

Request reference: 4655/11

**What type of crimes is the Community Resolution Form appropriate for**

All crimes may be subject for consideration of a Community Resolution subject to various safeguards and guidance. They are generally used for low level crimes. Offences more serious in nature and or indictable offences require additional authorisation levels but may be used in exceptional circumstances (see attachments).

**Whether the suspect requires legal advice**

No.

If the suspect feels the need to consult with legal assistance this can be provided at their cost if the incident takes place outside of the police custody environment. If however the individual is in police custody the normal PACE guidelines in relation to free and independent legal advice is provided. If the individual wants to access legal advice prior to signing the agreement the process can be delayed so that this can be undertaken.

**Where records of community resolutions are stored and the relevant destruction policy**

Records of community resolutions are stored with the crime records that they belong to and are recorded on our crime recording system.

The retention policy is currently being revised but existing policy and retention schedule is attached (4655\_ans\_09.pdf and 4655\_ans\_10.pdf).

The following pages contain

How to decide which forms to use during the Local Investigation Process  
Guidance on Community Resolutions  
Supervisor's Notes  
Top Tips for working with the new process  
Training Examples used to demonstrate how professional judgment can be applied  
Crime assessors' checklist for good quality WC201Rs  
Docutrak Filing Options for supervisors / crime assessors  
A list of eligible offences  
Guidance for dealing with excluded offences as 'special cases'

Please find attached separately:

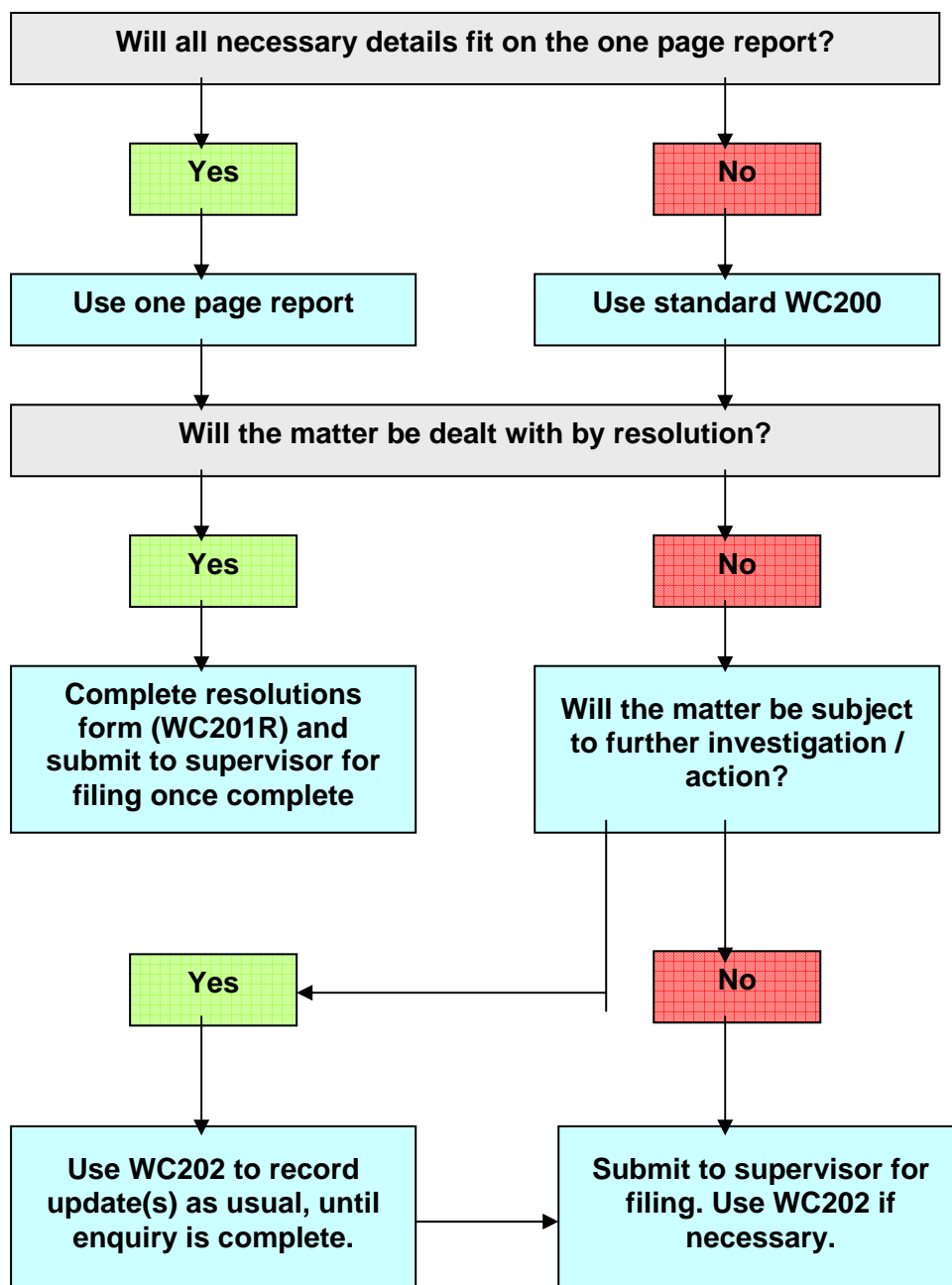
The Force Directive on Proportionate Investigation (4655\_ans\_02.pdf)  
'Doing the right thing' booklet (4655\_ans\_03.pdf)  
The Crime Recording/Investigation flow chart (4655\_ans\_04.pdf)  
The new Local Investigation Report (WC200 R) (4655\_ans\_05.pdf)  
The new Community Resolution Form (WC201 R) (4655\_ans\_06.pdf)  
Training presentation provided on OCU (4655\_ans\_07.pdf)  
Information on the role of the LPU Lead (4655\_ans\_08.pdf)

