

Case 07 Issue 39 – Child sexual abuse		
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Failures in progressing CSA investigations

Heavy workloads and wellbeing issues result in delays in progressing two CSA investigations, raising issues about:

- *Support for officer's wellbeing when investigating serious sexual offences*
- *Heavy workloads*
- *Training and support for new recruits in units investigating serious sexual offences*

This case is relevant to the following areas:

Public protection 	Investigation 
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Overview of incident

DC A, who worked in the Paedophile Online Investigation Team (POLIT), began investigating Mr B for causing or inciting a child under the age of 13 to engage in sexual activity. Within a month of the investigation beginning, Mr B was arrested at his home, a search warrant was executed and electronic devices seized. He was interviewed in custody and answered “no comment” to all questions. He was bailed from custody and ordered to return approximately two months later. This would allow time for seized devices to be reviewed.

In his interview DS B said the investigation into Mr B was low-risk. This was because conversations with DC A had given the “impression that there wasn't sufficient evidence” to substantiate the offence. DS B was responsible for POLIT, as well as the digital forensic unit and the mobile phone unit. He said when he first started as a sergeant he managed 19 staff. This later increased to 22. DI C said the majority of POLIT investigations were low-risk “because we have no indication and no intelligence, no evidence to suspect any contact offending”. DC D confirmed “unless a case was very high-risk it's likely there we would be waiting for two to four months...” for the digital investigations unit to finish extracting the devices, and sometimes even longer.

DC A updated the crime report four months after the investigation began, recording Mr B's phone did not have any indecent images of children on it but they were awaiting examination of the victim's phone.

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DC A updated the crime report four months later (eight months after the start of the investigation). He said he met with a Crown Prosecution Service (CPS) lawyer who requested further work was conducted. DC A recorded he was in the process of completing an MG3, which he believed should be complete by the end of that week. An MG3 is a formal report compiled for the CPS so it can make a charging decision. In entries in the following four months, DC A stated he was still completing the MG3. DC A told the IOPC he could not recall what caused the delay in completing the MG3 but knew one of the primary problems was how long it took to examine the seized devices.. He could not recall what problems arose with the MG3 in that time.

Approximately two months after the investigation into Mr B began, DC A also began investigating Mr E for taking, making or distributing indecent photographs or pseudo-photographs of children. A search warrant was executed at Mr E's home the same month. His electronic devices were seized, including a computer and mobile phones. DC A said he submitted the items for forensic examination before arranging to interview Mr E.

Around two months later Mr E went to a police station to be interviewed. Subsequently the interview was rearranged for around two weeks later. DC A recorded this was so Mr E could find a solicitor. Mr E attended on the rearranged date and was interviewed with a solicitor present. DC A recorded in interview Mr E stated he had been given a link to indecent images of children by another user of a messaging app. He said he downloaded the images so he could trick other users of the messaging app who were interested in children. He said he distributed the images to various users of the messaging app and claimed he reported them through the app but received no responses. He said he never reported the matter to the police because he thought he could do something about it himself.

The following month DC A was contacted by DC F from a different force. DC F had been investigating alleged sexual offences by a suspect two years previously. She had recently found out the suspect was Mr E. DC F confirmed her investigation was handed over to DC A that day. She said she met DC A a week later and gave him six exhibits and two copies of interviews with the victims, as well as sending him various statements relating to the case. DC A said he was provided with digital equipment that also needed to be forensically examined.

During the same month, DC A updated the crime report confirming he had found thousands of indecent images of children on the devices and was in the process of grading them. He said the volume of information made this investigation particularly challenging.

At the outset of the investigations, POLIT was under the responsibility of DI G. Around two years after the investigation into Mr B began, DI C took over responsibility from DI G. DI C explained he was also responsible for the adult abuse team, partial management of the Multi-Agency Safeguarding Hub (MASH) alongside DI G, and had strategic responsibility for domestic abuse and stalking and harassment.

