 During the course of Child and Adult Protection work, there are numerous occasions where Police Officers and Social Workers are tasked to visit properties unannounced or following prior arrangements made with the occupiers. Entry to the properties on these occasions is by invitation only, unless acting under a warrant.

2.8.2 In emergencies there are Powers of Entry without Warrant, these are:

- Breach of the Peace (Police National Legal Database ref no D447)
- Sec 17 PACE, Power of Entry to Arrest / Save Life etc. (Police National Legal Database ref no D215)
- Sec 115 Mental Health Act 1983, Powers of Entry and Inspection by an Approved Social Worker of a Local Social Services Authority (Police National Legal Database ref no D4162).

2.8.3 Careful consideration must be taken before exercising any of these powers as the wrongful use may be unlawful and may be the subject of a complaint or civil action.

2.9 Minimum Standards for the Investigation of Vulnerable Adult Abuse Incidents

2.9.1 In most cases the Area Public Protection Unit will be the investigating unit with regards to vulnerable adult abuse. Their responsibilities are:
• Conduct investigations in relation to the abuse of Vulnerable Adults within an intra-familial setting or by carers in accordance with the Multi-Agency Adult Protection Procedure;
• Ensure a consistent and corporate response to Vulnerable Adult Abuse;
• Participate in joint investigations and strategy discussions with Social Services/Health Services;
• Interview victims in Vulnerable Adult Abuse cases;
• Arrange medical examinations by a Forensic Medical Examiner where there are injuries to the victim;
• Attend Case Conferences or other meetings about Vulnerable Adults;
• Monitor and analyse information about the abuse of Vulnerable Adults;
• Identify repeat victims and Vulnerable Adults at risk of harm and initiate action to protect them;
• Liaise, maintain and develop good working arrangements with other relevant statutory and non-statutory agencies as required;
• Maintain proper records of Vulnerable Adult Abuse investigations (Children and Vulnerable Adult database investigation logs and paper files), ensuring compliance with Data Protection and Human Rights legislation;
• Where necessary assist investigating officers from other units in investigating serious offences committed against Vulnerable Adults by interviewing and obtaining evidence from the victim and other Vulnerable Adult witnesses as directed by the Detective Inspector (Public Protection Unit);
• Ensure all relevant persons/agencies are informed of the outcome of any enquiry/investigation. Should these persons/agencies be responsible for making referrals to the Protection of Vulnerable Adults list (POVA), the Protection of Children Act 1999 list (POCA) or the Department of Education and Skills list (DfES – List 99), the referral may then be endorsed accordingly.

NB: It is not the responsibility of the Police to refer or to update referrals, nor is there any statutory requirement on the referrer to update the referral once made. However, the List agency may contact the referrer for information on the outcome of any enquiry/investigation; hence it is important for them to be kept updated.

Physical Evidence

2.9.2 Forensic investigation is to be utilised to corroborate the sequence of events as highlighted by each party. Forensic evidence should also be sought to support that an offence has been committed in cases where the victim or witnesses are withdrawing their co-operation.

2.9.3 Photographic or video recorded evidence should be obtained where applicable.

2.9.4 Tapes of calls to the police or any other emergency service can provide a useful source of evidence to support the prosecution of vulnerable adult abuse related offences. In particular, investigating officers should examine tapes to identify the following:
• Demeanour of the caller;
• Background noise including comments from witnesses, suspects and victims;
• Any first description of the incident as provided by the witness or victim.
Victim and Witness Evidence

2.9.5 An early decision should be made in relation to the most appropriate method of recording an interview with an adult victim or witness. The requirement for early special measures should be considered in the initial stages of an investigation and a Form 404 (first contact booklet) will be completed in accordance with the Youth Justice and Criminal Evidence Act 1999 / Home Office guidance for Achieving Best Evidence.

2.9.6 Officers should ensure that any confidential details, such as the address of a place of safety, are not disclosed in a recorded interview, and if they are, the CPS should be informed of this. Interviewing officers should ensure that they make provision, if required, for the use of suitable interpreters for the interview.

2.9.7 Standard Operating Procedures for dealing with Vulnerable and Intimidated Witnesses, including arrangements for video recorded interviews and the application of Special Measures are set out in Weekly Orders 39/05. Public Protection Unit Officers must familiarise themselves with these arrangements and with the document 'Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses'.