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## ***Proportionate Crime Recording & Investigation Process***

### ***Local Crime - Recording Process***



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## Proportionate Crime Recording and Investigation Process

### Community Resolutions

#### 1. What can / can't be considered?

##### Yes

**“Any action requested by the injured party, which is agreed by the suspect and considered appropriate and proportionate by the OIC”.**

The above definition is designed to encourage creativity and allow officers to use their professional judgement in its application. It will enable them to tailor resolutions that meet the injured party's needs without being subject to unnecessary limitations or restrictions.

Examples:

- Advice / warning given by officer
- Personal or written apology
- Financial restitution
- Repairing or making good loss
- Short-term non-contact agreement

##### No

*1. Any action considered disproportionate to the offence.*

Example:

- Suspect being required to paint an entire fence after scratching a two-foot section.

*2. Any action not directly related to the offence.*

Example:

- Suspect being required to paint a fence after verbally abusing an injured party.

*3. Any action not specific to the injured party.*

Example:

- Suspect being required to clear up litter in an entire neighbourhood after throwing rubbish at the window of one private dwelling.

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*4. Any action perceived to be unduly punitive or degrading to the suspect.*

Example:

- Suspect being required to publicly clear up all litter and dog mess in a street twice a week for 10 weeks after urinating on injured party's vehicle on one occasion.

## **2. Who will be eligible?**

Any suspect who agrees to participate in the process *unless*:

- The suspect is a PYO / PPO.

N.B. If enquiries reveal the suspect already has convictions, cautions or has previously been subject to a resolution, it is for the officer to use their professional judgement to determine whether it is appropriate to deal with the matter by implementing a resolution.

For example, consider the two sets of circumstances below:

- Suspect damages a neighbour's fence. All parties agree to resolution. It transpires the same suspect was dealt with by resolution five years ago in a different area involving a different IP. This suspect should still be considered for resolution.
- Suspect damages a neighbour's fence. All parties agree to resolution. A few days ago the same suspect damaged another neighbour's fence in the same street. This is known to the officer, but not the IP. In these circumstances it would not normally be appropriate for resolution as it demonstrates a pattern of offending behaviour over a short period of time in the same locality.

## **3. Recording Process**

### ***VICTIM***

1. Obtain details to complete appropriate crime report.
2. Summarise what effect the crime/incident has had on the victim and their views/ideas of how the harm can be resolved on the Resolutions Form (WC201R, see below).
3. **Obtain signed agreement** to instigate the restorative process on the Resolutions Form.
4. Ensure Victim Code is complied with.

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## OFFENDER

1. On the Resolutions Form, record under **CAUTION** that the offender accepts responsibility for his/her involvement in the offence/incident. Note offender's explanation and any remorse expressed. Ensure that this is **signed**.
2. Obtain **signature** from offender agreeing the restorative process.
3. Scan Resolutions Form into Crimescan, administer the restorative process and submit an update on the Resolutions Form (or WC202 if necessary) explaining the outcome.
4. Ensure victim code is complied with.