In interview with the IOPC, DI C said due to cuts made in policing there was an increasing workload. He said the cuts had also affected other departments such as human resources. This meant it fell to local supervisors to manage flexible working, sickness, recruitment and other non-operational duties. DI C said the cuts had also affected the occupation health unit. One such effect was departments such as POLIT were no longer having mandatory counselling on a regular basis.

DS B also expressed concerns about workload, including he was a manager for 22 staff. He told the IOPC someone in his role would usually only be responsible for six staff. He also

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expressed the same concerns as DI C about cuts to human resources and the occupational health unit. DS B was asked by the IOPC whether he raised his concerns with senior management. He said “all the time” and the response was “every area’s struggling... there is no money, there’s no resources”.

POLIT’s chief inspector, DCI H, confirmed sergeants are expected to review each case every 14 days and set out a plan for action for the next 14 days. However, she added “due to the nature of cases within POLIT, cases often have slow movement”. DC D and DC A both confirmed grading images causes one of the biggest delays to POLIT investigations. There can be millions of images that have to be looked at individually.

During the course of the investigations into Mr B and Mr E, Project Sherlock was introduced. This was a national drive to improve the way police investigate crimes, and included new ways of reviewing crimes. In a force document on Project Sherlock, it was described as a “long term approach to managing quality investigations... [and] the driving force behind improving the quality of [the force] investigations”. According to DI C, Project Sherlock changed the regime to a more “risk-based approach” where “the higher risk the crime the more frequent the reviews should be”. This meant lower risk cases were not being reviewed as often and there was no longer a requirement for inspectors to review cases monthly.

At one point during the course of the investigations into Mr B and Mr E, DS B recorded on DC A’s PDR he has “acknowledged that at times he does not update his crimes in line... with policy and has been asked to make a concerted effort to update his crimes regularly”. In her statement, DI G said DC A “was not performing at the same standards that the other team members were”. She said she was having to speak to him regularly about progressing and updating his investigations. In his interview, DS B said DI G had dip sampled investigations. This was how she noticed DC A was not updating his.

In his statement to the IOPC, DC A said he did not deliberately avoid updating his crime reports. He said “It is one of those jobs that you always used to recognise had to be done, and you can put it on a “to do list”, but then other things just took over, and very often if there was nothing of note that needed adding, the tendency then was not to spend your time doing that but to try and progress matters in other cases or deal with other work.”

Around 10 months after DC A began the investigation into Mr E, he arrested him for inciting a child to engage in sexual activity and distributing indecent images of children. He was booked into custody, interviewed by DC A and bailed to return a month later. The crime report showed Mr E’s bail was extended twice, four months after he was initially bailed. The entries stated both extensions were approved so a file could be submitted to the CPS, including the MG3.

Police and Crime Act (2017)

Since this investigation took place changes have been made to pre-charge bail powers.

Find out more: <https://www.legislation.gov.uk/ukpga/2017/3/section/62/enacted>

DS B was asked by DI G to put DC A on an action plan because he was not updating crime reports around the same time. DS B was asked why he did not put DC A on an action plan in the following months. He explained he himself was the subject of a grievance from another

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officer and did not feel supported throughout this. He said this made him reluctant to address the poor performance of others.

DS B was investigated and interviewed as part of the grievance process. He said although gross misconduct was upheld for the other officer, they were allowed to return to the same office DS B worked in. He said this made him uncomfortable and humiliated. He said he did not feel supported by the organisation or human resources during this process. He said his confidence when dealing with DC A's performance was damaged.

In her statement, DCI H said although performance management of detective constables was the responsibility of the detective sergeant, "if they need more support then the DI can step in". She also said performance issues "would not be flagged to a DCI unless it became very serious". DS B said DI G did not step in to enforce the action plan because she was busy working on other projects.

In his statement DC A said he had suffered from lack of sleep and would wake up thinking about work for months before he eventually went to his GP. DC A raised his struggles to sleep and how it was affecting his home life with DS B. Of DS B, DC A said: "Although he was good at having one to one meetings, and these were a good opportunity to discuss my problems, I cannot recall specifically how they were addressed by [the force]."