Police Evidence

2.9.8 The first officer(s) at the scene of an incident should be treated as witnesses and where cases warrant it, a full statement should be provided to include:
- Victim’s injuries;
- Suspect’s injuries;
- Presence of children and any injuries they have sustained;
- Any damage to property;
- Observations of the scene, e.g., overturned furniture, broken ornaments, marks on clothing;
- Demeanour of the suspect, victim and witnesses, including children;
- Allegations made by the victim;
- Unsolicited comments made by the suspect;
- Significant statements made by the suspect.

2.9.9 The potential for using house-to-house enquiries should be identified early in the investigation. Details of house-to-house enquiries should be recorded on the crime report whether there is a negative or positive response.

2.9.10 Such enquiries should take account of sensitivity without disclosing the exact nature of the incident or personal details of the persons concerned.

Covert Surveillance and CCTV

2.9.11 CCTV and covert surveillance is a potential investigative tool to gather evidence in certain vulnerable adult abuse cases.

2.9.12 The use of covert surveillance should be measured against necessity and proportionality and in compliance with the Regulation of Investigatory Powers Act 2000 (RIPA) and the Home Office Covert Human Intelligence Sources Code of Practice.
Medical Evidence

2.9.13 Consent should be sought from a victim for the police to access medical records. This consent should be sought as soon as practicable and recorded in writing.

2.9.14 Medical records should be utilized to corroborate evidence of injuries and anything significant, which has been recorded by medical staff such as the victim’s explanation as to how the injury occurred. Medical records are a valuable source of evidence for recent and historical allegations.

2.10 Co-ordination of Adult Protection Procedures

2.10.1 Social Services will take the lead role in co-ordinating the processes that flow from Adult Protection procedures. The Police will have primacy in respect of allegations of abuse involving the commission of criminal offences and any subsequent criminal investigation. However it is important to ensure that the protection of individuals is not unduly delayed by the investigation.

2.10.2 Some investigations will require a formal case conference. These will be co-ordinated by the Social Services. The aim of the case conference is to make formal decisions regarding the ongoing care and protection of the Vulnerable Adult, and the actions to be taken in relation to, and in collaboration with, other relevant people and agencies. Police Officers, most usually a representative from the Public Protection Unit, and/or the investigating officer must attend case conferences. A confidential written report may also be submitted where appropriate.

2.10.3 In cases involving multiple abuse, abuse by a professional employee e.g. Social Worker, Teacher, GP, or other complex cases, consideration should be given to attendance at the Case Conference by an appropriate supervisor, e.g. Detective Inspector (Public Protection Unit) or Detective Sergeant (Public Protection Unit).

2.11 Information Sharing

2.11.1 Following a referral, Social Services will initiate immediate enquiries to collate what is already known by different individuals and agencies about the situation, which have a bearing on the assessment of risk.

2.11.2 Information includes personal data and sensitive personal data:
  • Personal data is data which relates to a living individual who can be identified from that data or any other information held or likely to be held. It also includes any expression of opinion about the individual and any indications of the intentions of any person in respect of the individual;
  • Sensitive personal data is personal data which consists of information concerning racial or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical/mental health or condition, sexual life, alleged or committed offences, proceedings, disposal or sentence concerning any alleged or committed offences (Information Commissioner’s Office (2001)).
  • Officers dealing with information sharing should have regard to the Guidance on The Management of Police Information (MoPI) issued by the Home Office,
which outlines the processes for the collection, recording, evaluation, sharing, review, retention and disposal of police information.

2.11.3 Consideration should be given to the legislative framework for information sharing for example:

- Crime and Disorder Act 1998, section 115 – provides a legal power to share information for the purposes of the act i.e. crime prevention;
- Article 8 European Convention of Human Rights 1998 – information sharing may not interfere with the right to private / home life if it is in accordance with the law and necessary for public safety, prevention of disorder or crime and to protect rights and freedoms of others;
- Common Law – information can be disclosed if there is an 'overriding public interest’;
- Data Protection Act 1998 allows for crime prevention exemptions. These exemptions mean that where a proposed disclosure is for the purposes of prevention or detection of crime, or the apprehension or prosecution of offenders, and where failure to disclose would be likely to prejudice those objectives in a particular case, then the non-disclosure provisions of the Data Protection Act do not apply.