### 4. What if the alleged offender denies the offence?

This will prevent the suspect from participating in any activity forming part of a resolution (e.g. repairing a broken fence), but it does not prevent an officer from speaking to them about the matter, if this is the only form of resolution requested by the injured party. Officers should endorse the Resolutions Form accordingly, but the matter would not be cleared under Code 18 as a Community Resolution.



## ***Proportionate Crime Recording & Investigation Process***

### ***Supervisors' Notes***

#### **Background**

As supervisors, your role is crucial to the success of the new Proportionate Crime Recording & Investigation Process. There is a wealth of information now available on the WMP Beating Bureaucracy intranet site that provides guidance, training notes, aide memoirs and other useful resources that are designed to assist frontline officers and staff in carrying out their role in relation to the process. This process represents an unprecedented opportunity to free up officer time and provide a more effective service to the public, but all the background information and reference material in the world will not achieve success without your input and guidance.

#### **Culture Change**

In recent times, British Policing has seen an emphasis on achieving a sanction detection as the ideal outcome when dealing with any criminal offence. This has led to an inflexible approach when dealing with crime, and officers feeling that they do not have the opportunity to use their own judgement in cases where an informal outcome would be much more desirable than a formal one.

*In the case of many officers and staff, this is all they have ever known.*

By handing back to officers the mandate to make decisions about how local crime is dealt with, we are investing a tremendous level of trust in them. Under the new process, officers will be empowered to make the type of decisions that are totally new to many of them, and they will require your support. We have such a risk-averse culture within the police that not everyone will feel comfortable in making these decisions at first. This is where your guidance and leadership will be vital.

#### **'Batting' vs Risk Aversion**

Apart from being expected to make important decisions based on this new culture of using professional judgement, there is also a risk that some officers may make inappropriate decisions or even attempt to use the process to cut corners, and avoid dealing with crime. Active supervision is essential in ensuring that this does not happen.

The other side of the coin to this situation is where officers are so afraid of being criticised after the event, that their decision making process is adversely affected by the 'cover your back' mentality, and they become unwilling to make public interest or proportionality decisions at all, and therefore default to undertaking a full investigation when it is not appropriate.

This is our opportunity to eradicate this 'just in case' culture that we as an organisation have inflicted upon ourselves. Supervisors must demonstrate strong and unequivocal support to their staff when they have done the right thing, and not allow them to be influenced by undue criticism, or their own uncertainties. Yes, some members of the public will threaten to make complaints if an officer has made a public interest or proportionality decision that they

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disagree with, but as long as that officer has acted professionally, and recorded a valid rationale for their decision, they must be supported.

Supervisors not only have the responsibility towards ensuring their staff carry out their duties ethically under the new process, but also to show support for those who make these difficult decisions. If honest mistakes are made, the matter should be resolved without the need for personal blame or retrospective criticism. Of course, this also applies to the decisions you make as supervisors.

### Handling Complaints

Returning briefly to the subject of complaints, if someone is unhappy with the way their case has been dealt with and you find that the officer has applied the principles of the proportionate investigation process correctly and recorded their rationale, then this should not be recorded as a complaint against police, but as a Quality of Service matter. The category to be used is 'dissatisfaction with force policy', as this is a matter of direction and control at force level as opposed to misconduct by an individual. In effect, as long as your staff are making ethical decisions within the guidelines and recording their rationale, the record of such a 'complaint' exists primarily for data collection and analysis. To draw a comparison, this type of report would be classed similarly as that of a member of the public wishing to complain that West Midlands Police no longer take in stray dogs. In contrast, if the complaint is about the officer's manner or attitude, rather than *the decision*, then this would still be dealt with as a standard complaint.

### Use of time saved

One of the major benefits of this process is the amount of officers' time saved by not having to undertake lengthy and disproportionate investigations. I know of an example that occurred during the initial pilot phase, of a young-in-service officer who had the opportunity to conduct general patrol, literally for the first time in his service, as he was no longer weighed down with onerous enquiries and bureaucracy. When this happens on your OCU, it is crucial that supervisors are proactive in setting meaningful patrol strategies and initiatives for their staff, so that this freed-up time is utilised effectively.

### Influencing Organisational Change

This process affords a unique opportunity to really make an impact on the way that we record and investigate crime. It is not merely a scheme imposed on frontline staff by policy-makers who will never have to implement it themselves. I was personally responsible for implementing the initial pilot phase on H2 OCU and have seen its wide-ranging benefits first hand. The benefits to police officers, staff and the public are immense, and I am genuinely excited about the opportunity that it gives us. Anyone who knows me will be aware that I am not a fan of bureaucracy; neither can I be accused of being out of touch with what matters to frontline officers!