DS B listed the actions he took to address DC A's wellbeing:

- reduced his hours from 10 hour shifts to eight
- restricted "the expectation he assist others within the team with their warrants in order to allow him to focus on his work"
- advised him to drink less coffee and more water
- advised him to speak to a career advisor
- advised him to seek financial advice

Around 18 months after DC A began the investigation into Mr B, he was signed off on sick leave. Mr E's return from bail date was scheduled two days after DC A was signed off work.

However, there was no record of Mr E's attendance at custody on the date he was due to return from bail and no record of his bail being further extended.

DS B was asked what he did when he found out Mr A's bail had lapsed. DS B said "What we need to be assured of is that file is ready to [go to] court with what we've got, and it wasn't... so I couldn't sanction the arrest of [Mr E] because the file wasn't ready or done for me to take it into court. It wouldn't have passed the threshold at the stage that it was". He also said due to the volume of other jobs and the low-risk associated to Mr E, they were not able to apply any extra prioritisation on Mr E despite his bail lapsing. It was later established Mr A had moved to America after his bail lapsed.

During the period DC A was off work, DC I was allocated the investigations into both Mr B and Mr A. DC I told the IOPC she worked part-time but carried the same workload as others who worked full-time. She said she believed she had around 10 live investigations at the time these investigations were allocated to her.

DC I told the IOPC she was unable to find documents which were required by the CPS. Without these materials she felt she would not be able to take any actions on the case to progress it.

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DC A returned to work approximately three months later. DS B said when DC A returned to work he was placed on a recuperation plan for two to three months, including:

- A phased return for six to eight weeks where duties were reduced to four hours per day and slowly built up by an extra hour each week until working full time again.
- A stress risk assessment by the occupational health unit to identify significant work-based pressures.
- A reduced workload (approximately 10 investigations).
- A commitment he would not be allocated any new investigations.

DC A stated he could not recall ever thinking his workload had diminished or not being given new cases. DC A was asked whether he felt well supported upon his return to work. He said he was well supported by the occupational health unit and DS B, who held regular one to one meetings with him. However, he said he received no support at all from senior management. He said he could not recall a single time when DI G spoke to him about his welfare and had no recollection of DI C being there.

College of Policing – supporting the wellbeing of Internet Child Abuse Teams (ICAT) guidance

Strategies to help increase individual resilience

Gradual introduction to images

A sudden and unexpected exposure to a category A image, particularly those involving bestiality or sadism, is likely to cause shock and distress to most people. However, these kinds of images are frequently found in images sent for grading or investigation. For new ICAT members, a gradual managed exposure to traumatising images starting at level C is helpful. When there is time, discuss the images in order to build the knowledge and skills to accurately assess the age of the child and the nature and level of abuse.

Mental preparation

Mental preparation can include developing rituals to help prepare the ICAT team member to start working, undertake their work safely and then to close the work. This has been described as getting into the right headspace.

Detachment and dissociation

Looking at child abuse images is difficult if the viewer becomes empathetically engaged with the plight of the child. The role of the ICAT member is to investigate crimes and create a framework of evidence required. Concentrating on this analysis, rather than the child's emotional experience, is essential.

Self-monitoring and taking breaks

Having an awareness of physiological and emotional stress responses is a good way to recognise when to take a break, speak to a colleague or go for a walk. This can include noticing a tension in the neck and shoulders, a bloated feeling in the stomach or bowel, a tension headache or feeling angry, upset or isolated.

Maintaining boundaries

It's important to maintain boundaries between personal and working life. Try to make personal calls to family and friends outside the viewing room. Don't take family photographs or mementos into the viewing room. If uninvited thoughts of work intrude into your personal life, write them down and put them into a work folder. If these intrusive thoughts or images continue, seek help from your supervisor or OH.

Visual distractors

Find something to look at which increases normality. Many forces put large television monitors in their viewing rooms showing news broadcasts. These can create a sense of normality, as can the opportunity to look out of a window to see the weather or movement of traffic. Some research has suggested that viewing simple computer games such as Tetris can also help block the formation of traumatic memories (Holmes et al. (2010)).

