

Northamptonshire Police



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Crime Outcomes Policy

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Department Responsible	Crime Management Unit		
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Senior Owner	Supt Adam Ward		
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Type	Policy		

1. Introduction

The aim of Crime Outcomes Policy is to provide clear consistent information relating to crime resolutions, to provide statistical data to the Home Office, and to provide more detailed accurate crime data to assist in the development of analytical products aimed at improving our understanding of Threat, Harm and Risk.

The details for these Recorded Crime Outcomes will be contained in Section H of the 2016 Home Office Counting Rules for Recorded Crimes (HOCR), as updated 27 April 2020, available on the Operational Toolkit from ForceNet.

It will be the responsibility of Supervisors when filing crimes to apply the appropriate outcome to both the crime and any suspects on Niche and document the reason for such a decision. Outcomes 1 to 4 and 6 to 8 are considered positive outcomes for the victims. Outcomes 9 to 21 are considered negative outcomes.

2. Legislative Compliance

This document has been drafted to comply with the principals of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individuals and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with current Equality Legislation and policies.

In addition, Data Protection, Freedom of Information and Health Safety issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all legislation and internal policies.

3. Procedure Statement

NOTE – Outcomes 1-8 can ONLY be authorized by Crime Admin and therefore only limited guidance notes are supplied. Please contact Crime Admin for further help or guidance

The below guidance comes from the Home Office Counting Rules which can be found on Forcenet under the Operational heading. The rules regarding outcomes can be found within the document entitled "Crime recording general rules" – Chapter H

In respect of outcome types 1-4 and 6-10 inclusive the offender must have been made aware that they will be recorded as being responsible for committing that crime and what the full implications of this may be. (Note; as these are detected crimes the suspect is now an offender)

Clarification

The suspect, or appropriate person, must be made aware in person of all Legal implications that being held responsible for the crime means.

- That a crime has been recorded and they will be held as responsible for it.
- That such material is available for disclosure and information sharing purposes where appropriate.

The [Director's Guidance on Charging](#) issued under s37A of the Police and Criminal Evidence Act 1984 (Fifth Edition: May 2013) must be applied to all cases.

1) Charged/Summoned.

Outcome Type 1 - A person has been charged or summonsed for the crime (irrespective of any subsequent discontinuation or acquittal at court).

Outcome Type 1A - A person has been charged or summonsed for the crime, but following the application of the CPS charging standards and the provisions of the HOCR, the charge/summons relates to an alternate offence to that recorded (irrespective of any subsequent acquittal at court).

2) Caution –youths.

Outcome Type 2 - A youth offender has been cautioned by the police.

Outcome Type 2A - A youth offender has been cautioned by the police, but following the application of the CPS charging standards and the provisions of the HOCR, the caution relates to an alternate offence to that recorded.

Northamptonshire Police still use Youth cautions which must be administered by YOS/PADS

3) Caution –adults.

Outcome Type 3 - An adult offender has been cautioned by the police.

Outcome Type 3A - An adult offender has been cautioned by the police, but following the application of the CPS charging standards and the provisions of the HOCR, the caution relates to an alternate offence to that recorded

Northamptonshire Police no longer use "simple" cautions however this outcome code is also used for Conditional cautions. These MUST be completed on an MG14

4) Taken into consideration.

The offender admits the crime by way of a pace compliant interview and asks for it to be taken into consideration by the court on form mg18.

5) The offender has died (all offences).

The offender has died – all offences

Forces must ensure that the DDM involved in this decision making process is at an appropriate level for the seriousness of the offence being considered.

- The supporting documentation or case papers must contain sufficient evidence to charge had the offender not have died before proceedings could be initiated.
- The victim (where applicable) has been informed of the fact that the case will be dealt with by way of a no further action outcome.
- The date and circumstances of the death together with details of the information source must be recorded in clear and auditable form.

6) Penalty Notice for Disorder.

A penalty notice for disorder (or other relevant notifiable offence) has been lawfully issued under s1-11 of the criminal justice and police act 200

Northamptonshire Police no longer use this outcome. It has been replaced by the 2-Tier Out of Court Disposal structure - <https://northants.intranet.police.uk/sites/OOCD/Pages/home.aspx>

7) Cannabis Warning.