2.11.4 As a matter of good practice agencies should obtain written or verbal consent to share information. The consent section of the Cheshire Vulnerable Person Form 200040a allows for this and will be completed in all cases of vulnerable adult abuse.

2.11.5 In certain circumstances information may be shared without the consent of the victim or perpetrator. Multi agency protocols are already established for such occasions. These circumstances would include:

- Vital interests of the client at risk – preventing serious harm to an individual;
- Necessary for the administration of justice;
- Necessary in the ‘public interest’.

2.11.6 If in doubt regarding the disclosure of information, the Data Protection Officer should be consulted.

2.11.7 Information sharing should be considered where applicable for the purpose of vulnerable adult protection in accordance with the Department of Health Guidance, *No Secrets* (2000).

2.11.8 The Police should bear in mind that both the public and the Government expect them to use their powers and their knowledge to prevent and reduce crime. There have been a number of judgements, which support this action. Confidentiality should not be confused with secrecy. All decisions to disclose personal information in furtherance of an Adult Protection enquiry should be fully documented within the case management record (Children and Vulnerable Adult database), policy file, or other appropriate document.

2.12 Recording of Referrals, Allegations and Decisions

2.12.1 The proper recording of allegations, referrals and decisions is essential to preserve evidence and information for future enquiries and investigations, and to comply with legal requirements and guidance, these include:
The Home Office Counting Rules for recording Crime (April 2003);
The ACPO National Crime Recording Standards;
The Data Protection Act 1998;
The Human Rights Act 1998;
The Criminal Procedure and Investigations Act 1996;
Management of Police Information.

2.12.2 Appendix A is an *aide memoire* to the referral process.

### 2.13 Recording Requirements

2.13.1 Public Protection Unit Referral Unit records are retained both manually and electronically. It is necessary to maintain both as a significant amount of non-police material is generated elsewhere and is not transferable to Police computerised systems e.g. Social Services, medical reports, risk assessments etc.

2.13.2 A record of all vulnerable adult abuse allegations and investigations must be recorded on the Children and Vulnerable Adult database as a referral. Associated nominal records should also be created and linked to the referral for data quality and future search capabilities.

2.13.3 The Community Affairs Database is no longer in use for recording purposes but its data still exists for searching through the Children and Vulnerable Adult database following the Back Record Conversion in December 2004.

2.13.4 The National Crime Recording Standards (NCRS) mandate that all reports of incidents, whether from victims, witnesses, or third parties, and whether crime related or not, will result in the registration of an incident report by the Police.

2.13.5 In view of this, a record of each referral made directly to the Public Protection Unit, or by the Public Protection Unit to another agency must be recorded on the Children and Vulnerable Adult database.


2.13.7 Public Protection Units not only deal with incidents reported directly to the Police but also referrals from partnership agencies, such as Social Services. This section provides guidance around applying the principles and rules of recording to these ‘other agency’ referrals, thus ensuring accuracy and consistency of practice.

### 2.14 Initial Recording of Referrals – the Children and Vulnerable Adult database

2.14.1 Whenever Social Services receive a referral, which may constitute a criminal offence against a Vulnerable Adult, they must inform the Police at the earliest opportunity.

2.14.2 A professional, who believes that a Vulnerable Adult is in need of support and services, or is at risk of suffering or has suffered significant harm, should make a referral to Social Services.

2.14.3 Police liaison with other agencies can be in the form of:
Referrals;
Direct reports of crime.

2.14.4 In Cheshire the principal recording system for vulnerable adult incidents is the Children and Vulnerable Adult database. All Adult Protection referrals made by the Public Protection Unit to other agencies, or which the Public Protection Unit receive from another agency will therefore be recorded on the Children and Vulnerable Adult database in accordance with HOCR.

2.14.5 Examples of what types of cases should be recorded include:
- Cases where following discussion with another agency a single agency enquiry is to be undertaken by the other agency e.g. Social Services to establish whether or not a Joint Adult Protection or criminal investigation is needed, or where a missing person enquiry has raised Adult Protection concerns.

2.15 Minimum Data Recording Standards – the Children and Vulnerable Adult database

2.15.1 The amount of detail recorded will be dependent upon the incident type and complexity.

2.15.2 As a guide the details should be sufficient to enable an independent reviewer to understand what is being alleged, what the initial response was, how the matter has been resolved, and what decisions were based upon.