Protecting others

ICAT workers can become so desensitised to the nature of their work that they forget others may be shocked and distressed when they overhear explicit discussions of child abuse. It's important to keep these conversations within the viewing room or other private locations.

Tenure

There is a growing body of evidence to suggest that for most people working in ICAT, personal resilience gradually wears down. This may go unnoticed at first, but can lead to increased levels of mental health problems. A review of officers and staff working in ICAT (Tehrani (2016)) shows that some leave in the first year. However, most people who have volunteered for the role will remain resilient for at least four years. At five years in post there is a significant increase in symptoms of anxiety, depression, burnout and trauma in ICAT teams. While individuals will respond in different ways, it's good practice to plan on a tenure of four to five years. After this time, those who wish to leave can do so and those who wish to remain go through six-month psychological screenings to protect their wellbeing.

Find out more:

https://oscarkilo.org.uk/app/uploads/2019/03/C72I0319_Supporting-wellbeing-of-ICAT_online.pdf

Around a month after DC A returned to work, DS B went on long term sick leave for two months due to an operation. He said no one undertook his responsibilities while he was off and investigations within the unit were not reviewed for the duration.

Around a month after DS B went on sick leave, DC A updated the crime report for Mr E to say he was "in the process of trying to complete the MG3". He said the grading machine had stopped working, which would cause delay. He updated the crime report for Mr B on the same day with the exact same text.

DS B told the IOPC DC A's responsibilities were further restricted following this because DS B needed DC A to focus on his work. This meant he was not permitted to do overtime, work with other departments or attend warrants. He did not update the crime reports again for approximately six months.

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In the following months several concerns were raised about workload and staffing within the unit. According to DS B, this resulted in an uplift in staff funding which resolved a lot of the issues.

DI G updated force senior management five months after DS B went on sick leave to say DS B was off sick for a two week period and POLIT had another officer off work with stress and anxiety. She said sickness across the team was high, and their outstanding workload was continuing to grow.

Around two months later (six months after DC A last updated the crime reports) DI G handed over supervision of the unit to DI C. DI C confirmed he was the line manager for four sergeants, including DS B. DI C told the IOPC he had a verbal handover with DI G and “the main issues that presented to me were largely around [DS B] and his health”.

DI C said the Mr E investigation was not flagged to him when he arrived in the department, and he did not know about it. He said he knew DC A had a backlog of old investigations he was working on but did not know the details of them. DC D confirmed unless a case was very high-risk, the DI would have very little input.

Following a period of a few months where DC A’s performance was noted to improve, DI G sent an email to DI C stating “it would seem that [DC A] is up to his old problems. I would suggest he is given a week to get on top of things and cases put to CPS and files completed.” In responses, DS B emailed DI G confirming he had been having one to ones with DC A “and have raised the issues with him which he knows was an issue re stress and poor performance.”

DI C said in interview he would get reports from other members of staff that DS B “didn’t seem very with it”. As a result, DI C made a referral to the occupational health unit. He stated the issues were not work related but stemmed from his life outside of work. DS B emailed DI C confirming he had been struggling with his mental health. DI C replied the same day with an occupational health unit referral and asked him to consider contacting the employee assistance programme. DS B was prescribed medication and had a couple of weeks off work.

Around the same time, DI C said he became aware DC A had applied to move to a different force and would leave in the next few months. DI C said he had conversations with DS B where they both believed DC A was going to complete his work and any outstanding enquiries or court files would be completed and submitted before he was released.

In the following months continued concerns were raised about DC A’s failure to update his crime reports or progress the investigations in Mr B and Mr E.

In interview. DS B confirmed he did not place DC A on an action plan. In his statement DC A said being put on an action plan “probably would have been the best thing to have happened to me, as it would have provided an incentive and motive for performing better in this regard”. Force policy stated where an individual’s capability to perform the job does not meet the agreed standard required, no matter how hard they try, and even if it relates to their physical or mental capability, an action plan should be considered.