A warning for cannabis or khat possession has been issued in accordance with college of policing guidance.

Northamptonshire Police no longer use this outcome. It has been replaced by the 2-Tier Out of Court Disposal structure - <https://northants.intranet.police.uk/sites/OOCD/Pages/home.aspx>

8) Community Resolution.

A community resolution (with or without formal restorative justice) has been applied in accordance with college of policing guidance.

9) Prosecution not in the public interest (CPS) (all offences).

The evidential test **MUST** be met in **FULL** before the public interest test is applied. If there is insufficient evidence to pass the evidential test this outcome cannot be used.

Please note – This outcome is for when the **CPS** (not Police) make the decision not to prosecute

The supporting case papers must include a copy of the MG3 certified by the Crown Prosecutor that there is sufficient evidence to charge the offender but prosecution is not in the public interest.

The offender must be informed that they will be shown as responsible for the crime

10) Formal action against the offender is not in the public interest (Police).

The evidential test MUST be met in FULL before the public interest test is applied. If there is insufficient evidence to pass the evidential test this outcome cannot be used.

Where police determine there is sufficient evidence to charge but the Director's Guidance on Charging Requires the case is to be referred to the CPS for a charge decision, the Public Interest judgement must be made by a prosecutor and **in such cases then Outcome Type 9 is applied.**

Within Northamptonshire Police, crime disposal code 10, 'Not in the Public Interest - Police Decision', **will only be available to Detective Chief Inspectors, Crime Management Unit (CMU) staff and overseen by the Crime Registrar and Deputy Crime Registrar** as the final arbiters. Supervisors who wish to make an application for this disposal code to be authorised should forward the crime details to their Detective Chief Inspector for consideration.

The offender must be informed that they will be shown as responsible for the crime

11) Prosecution prevented – Named suspect identified but is below the

age of criminal responsibility.

Police must be satisfied there is sufficient information in the record to show the named suspect was responsible for the offence. The child must be under 10 years old when the offence was committed

See outcome 16 for clarification as to what is a "Named Suspect"

The parent/guardian must be informed that the child will be shown as responsible for the crime

12) Prosecution prevented – Named suspect identified but is too ill (physical or mental health) to prosecute.

Police must be satisfied there is sufficient information in the record to show the named suspect was responsible for the offence

See outcome 16 for clarification as to what is a "named Suspect"

The suspect must be informed that they will be shown as responsible for the crime

13) Prosecution prevented – Named suspect is identified but victim or key witness is dead or too ill to give evidence.

Police must be satisfied there is sufficient information in the record to show the named suspect was responsible for the offence

See outcome 16 for clarification as to what is a "named Suspect"

The suspect must be informed that they will be shown as responsible for the crime

14) Evidential Difficulties Victim based – Named suspect not identified: The crime is confirmed but the victim either declines or is unable to support further police investigation to identify the offender.

15) Named suspect identified: victim supports police action but

evidential difficulties prevent further action.

The crime is confirmed and **the victim supports police action** (or the points to prove to evidence the offence in respect of state based matters have been made out) but evidential difficulties prevent further action. **This includes cases where the suspect has been identified, the victim supports action, the suspect has been circulated as wanted but cannot be traced and the crime is finalised pending further action.**

Clarification: State based offences

When considering state based offences the decision maker (who must be appropriate for the seriousness of the offence in question) must satisfy themselves that the points to prove the offence are made out. If the decision maker does not believe that the offence is made out consideration should be given to cancelling the crime in accordance with General Rules C. (For Northamptonshire Police crime cancellation requires the authorisation of CMU)

See outcome 16 for clarification as to what is a "named Suspect"

Outcome 15 should only be applied if the decision maker is satisfied that the offence is made out but the evidential standard for further action is not met.

16) Named suspect identified: evidential difficulties prevent further action: victim does not support (or has withdrawn from) police action.

