

## Annex A

### Summary of MPS response to IOPC and HMICFRS recommendations to the MPS

*Recommendation numbers are not sequential as some were made to other bodies, so the recommendations here are those that were for the MPS.*

#### **IOPC recommendations to the MPS**

*1. The MPS should take immediate steps to assure itself that appropriate measures (for example, training, guidance and oversight) are in place to ensure that warrants applied for by the MPS are consistently completed to a high standard.*

**MPS response:** The MPS has introduced a system for electronically recording search warrant applications, which allows it to monitor their use. Comprehensive mandatory training for all officers, supported by a new search warrant toolkit and a new Premises Search Book (Book 101), has been introduced. Additional training has been provided to authorising officers and our policies and other relevant training courses have been updated. So far more than 24,400 officers have completed the “all officer” training and more than 1,400 officers have completed the authorising officer training.

*5. The MPS should issue an urgent reminder to officers of the requirements of this duty of disclosure and how high the onus is on them to make full disclosure in a search warrant application.*

**MPS response:** This is addressed by the new mandatory training for officers and supervisors.

*7. The MPS should issue an urgent reminder to officers of their responsibilities for notifications relating to searches under PACE.*

**MPS response:** This is addressed by the training packages detailed above and the new Premises Search Books which have been introduced include the reminder to provide information to the occupier where this can be done without compromising an investigation.

*9. The MPS should take steps to ensure that consideration of potential conflict of interests, whether real or perceived, inform decisions about which officers are deployed to undertake a search. This should include a responsibility on those making the decision as well as an expectation that officers will self-declare any potential conflict of interest. It is acknowledged that there may be circumstances where the benefit of a particular individual being present outweighs a potential conflict of interest. In these circumstances, decisions should be fully considered and managed appropriately.*

**MPS response:** This consideration is addressed in the new mandatory training for officers and supervisors and officers must now record any possible conflicts of interest within the new Book 101 search warrant premises book.

*10. The MPS should define the benefits of using HOLMES to ensure that those benefits are maximised with reference to, but not bound by, Major Incident Room Standard Administration Procedures. The MPS should also ensure that it has a clear policy for its staff, requiring a decision to be made and articulated in relation to how HOLMES will be utilised to enhance the quality of the investigation, which should include associated resources and role allocation. Particular consideration should be given to:*

- *Using the full functionality of HOLMES to support an investigation (with the appropriate associated resourcing requirement to avoid a backlog of investigative material being added).*
- *Using HOLMES as defined by the needs of the enquiry (known as HOLMES-lite), in which case clear direction and policy decisions must be provided in relation to what roles will be allocated, or*
- *Not using HOLMES at all in the specific circumstances.*

MPS response: Mandatory SIO training includes the appropriate and effective use of HOLMES including its capabilities and capacities. To review if HOLMES remained the best tool to use for complex non-recent child abuse investigations, Operation Winter Key facilitated a meeting with various subject matter experts nationally including HMICFRS and Operation Hydrant in April 2020. The outcome was agreed that HOLMES was still the most appropriate at this time.

*11. The MPS should consider how it can best reinforce with its officers and staff the importance of good-quality document management and take appropriate steps to act on this. This could, for example, be achieved by embedding it in policy or training and ensuring there is a process for checking that the procedure is being followed properly.*

MPS response: Disclosure champions have been embedded in all BCUs and OCUs and the need for good document management has been included in all relevant training courses and policies. We have introduced a secure digital asset management system for storage and data sharing and SIOs are trained in disclosure strategies. Disclosure is also addressed by the new mandatory training for officers and supervisors.

*12. For investigations, especially of the type described above, the MPS should seek to undertake regular periodic reviews to provide the necessary advice and support to the overall strategic management of the investigation and to ensure they are conducted within the level of quality and strategic oversight required by the chief officer. Reference should be made to the relevant College of Policing advice in this area.*

MPS response: Operation Winter Key has introduced a review template to ensure reviews are used where appropriate. Local safeguarding teams have been reminded of the services of SCRG and guidance has been issued to all officers and staff and embedded in relevant training courses and the Non-recent Child Abuse Investigation Toolkit.

*13. While acknowledging there is a fine balance to be struck, we would invite the police service to reflect carefully on and renew their efforts to balance the culture of belief at the time an allegation is recorded with the clear need to objectively investigate the allegations thereafter.*

MPS response: The MPS worked with National Police Chiefs Council and College of Policing to develop a simplified position on belief. This has been embedded across all relevant training courses, included in the Met's General Investigation Policy and linked to by other relevant policies. The new position and its importance has been communicated to all officers and staff.

*14. The MPS should review its media handling procedures to ensure alignment with current APP. Police forces should assure themselves that any media strategy relating to an investigation includes careful consideration of the potential for an individual to be identified through the information released about them. Naming a suspect before charge is a major step and should only be undertaken in exceptional circumstances and for a clear policing purpose.*

MPS response: The MPS Media Policy, as published in March 2020, now fully incorporates the College of Policing APP on Media Relations and includes specific instruction for press officers to consider the potential for an individual to be identified through the information released about them.

*16. Suspects should receive regular open and candid communication from the MPS throughout the progress of their case, including an indicative timescale for the investigation. It is accepted it will not be possible or appropriate to give them details of the precise nature of enquiries being undertaken.*

MPS response: We have updated our policies to reflect this requirement and these changes have been embedded into relevant training packages to ensure suspects who are released under investigation or subject to a voluntary attendance interview are provided with a 28-day update and provided an expected finish date. We have supported this with internal messaging to all officers and staff. We have monitored compliance via dip sampling.