In an email written to another officer in the days preceding him leaving the force, DC A said he would make sure everything was complete on the Mr B and Mr E investigations before he left. However, he did not complete the MG3 in either case before he left the force.

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Following DC A's departure from the force, the investigations into Mr B and Mr E were allocated to DC J, who had recently joined the force. DC J said the age of the investigation was of concern, as well as the lack of details on the Crimefile notes and crime report. DC J did not receive any training on how to progress the cases when he joined the unit. He was allocated a mentor who had received no mentor training and had their own case load to progress.

Upon reviewing the paperwork for both investigations DC J said there was lots of paperwork missing or "kept all over the place".

Around the time DC J joined the force, DI C reported to DCI H via email that DS B was in a "terrible state". He said this was due to stresses at work and in his personal life. He said he did not think DS B was "in any fit state to perform his duties to the required standards" but worried about sending him home as he was having problems and was worried about his mood.

In an email around the same time, T/DSI K said DS B had told her he was experiencing "wellbeing creep due to the nature of work he has been investigating for several years... and that he needed to leave". T/DSI K stated the force's initiative to move officers who had been exposed to high-risk material for long periods of time out of difficult areas of work for their welfare should be considered.

Soon after DI C stated in an email DS B had expressed a preference to remain in the unit or move to cyber crime. DI C said he found this disappointing because DS B had shown "repeated cries for help and his own admission that he is suffering burnout".

DI C first reviewed the crime report for Mr E over a year in which he confirmed an action plan he had put in place for the investigation. He stated in interview he would only ever review a crime report if it had been flagged by a sergeant because he did not have the capacity to review 170 or 150 crimes every month. He said he would rely on his sergeants to inform him if there was something he needed to review.

DC A said he worked on the MG3s as part of the investigation into Mr B for a total of two years and seven months, and on the MG3s as part of the investigation into Mr E for one year and eight months. However, despite telling his sergeant he had completed the MG3s at the point he left the force, it became clear he had never worked on them. He spent over three years working both investigations – from being allocated them to the time he left the force.

Type of investigation

IOPC independent investigation.

Findings and recommendations

Local recommendations

Finding 1

1. While carrying out this investigation we have considered the wider context of the POLIT and whether there are other actions the force could take to help avoid a similar situation in the future. There is currently no training in place for officers joining the force's POLIT.

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Officers are allocated investigations and a mentor upon arrival into the department. The mentor is a colleague with no mentor training who carries their own caseload. When the detective in this matter left the POLIT, the two cases he had not progressed were allocated to a detective who had not yet joined the department. Upon arrival into the department, the detective found he had been allocated a queue of old cases in a new area of policing without any training on how to progress them and with little opportunity to seek assistance from his mentor.

Local recommendation 1

2. The IOPC recommends that the force reviews the support it provides to new recruits into the Paedophile Online Investigation Team (POLIT). This should include:
 - the training provided to recruits who are new to this area of policing
 - opportunities to shadow experienced colleagues
 - the role and training of those within POLIT who act as mentors

Finding 2

3. The force had a significant backlog of electronic devices to forensically download. This can and does cause delays to all types of investigations reliant on evidence from a seized digital device.

Local recommendation 2

4. The IOPC recommends the force review what steps they can take to alleviate the current delays they experience when waiting on forensic downloads of digital devices.

Finding 3

5. DS B was not confident in managing the performance of DC A, and did not implement an action plan when the detective did not progress two investigations over a period of years. It became apparent during the investigation the role of human resources in performance management has been reduced in recent years, and inspectors do not have an active role in the performance management of detectives.

Local recommendation 3

6. The IOPC recommends that the force ensure there is sufficient training and support in place for sergeants from both their inspectors and HR to enable them to manage performance effectively.

Finding 4

7. A part-time detective within POLIT was allocated two cases from a colleague who was on long term leave. Despite working part-time, the detective already had a workload equivalent to a full-time member of staff and therefore struggled to progress the additional investigations in the absence of their colleague.

