



Disclosure

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What are the Policing Principles?

Accountability	<input checked="" type="checkbox"/>	Fairness	<input checked="" type="checkbox"/>	Honesty	<input checked="" type="checkbox"/>
Integrity	<input checked="" type="checkbox"/>	Leadership	<input checked="" type="checkbox"/>	Objectivity	<input checked="" type="checkbox"/>
Openness	<input checked="" type="checkbox"/>	Respect	<input checked="" type="checkbox"/>	Selflessness	<input checked="" type="checkbox"/>

1. Background

Following a number of high profile cases which collapsed at court, police activity in relation to disclosure requirements has been a concern on a national level. Whilst this issue is not unique to Surrey, the recent trial against Jonathan King has brought particular focus to the county.

A task and finish group was set up under ACC Kemp. The force has been carrying out significant activity locally and in partnership with the Crown Prosecution Service (CPS) to improve our activity with regards to disclosure. This report covers the key areas, broken down into the five headings of capacity, capability, leadership, governance and partnership, in line with the National Disclosure Improvement Plan.

2. Capacity

The Digital Forensics Team (DFT) have had approximately 13,000 devices submitted for forensic examination within the last year. Historically, Digital Forensics had been seen as a niche service supporting complex and priority crime only. This is no longer the case and nearly every investigation, at every level and of every type has a digital aspect or has evidence stored on digital media. As a result of a business case, a significant increase in budget was agreed – amounting to about £600k per year, much of which is allocated to increasing practitioner resources and technical capability. The formal programme of work to transform Digital Forensics is complex piece of work that includes the replacement of out of date servers and IT storage, a review of how self-service opportunities are delivered, and an extension of opening hours and weekend working in central DFTs. Work is also ongoing to deliver a whole new tier of service (Tier 2) to support quicker turnaround times for less complex, volume cases where full analysis and a detailed strategy is not necessarily required. This is in addition to local self-service 'kiosks' (Tier 1) and the analytical service for high risk and complex investigations (Tier 3). The overall result will be a more efficient service.

The IT department are working to improve the equipment in force currently available to staff in specialist departments and update the software currently on laptops with current versions; this includes the use of specialist redacting software to prevent officers and staff doing it by hand.

The 'Think Digital' policing app is an interactive PDF designed to help direct officers to the resources they need to maximise the digital opportunities during their investigations; this was released earlier in the year.

A number of guidance documents have been published this year by the CPS designed to support digital communication evidence and subsequent disclosure, in particular a guide to "reasonable lines of enquiry" and communications evidence. This focuses activity to avoid unnecessary and time-consuming analysis which is too broad.

The force now sends enhanced pre-charge information to the CPS for Rape and Serious Sexual Offence (RASSO) cases, and Complex Casework Unit cases. An enhanced MG3 has been introduced for this, with which the CPS can complete a Disclosure Management Document. In addition, pre-charge disclosure is now completed for RASSO cases. This all allows disclosure issues to be identified and dealt with at an early stage and avoid protracted matters developing as the trial approaches.

3. Capability

One of the key gaps for disclosure has been knowledge and training, and the force quickly put in place day-long training to cover a large amount of the workforce. In total, 11 training days have been held, training over 800 people.

The College of Policing NCALT training has been released, and everyone who did not attend one of the above events has been required to complete this. In addition, two-thirds of the Area Policing Teams (APT) received disclosure training as part of the force's work to improve volume crime investigation.

Bespoke training and briefings are also being arranged. The force has identified SPOCs and Champions (explained later), and SPOCs have already received an additional day of training with a

barrister, and this is being rolled out to all Detective Sergeants, Detective Inspectors and Detective Chief Inspectors. The Sexual Offences Investigation Team (SOIT) are receiving tailor-made training which will include disclosure specific to their role, and an event is planned for early September with the CPS to deliver on disclosure and file quality to uniformed supervisors and Champions.

We have attended events run by the College of Policing in London and Manchester and have been invited in limited numbers to CPS lawyer training in September. In October this year a joint CPS-Police regional event is being held in Sussex and we have 16 officers and staff attending.

The probationer training course for all new officers has now been extended to include disclosure training so every officer joining Surrey Police will receive this.

The force has reviewed and refreshed its online guidance, so there is now a central hub which the workforce can go to, showing and signposting to key disclosure guidance and helpful summaries. A disclosure 'app' is near completion which will be available on all mobile data terminals, providing quick and accessible advice for officers and staff away from the station.

4. Leadership

The force held high-level disclosure seminars in February, opened by the Chief Constable, with CPS presenting, and attended by all senior leaders. ACC Nev Kemp is the strategic disclosure lead, with Supt Clive Davies as tactical disclosure lead, and Insp Gail McCoo from Criminal Justice providing support.

SPOCs and Champions have been appointed – there are 32 and 38 respectively. Both roles involve people with an interest in disclosure and a passion for getting it right and supporting their colleagues in doing so. In particular, SPOCs are detectives with a much higher level of understanding and experience, whereas Champions are uniformed officers with enhanced understanding compared with their colleagues.

SPOCs and Champions exist across the force in the various teams; they are supporting and advising their colleagues and are an identified local point of expertise. A new product – the 'top ten disclosure points' - is being developed, and the SPOCs and Champions will be tasked with formally briefing every team on these ten points.

Supervisors have an important role to play in ensuring disclosure requirements are met and their officers and staff are supported. They are now required to review and endorse files from a disclosure perspective prior to submission, and this will be reported on through a new performance product.

People Services have agreed to include disclosure in promotion processes so that officers and staff wishing to be promoted need to evidence suitable knowledge and compliance.

5. Governance

When disclosure concerns were raised nationally, the force reviewed 28 post-charge RASSO cases to ensure there were no disclosure issues prior to trial. Overall, these cases were investigated and prepared appropriately with only minor amendments required.

A new high level performance product has been introduced to show overall trends for the force. However, after reviewing this, it became clear that a more detailed product is needed to allow local and team-level performance to be seen, and to identify individuals who make repeated mistakes and therefore need further support and development. This enhanced product will be available by September. It will bring about greater accountability, and will report into performance meetings.

RASSO files now go through a single Detective Inspector to review them and ensure disclosure is being handled correctly before they are sent to the CPS.

6. Partnership

The force tactical lead has regular disclosure working group meetings with his regional counterparts and CPS.

This group has a joint action plan and has achieved the following:

- a. Better communication through the sharing of contact details for CPS lawyers for front line officers

- b. Improved joint training
- c. Guidance on Early Investigation Advice
- d. The use of the Disclosure Management Document implemented for RASSO and Complex Casework Unit cases
- e. Provision of unused material schedules on all RASSO pre-charge cases

There are also regional strategic meetings, jointly chaired by the Chief Constable and the Chief Crown Prosecutor.

Overall, these meetings have allowed for good relationships to be built between forces and the CPS, for good practice to be shared, and also for the region to feed into national work on disclosure.

7. Conclusion

Effective disclosure is of central importance for our Criminal Justice System, to allow for fair trials in which justice is done, and to maintain the confidence of the public.

As described, the force has carried out, and continues to carry out, a large amount of work in a number of areas to ensure we meet our disclosure requirements.