**HMICFRS recommendations to the MPS**

*3. By 30 June 2020, the MPS should determine the best solution for Winter Key's information management needs. It should do this in consultation with experts on the use of HOLMES and other relevant computer systems. As soon as reasonably possible, it should implement this solution.*

MPS response: Following consultation with stakeholders including HMICFRS it was agreed HOLMES remained the most appropriate system for its document management and disclosure.

*4. By 30 June 2020, the MPS should convert the material presently covered orally in the informal training presentation on Operation Midland into a written presentation, so that the material can be: a. quality-assured; b. presented by other trainers; and c. sent to other relevant officers who cannot see the training presentation in person.*

MPS response: The SIO course now has written presentation and lesson plans and has been quality assured by independent curriculum designers. A video presentation covering the lessons from Sir Richard Henriques' review is available to all officers and staff and is included in relevant lesson plans. All courses have been reviewed against the recommendations from each of the reviews, each relevant recommendation has its own lesson plan and power point presentation with consistent messaging across courses.

*5. By 30 June 2020, the MPS should amend its investigative interviewing policy, rape and serious sexual offences policy, and any other relevant policies and guidance documents, to make clearer that: a. false complaints are made from time to time; b. they may be malicious, mistaken, designed to support others, financially motivated, or inexplicable; and c. when considering allegations, investigators should give full consideration to all background information.*

MPS response: Appropriate changes have been made to the Met's General investigations Policy and Non-recent Child Abuse Investigation Toolkit and are cross referenced in ten other related policies. These make clear that: a. false complaints are made from time to time; b. they may be malicious, mistaken, designed to support others, financially motivated, or inexplicable; and c. when considering allegations, investigators should give full consideration to all background information.

*6. By 30 June 2020, the MPS should amend its rape and serious sexual assault policy, and any other relevant policies or guidance documents, to make clear that those falsely accused of a crime should be treated as victims. They should be offered and, if they want it, provided with support and liaison compatible with the gravity of the allegations made.*

MPS response: Appropriate changes have been made to the Met's General investigations Policy and Non-Recent Child Abuse Investigation toolkit to make clear that those falsely accused of crime should be treated as victims and are cross referenced in ten other related policies.

*7. By 30 June 2020, the MPS should review and, where necessary, revise Winter Key's processes and procedures. This should be done with the intention of securing: a. greater consistency in record-keeping and the supervision of investigations; and the routine consideration and, if appropriate, nomination of investigations for formal review.*

MPS response: A standardised documentation process is now embedded with Operation Winter Key, including investigative strategy, a 42-point plan and an investigation review. All Op Winter Key cases are considered for review by the SCRG – 3 cases have been identified for review at this time.

*9. By 30 June 2020, the MPS should amend the wording on its public website, and in leaflets for victims of crime, to deal more fully with the duties of the police to treat reports of crime seriously and investigate impartially.*

MPS response: Revised leaflets for victims of crime have been designed and are expected to be ready for distribution by late July. The MPS website has been updated to say: "We treat reports of crime seriously and investigate each with impartiality. Every investigation will start with the same basic steps to make sure we gather all the relevant information and keep you informed."

*10. By 30 June 2020, the MPS should amend its crime training material, to ensure that it makes clear the requirement to keep suspects, who aren't in custody, informed of the progress of the investigation.*

MPS response: We have updated our policies to reflect this requirement and these changes have been embedded into relevant training packages to ensure suspects who are released under investigation or subject to a voluntary attendance interview are provided with a 28-day update. We have supported this with internal messaging to all officers and staff. We have monitored compliance via dip sampling.

*11. By 30 June 2020, the MPS should amend: a. the 'MPS RUI Process', to make clear the requirement on officers to communicate to suspects the expected finish date for each investigation; and b. the MPS RUI form template, so that the expected finish date appears on each completed form.*

MPS response: We have updated our policies and processes and these changes have been embedded in training packages to ensure that suspect who are released under investigation are provided with an expected finish date we have also extended this to ensure any suspect who is subject to a voluntary attendance interviews will also be afforded the same service of communication regarding an expected finish date. We have supported this with messaging to senior leaders and separate messaging to all officers and staff. We have monitored compliance via dip sampling.

*12. By 30 June 2020, the MPS should amend its pre-charge investigative bail policy. The amendment should make clear that the force should consider informing the suspect or their legal representative when it decides to take no further action about some allegations, even when an investigation continues into others.*

MPS response: Our policies and processes have been updated and these changes embedded in training packages to ensure that suspects are provided with information regarding "no further action" decisions. We have supported this with messaging to senior leaders and separate messaging to all officers and staff. We have monitored compliance via dip sampling.

*13. By 30 June 2020, the MPS should amend its crime training material. The amendment should make clear that the force should consider informing the suspect or their legal representative when it decides to take no further action about some allegations, even when an investigation continues into others.*

MPS response: Our policies and processes have been updated and these changes embedded in training packages to ensure that suspects are provided with information regarding "no further action" decisions. We have supported this with messaging to senior leaders and separate messaging to all officers and staff. We have monitored compliance via dip sampling.

*16. By 30 June 2020, the MPS should amend its media policy. This amendment should make clear that, when announcing publicly that no further action will be taken, no details of the allegations not already published should be disclosed. That is, except where disclosure is justified by clear circumstances, e.g. a threat to life, the prevention or detection of crime or a matter of public interest and confidence.*

MPS response: In March 2020 the MPS adopted the College of Policing's Authorised Professional Practice on Media Relations as the basis of its media policy, incorporating it entirely. The changes in this recommendation were added to the MPS policy and following further discussion with the College they have also been incorporated into the national APP for all forces to ensure consistency.

---