2.15.3 The minimum data requirements for a Children and Vulnerable Adult database entry are:
- Time, date and location of incident;
- NSPIS Command and Control incident reference number (where available);
- Details of the informant and status e.g. carer, family member, neighbour etc;
- Full details of the victim including name, address, postcode, date of birth, disability i.e. mental/physical;
- Mental capacity/communication ability and mobility of the victim;
- Full details of the suspect including name, address, postcode and date of birth if known. If the suspect is a Vulnerable Adult, then details of any disability should also be recorded as with the victim above.
- Sufficient information to describe the nature and location of the report, and what it is that is being reported;
- Reason for notification e.g. vulnerable person, child welfare, domestic incident;
- Dates of strategy discussions, case conferences, video interviews/statements and medical examinations.
- In the case of police generated referrals, confirmation from the submitting officer that all parties involved have been informed that information contained in this database may be disclosed to a third party (e.g. Social Services) and recording of their objections where appropriate.
- Reasons for any actions taken or not taken e.g. policy decisions. This could be included in the Children and Vulnerable Adult database Incidents Officers report, the Children and Vulnerable Adult database Risk Assessment
completed by a Detective Sergeant (Public Protection Unit) or within the journal of the referral.

2.16 Allegations of Crime – Recording Standards

2.16.1 The Public Protection Unit may be contacted with allegations of crime or other referrals of concern by another agency. There are distinct differences between the two types of contact and the way they should be handled in order to be National Crime Recording System compliant.

2.16.2 Allegations of crime are reports of crime as defined by law. Although not an exhaustive list, examples within allegations of Vulnerable Adult Abuse will include:
- Theft, fraud;
- Sexual offences;
- Assaults;
- Neglect.

2.16.3 Referrals of concern are reports about a Vulnerable Adult’s physical or mental wellbeing that require further investigation to establish if a crime has occurred. Although not an exhaustive list, examples include:
- Unexplained bruising;
- Over-sexualised behaviour.

2.16.4 Referrals of concern may ‘imply’ a criminal offence but further investigation may be needed to establish if a crime has actually occurred.

2.16.5 The test to be applied is whether or not on the balance of probabilities it is more likely than not that a crime has been committed.

2.16.6 A crime should be recorded as soon as the reporting Officer is satisfied that it is more likely than not that a crime has been committed.

2.16.7 The timing should be the earliest that the crime recording system allows. Any delay should be made only if there are administrative difficulties that prevent immediate recording.

2.16.8 Recording should not be delayed in order to wait for further details of the case, including the likelihood of detection.

2.16.9 In summary, having received the referral, if it is more likely than not that a crime has been committed it should be recorded as a crime immediately. If not, we have 72 hrs to apply the test and to record a crime or endorse why we haven’t. There isn’t any room for making enquires to aid this process beyond this time limit.

2.16.10 If the decision whether to record a crime cannot be made within 72 hours then the balance of probability test should be applied in favour of raising a crime report. The crime report can always be ‘no-crime’d at a later date if the investigation reveals a crime did not occur. This decision process is non-negotiable and the test must be applied.
2.17 Investigating Allegations of Crime

2.17.1 If a joint investigation with Social Services is instigated, the Police must take primacy and the lead in the criminal investigation and must record any subsequent crimes.

2.17.2 In some isolated instances agreement will be reached for a single agency investigation by Social Services to establish more information upon which a decision as to whether a criminal offence has taken place. For example:
- There is no visible injury, or the injury is of a very minor nature;
- There are anonymous reports or indirect allegations;
- Carer attitude to the Vulnerable Adult appears to be the sole problem.

2.17.3 A record should still be created on the Children and Vulnerable Adult database. The record must be endorsed with the fact that further enquiries are required in order to make the crime recording decision.

2.17.4 The referral report must also include the details of the enquiry, for example:
- The agency details and contact information;
- The individual responsible for the investigation;
- Any agency reference number.

2.17.5 If the Public Protection Unit is not re-contacted with the outcome of the investigation within the agreed time-scale they must follow up the investigation with the other agency. The Detective Sergeant (Public Protection Unit) involved in the agreement for single agency response in each case is responsible for ensuring that this is done.

2.17.6 If the investigation reveals no offence has been committed, the details of the crime recording decision must be adequately endorsed on the Children and Vulnerable Adult database.