Clarification: Named Suspect

In Outcomes 11, 12, 13, 15 and 16, the term "Named Suspect" assumes the suspect's true identity will have been established. For other outcomes using this term it is only necessary for police to have sufficient information to identify and apprehend the suspect

Therefore outcomes 11, 12, 13, 15 and 16 can **ONLY** be used when we have a "named Suspect" whose true identity has been established

17) Prosecution time limit expired: Suspect identified but prosecution time limit has expired.

The time limit is from the date the offence was committed and NOT when it was reported to police

This outcome may only be applied to a recorded crime where either;

The recorded crime is for a matter which, when charged can only be dealt with at a Magistrates Court (summary only);

Or

Having applied CPS charging standards the crime that would have been charged is a matter which can **only** be dealt with at a Magistrates Court (summary only).

18) Investigation Complete: No suspect identified. Crime investigated as far as reasonably possible –Case closed pending further investigative opportunities becoming available.

Clarification: Where a crime is assigned Outcome Type 18 and the investigation is subsequently re-opened with the result that an offender is identified the type 18 Outcome should be re-classified to the appropriate alternative

19) Action Fraud USE only.

20) Crime being Investigated by another agency

Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the action to be taken. **It is not necessary for that further action to amount to criminal processes.**

Clarification:

The force must ensure appropriate arrangements are in place with regard to meeting the requirements of the Victims Code. **This will include ensuring that victims are told when another agency has primacy for investigation as well as supplying appropriate contact details for such agencies.** The objective is that the agency or body will work to ensure that safeguarding is addressed; the victim is supported and in cases where there is a named and identified person responsible that their behaviour will be managed (and where the agency holds relevant powers that a criminal investigation will be undertaken).

This outcome applies to those agencies identified within the Home Office Counting Rules - Other Investigative Authorities as per chapter I – General Rules

21) Further investigation, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest –police decision.

Any decision to use outcome code 21 will be submitted through CMU via the “Nhants CMU Secondary review” option on the Niche workflow and NOT directly filed

Clarification

Before deciding that no investigation will be undertaken in relation to a notifiable offence with a named suspect, police must have due regard to the public interest test considerations set out in the Code for Crown Prosecutors Para 4.12 a-g:

[https://www.cps.gov.uk/publications/code for crown prosecutors/codetest.html](https://www.cps.gov.uk/publications/code%20for%20crown%20prosecutors/codetest.html)

The views of the victim, or their representative, will always be an important consideration when taking the decision not to investigate an offence where there is a named suspect. However, there will be circumstances when it would be in the public interest to investigate an offence against the wishes of the victim. Conversely there may be exceptional circumstances where police believe that further investigation is not in the public interest, contrary to the victim’s wishes. Where this is the case, the decision must be endorsed by a supervisory officer with the rationale fully documented in the crime record.

Outcome 21 is also used operationally as an indication to Disclosure and Barring staff, that care should be taken before routinely disclosing the information. It will not, therefore, normally be appropriate in relation to ‘serious’ offences such as domestic abuse, hate crime, child abuse or any indictable only matter; nor to any offence, e.g. dishonesty, where the nature of the offending may be relevant to future employment with children and/or vulnerable adults. If, in exceptional circumstances, use of Outcome 21 is deemed appropriate for a ‘serious’ or ‘relevant’ offence, the decision maker must be appropriate for the seriousness of the offence in question and the rationale sufficient for future DBS staff consideration. It will usually be necessary for police to speak to the suspect and/or to their appropriate adult (parent/carer etc.) to explain the implications. The Force Crime registrar must maintain oversight of all records where Outcome 21 is applied.

22) Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.

This outcome only became valid from 1st April 2020 for offences committed on or after that date

It is the Northamptonshire Police Policy that this will ONLY be used by the Youth Offending Service and that this will be for a trial period

It is NOT to be used for any other purpose on instruction of DCC Nickless

4. Monitoring and review

The senior owner will review the content of this guidance annually to ensure that this is relevant and up to date. The author has agreed that this document will be reviewed within 12 months of the effective date.

5. Related Documents

The Crime outcomes guide can be found on the CMU page on Forcenet and contains further guidance as well as examples of which outcome to use for common crime types and investigations.