Local recommendation 4

8. The IOPC recommends that the force ensure that detectives working in the Paedophile Online Investigation Team (POLIT) carry a workload appropriate to their circumstances.

Finding 5

9. DC A was struggling with their wellbeing and this led to a failure to progress certain investigations. The detective answered an annual self-assessment questionnaire in a way that did not flag the issues they were having. Therefore, they went undetected until they raised them with their sergeant sometime later. Psychological screening at an early stage and the guidance set out by the College of Policing could help identify and address issues at an earlier stage.

Local recommendation 5

10. The IOPC recommends that Cambridgeshire Constabulary takes steps to ensure that sufficient wellbeing and welfare support are in place for officers and staff working in the Paedophile Online Investigation Team (POLIT). This should include considering:
 - psychological screening or assessment as part of the recruitment or vetting process for those applying to join the POLIT or any other department which would regularly expose officers to indecent images of children;
 - removing or reducing the reliance on officers to self-identify any wellbeing and welfare issues;
 - how to appropriate elements of the College of Policing's (COP) guidance on Supporting the wellbeing of Internet Child Abuse Teams can be implemented.

Response to the recommendations

Local recommendations

Local recommendation 1

1. Training is being reviewed as part of a movement of the POLIT unit to a new command structure. The force say this will include a clear pathway for officers once they are newly recruited to ensure competence and suitability.
2. A new mentoring system is now in place as the result of a review of mentoring following this event.

Local recommendation 2

3. A review of all aspects of the digital forensics unit and how the unit functions is supported, funded and ongoing by senior leadership within the force. The force says recent data has showed backlogs are lower than at the time of this incident.

Local recommendation 3

4. Monthly one to one meetings are now held for staff who are new to their roles.
5. The force has also invested in force wide training via a programme called 'Stepping Up' to ensure supervisors have all the skills and knowledge they need to manage teams.

Local recommendation 4

6. Workloads, as well as the nature, length and scale of an investigation, are regularly reviewed to ensure adequate staffing and supervision. This is considered at inspector level and fed back to departmental senior management meetings.

Local recommendation 5

7. All staff undertake a questionnaire every 12 months to evaluate staff members continued suitability for working in the unit. Earlier signs of any fatigue or trauma are identified in monthly one to ones and close personal supervision.
8. The force has an initiative which requires a review of performance and wellbeing of officers who have been in a particular area for a long period of time and are in need of mutually agreed redeployment away from an area of high intensity, risk or exposure to traumatic or distressing elements.

Outcomes for officers and staff

DC A

1. DC A, who was the officer responsible for progressing the investigations into Mr B and Mr E, was found to have a case to answer for misconduct in respect of the allegation he failed to progress two investigations. He received management action.

DS B

2. DS B, who was DC A's supervisor, was found to have a case to answer for misconduct in respect of the allegation he failed to adequately supervise two investigations. He received management action.

DI C

3. DI C, who was in charge of POLIT for a time during the investigations into Mr B and Mr E, was found to have a case to answer for misconduct in respect of the allegation he failed to adequately supervise two investigations. He received management action.

DI G

4. DI G, who was in charge of POLIT for a time during the investigations into Mr B and Mr E, was found to have a case to answer for misconduct in respect of the allegation he failed to adequately supervise two investigations. He received management action.

Questions to consider

Questions for policy makers and managers

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1. How does your force make sure new recruits to units investigating serious sexual offences receive the appropriate training and support to progress the investigations allocated to them?
2. How does your force make sure officers responsible for supervision and performance management have the capacity to do this effectively?
3. What steps has your force taken to manage workload in units investigating serious sexual offences?
4. What steps does your force take to support the wellbeing of officers working on highly demanding and distressing areas of work?

Questions for policy makers and managers

5. At what stage might you have asked for help and support if you had a case or workload that was causing challenges?
6. What supportive action might you take if you notice a colleague is struggling with work related stress and this is impacting on progression of cases?