2.17.7 If the investigation reveals a criminal offence, the Police should take primacy of investigation and immediately record a crime. When considering whether to instigate a criminal investigation, the Police should take guidance from the other agencies and consider the best interests of the Vulnerable Adult.

2.18 Third Party Reports

2.18.1 Care must be taken when deciding whether the informant is a representative of the victim or a third party report.

2.18.2 In line with National Crime Recording System, if a third party makes the allegation, a crime related incident must be recorded and reasonable enquiries made to trace the victim. In the case of reports made to the Resource Deployment Centre this will result in the creation of an NSPIS incident. Where referral is made direct to the Public Protection Unit Referral Units and necessitates further Public Protection Unit action a Children and Vulnerable Adult database entry will be completed.

2.18.3 The victim should be traced and asked to confirm whether a crime was committed. This is so the guiding principle of ‘no victim = no crime’ can be applied.
2.18.4 If the victim or a person reasonably assumed to be acting on their behalf does not confirm a crime, a crime should not be recorded and the crime related incident should be endorsed with the enquiries made and for audit purposes, the reason why a crime was not recorded.

2.18.5 In many cases it will be very difficult to get a Vulnerable Adult to confirm an offence. In some cases it may not be in the interests of the Vulnerable Adult that the Police personally see them e.g. where agreement has been reached for a single agency intervention by Social Services. In such cases, if there is evidence that a crime has been committed, a crime should still be recorded. In this scenario, the reasons for this decision must be documented on the Children and Vulnerable Adult database and the crime report.

2.18.6 Further advice and guidance on this is available from the Force Crime Registrar at Headquarters.

2.19 Family Files

2.19.1 A Family or Subject file should be commenced by the Public Protection Unit when any documentary material is gathered in relation to an individual or number of individuals associated with the same family. A file should not be commenced simply to retain a hard copy of the Cheshire Vulnerable Person Form 200040a and/or the Children and Vulnerable Adult database record if that is all that exists.

2.19.2 Some examples of what documents may be included in a Family or Subject file are:
- Copy of the Children and Vulnerable Adult database record;
- Public Protection Unit Investigation Log – Cheshire Form 200801 (if applicable);
- Subject details;
- Details of incident;
- Chronology giving an overview of dates and involvement with family;
- Atlas records (incorporating Omega records subject of back record conversion);
- Case Conference Minutes;
- Planning/Strategy Meeting Notes;
- Other Agency generated reports e.g. Medical, Probation Service;
- Copy of MG5 from any associated case file;
- Copy of video index or transcript;
- Copy of Interview plan;
- Copy of any crime report and submissions;
- Significant statements (or copies of) e.g. statement by victim;
- Copy of any Risk Assessments e.g. Children and Vulnerable Adult database risk assessment, PROMS Threat Assessment, Multi Agency Risk Assessment Conference, Local Risk Management Meeting;
- Miscellaneous materials that may have informative or disclosure relevance at some later date, for example, descriptive files, memorandums, rough notes, general correspondence;
- Family tree/association chart for complex cases such as extended families, or where multiple other persons are associated with the family.
2.19.3 Family and subject files relating to Adult Protection should be retained for a period of 20 years. Files will be retained on Areas by the Public Protection Unit for a period of five years from the last recorded activity following which they should be reviewed and sent for archiving at the force Deepstore facility. Guidance on criteria and methodology for Deepstore should be sought from the Major Crime File Archivist based at Headquarters.

2.20 Risk Assessment and Health and Safety Considerations

2.20.1 Risk assessments are a careful and systematic examination of the work activities of those undertaking vulnerable adult abuse duties. The responsibility for ensuring that risk assessments are conducted rests with Line Managers who have a duty of care in respect of officers performing a vulnerable adult abuse role.

