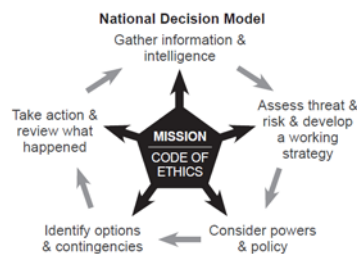




Disclosure

Required for:	OPCC Performance Meeting, 22 March 2018
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Suitable for publication:	Yes
Title:	Disclosure
Version:	V1.0
Purpose:	To provide the OPCC with an update on work and actions relating to disclosure.
ACPO / Strategic Lead:	ACC Nev Kemp
National Decision Model compliance:	Yes
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Date to be reviewed:	

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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

- 1.1. In July 2017, a joint report between HMCPSI and HMICFRS entitled “Making it Fair” was published and highlighted a number of failings by the police service and CPS in respect of disclosure compliance with unused material. It described inadequacies between the two partners and recognised that this had a significant impact on cases being discontinued at court. “Making it Fair” coincided with a report written by Richard Horwell QC about the 1988 murder of Lynette White investigated by South Wales Police, entitled the Mouncher Investigation Report. In this, he described his findings as the “worst miscarriage of justice in our criminal justice system” and an “...embarrassment on a national scale”. Horwell concluded early on in his review that there was no malice or ill will on the part of the police investigators, rather a lack of direction, supervision, experience, training and preparation. Both reports make a number of recommendations.
- 1.2. On the 19th January 2018, Surrey Police became the focus of adverse attention when the case involving a young man accused of rape, in an incident dating back to July 2015, was abandoned at Guildford Crown Court. The prosecution reached the decision to formally offer no evidence and the media linked this to disclosure concerns.
- 1.3. The NPCC, College of Policing and CPS have co-authored a paper entitled the National Disclosure Improvement Plan. This plan describes the actions that must be undertaken to make the necessary improvements. It is divided into five themes, namely capacity, capability, leadership, governance and partnership. It is available online via the following link: <https://www.cps.gov.uk/sites/default/files/documents/publications/National-Disclosure-Improvement-Plan-January-2018.pdf>

2. Action Taken

- 2.1. As a result of the above, a fast-time review of all 36 current post-charge Rape and Serious Sexual Offences (RASSO) cases is underway in the force to ensure disclosure compliance and mitigate any foreseeable risks. This review is expected to conclude on the 9th March. To date the findings have been generally positive in terms of appropriate disclosure and competent investigations, however a number of themes have nevertheless been identified including securing digital evidence, a lack of appropriate training and understanding of disclosure, and poor communication with the CPS.
- 2.2. In order to put in place immediate actions, manage this review, capture learning, and ensure appropriate ownership of actions, Surrey Police established a RASSO Disclosure Working Group under the direction of Det Ch Supt Savell.
- 2.3. An overarching Disclosure Task and Finish Group has been set up, chaired by ACC Kemp as strategic force champion, supported by Supt Davies as tactical lead. The findings of the RASSO group are feeding into this, and it is attended by key individuals from across the force. Under this group, a comprehensive force action plan has been developed which draws from the national plan and uses the same five themes. It has been separated into volume crime, serious and specialist crime, and RASSO crime, and then broken down into short, medium and long term actions.
- 2.4. Some key points from the plan include:
 - 2.4.1. Increased training
 - 2.4.2. Process mapping of current activity to understand the gaps and the resourcing impact of improved disclosure work
 - 2.4.3. Scoping technological efficiencies
 - 2.4.4. Updating and improving force guidance and online resources
 - 2.4.5. Improvements on the capture and use of digital media
 - 2.4.6. Review of the contribution made by the force’s Quality Assurance teams on disclosure
 - 2.4.7. Enhanced supervisor oversight
 - 2.4.8. Identification of team Champions and expert Single Point of Contacts (SPOCs)
 - 2.4.9. Joint work with CPS to improve communication

The following are some noteworthy examples of activity from the plan:

- 2.5. On the 26th February, Chief Constable Ephgrave held two seminars to assembled audiences totalling over 200 police officers and staff of all ranks and grades, highlighting the importance of disclosure, and introducing the national and local plan. This day was supported by Nigel Pilkington, Deputy Chief Crown Prosecutor for the South East Region. Positive feedback has been received from attendees, and Sussex Police are now planning to deliver a similar event in their force area.
- 2.6. One of the main recommendations in both “Making it Fair” and the Mouncher Report centres on improved working relationships and communication between the CPS and the police service. Consequently the inaugural regional Police and CPS Disclosure meeting was held in February, including strategic and tactical leads from the region’s three police forces and the CPS.
- 2.7. Improved training for investigating staff is essential. The force has reviewed its current training and is arranging a number of day-long training events to train approximately a quarter of our officers in March, with more planned for April. In addition, probationer training is now being extended and will include disclosure for all new police officers.
- 2.8. Communication evidence is a challenge when considering the increased use of smart phones and computers over recent years, and social media. This is captured not only in the force’s plan, but also in the Digital Media Investigation Working Group Plan, which feeds into the overarching disclosure group. Plans are in place to increase the number of officers able to undertake fast-time triaging of devices capable of storing electronic information.
- 2.9. Officers have already volunteered to become Disclosure Champions. They will receive enhanced training and it is envisaged that there will be at least one such officer on every team. They will support their immediate colleagues and mentor others. Additionally, SPOCs have been identified at DI and DS level, who will be ‘expert’ and provide advice, support and direction.

3. Conclusion

- 3.1. In conclusion, Surrey Police has enthusiastically responded to the concerns which have rightly been raised in relation to disclosure, with a thorough action plan in place which is being driven at senior levels, with buy-in and involvement throughout the organisation.

4. Decision[s] Required

- 4.1. None, this paper is for information only.