2.20.2 The Cheshire Constabulary has a statutory obligation for the health and safety of officers. To assist this process the Constabulary will ensure that:

- All officers working on vulnerable adult abuse cases have operational experience that enables them to have knowledge of the potential risks associated with the work.
- There exists within the force an appropriate selection procedure that is designed to evaluate the suitability of each officer for the role.
- Officers selected receive the recommended training prior to, or following deployment in order to enhance knowledge and awareness regarded as essential for Vulnerable Adult Abuse work.
- The force generic risk assessments GRA 4.2 - Detective and plain clothes duties, and GRA 4.1 - CID duties general hazards are applicable to this role.
- Whilst performing the role, officers have access to support and counselling and have clear lines of communication with the Public Protection Unit Managers and Public Protection Unit Supervisors, receiving regular briefings and debriefings.
- Public Protection Unit Supervisors are able to monitor the work of the officers ensuring that tasks set fall within the overall aim and objectives of the liaison and that the role is performed within the parameters of clear and concise written guidelines.
- A risk assessment is undertaken prior to the deployment of officers through the Children and Vulnerable Adult database risk assessment process and continuously reviewed in accordance with these recommendations.

2.20.3 In addition, there is a requirement to record in writing the significant findings of the risk assessment and to review the assessment when there is a reason to suspect that it is no longer valid.

2.20.4 Risk assessments will be made by applying a common sense approach to analysing the potential for physical risk or any other risk considered by the assessor.

2.20.5 Additional risk assessments will be made when the existing risk assessment is considered to be no longer valid. A risk assessment will be considered invalid when the circumstances of the liaison change in respect of:

a) People;
b) Action/Activity;
c) Location; or
d) Environment

2.21 Supporting Information

The origins/background information

2.20.6 The current Vulnerable Adult Abuse procedure – Elder Abuse was published in 1994.

2.20.7 In March 2000 the Government in its publication “No Secrets: The Protection of Vulnerable Adults” (Department of Health March 2000) has given guidance on the development and implementation of multi-agency policies and procedures to protect Vulnerable Adults from abuse.

Motivators/Driving Forces

2.20.8 In light of the publications mentioned above, the procedure became obsolete and required updating.

2.20.9 In addition to this, the Force Taking Control review introduced three Area Public Protection Units and a Strategic Public Protection Unit. One of the key areas of responsibility for these Units is the investigation of Vulnerable Adult Abuse.

Links to Other Procedures

2.20.10 This procedure is linked to the following:
- Domestic Abuse Investigation Procedure 2006.07,
- Investigations of Serious Sexual Offences and After Care of the Victim Procedure 2004.05,
- Youth Justice & Criminal Evidence Act 1999 (Sections 16 to 33 - Revised) Procedure 2002.33
- Criminal Justice Processes Policy (to be published).

3. Procedure Aim

3.1 The aim of this procedure is to provide clear guidance on the expected minimum standards for reporting, responding to and investigating vulnerable adult abuse incidents.

3.2 Responding to Vulnerable Adult Abuse is a priority of the Cheshire Constabulary and this procedure assists in:
- Protecting adults who are at risk as a result of abuse;
- Investigating all reports of vulnerable adult abuse;
- Facilitating effective action against offenders so that they can be held accountable through the criminal justice system;
- Adopting proactive multi-agency approaches in preventing and reducing vulnerable adult abuse.
3.3 The Cheshire Constabulary will respond positively to Vulnerable Adult Abuse incidents, ensuring that all victims receive a quality of service according to their individual needs. All reports will be properly investigated and offenders will be held accountable without discrimination through the criminal justice system.

3.4 In fulfilling these obligations, Cheshire Constabulary will work in partnership with other criminal justice agencies, including statutory and voluntary sector services.

4. **Appeals**

4.1 Persons affected by the exercise of powers, directives or action under this procedure have the right to make representations and/or challenges and/or appeals to the decisions involved, via judicial processes (e.g. Civil Law) and or non-judicial processes (e.g. internal management, grievance and complaints procedures). They may wish to consult with their legal advisor and/or their respective staff association representative when considering such processes or procedures.

5. **Review**

5.1 This procedure will be reviewed in one year time to consider:
- Its effectiveness in the business area concerned
- Any changes to legislation
- Challenges to the procedure
- Any identified inefficiencies in relation to implementation
- Impact on diversity and equality (High on the Race Diversity Impact Assessment Template)
Appendix A

Referral Process

Informant

Helpdesk
Call Management Bureau
PPU Referral Unit
Central Crime Recording Bureau

Attending Officer

40a
Atlas Crime Occurrence

Referral to Social Services

Demand Management Unit

PPU (Professional Carer Allegations)

Strategy Discussion/ Meeting

Social Services Investigation
Criminal Police Investigation
No Further Action

SIU
NPU