Although the initial pilot phase has concluded, there is always room for improvement. If you encounter any problems, feel something needs changing, or you have a suggestion that could make the process work even better, please tell your OCU Lead or contact me.

**Simon Guilfoyle**  
Inspector 6621

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## Proportionate Crime Recording & Investigation Process 'Top Tips'

1. When completing the one-page report, please ensure that if there are no lines of enquiry, you record what you have considered (e.g. No CCTV, no witnesses, area search-negative, nothing for SOCO etc). This will prevent reports being returned for further enquiries.
2. Ensure that an adult countersigns any juvenile's signature.
3. ALWAYS check FLINTS and PNC prior to agreeing for an offender to be dealt with by way of community resolution and record that you have done so on the WC201R. Previous offences are not an automatic bar to being dealt with by way of resolution but common sense should prevail. If in doubt, consult supervision.
4. Don't leave the 'CRO number' field blank when completing a WC201R. If the offender has no CRO number, enter 'N/T'. If they have a CRO number, then record it! Previous convictions are not an automatic bar to involving an offender in a resolution, but officers should record their rationale on the rear of the WC201R whenever this is relevant. This could be as succinct as *"Offender is known on PNC but has no similar previous convictions"*, or *"Offender has one similar conviction, but that offence occurred five years ago and did not involve this IP, who is adamant that the offender is not arrested on this occasion"*.
5. When completing resolutions, it is important that the offender makes some sort acceptance of responsibility or apology and this is recorded on the WC201R. I know they have to sign the captions but unless they show some remorse or make a comment it could be deemed that they have not fully entered into the spirit of the pilot.
6. **If a resolution involves a shoplifter, remember it is the shop that issues a civil banning notice, not the police.**
7. The clearance code for a resolution is always '18'.
8. Keep resolutions short, manageable and REALISTIC. Don't be tempted to let offenders repay a loss at 50p a week! Do not store up work for yourself in the future by recording unworkable resolutions such as 'offender not to contact IP'. (A one-off verbal warning is usually more appropriate).
9. Supervisors have the responsibility of checking that community resolutions are applied ethically and appropriately, and that this is reflected on the WC201R. Don't endorse poorly-completed paperwork or inappropriate decision-making! Do record your own supporting rationale if you feel that an officer's original write up does not provide enough information about an appropriate, but poorly explained community resolution.
10. If you can't fit all the information required to record the details of a particular offence on the one-page crime report, use a standard WC200!

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## Proportionate Crime Recording & Investigation Process – Training day work group crime examples

1. You attend a local pub to a report of a male having been assaulted. The offender has left the scene, and the injured party informs you that he has had an argument with his friend, who punched him once in the mouth causing a swollen lip. The injured party provides you with the offender's details but refuses to provide a statement and states he does not want the police to take any action. There was no one else involved in the incident and disorders at that particular pub are rare.

*Notes: Suitable for resolution, as this would be in line with injured party's wishes, it is a suitable offence, and there is no public interest factor suggesting that the officer should follow an alternative course of action (e.g. traumatised witnesses present, local hotspot etc).*

2. You attend a local newsagents shop following a report of a 12-year-old girl having been detained after stealing magazines to the total value of £4.50. On arrival, the offender admits the offence to you and the shopkeeper states he is happy for you to deal with the matter as you see fit. The offender has no previous convictions.

*Notes: Suitable for resolution, as this first-time offender accepts responsibility, the injured party is in agreement and all property has been returned.*

3. You are called to a report of criminal damage to windows at a derelict warehouse. Approximately 10 windows have been smashed by youths throwing stones. The offenders are still present and admit causing the damage. Some of them have previous convictions but none are PYOs. The building is due to be demolished in a week's time to make way for a housing development.

*Notes: Suitable for resolution, as no offenders are PYOs, they admit causing the damage and it wouldn't be in the public interest to prosecute as the building is being demolished. The resolution could include an agreement that the offenders will not return to the premises.*

4. Whilst on patrol you encounter a 15-year-old boy writing graffiti on a bus stop. He has never been in trouble with the police before, and accepts he has done wrong.

*Notes: Suitable for resolution, as first-time offender admits this relatively low-level offence.*

5. You attend a report of an assault whereby the mother of a 10-year-old girl who has learning difficulties has grabbed hold of an older girl who had been taunting her daughter in the street. The older girl, who is 16, has a string of previous convictions and had also verbally abused the mother in front of a group of youths when she asked her to leave her daughter alone. The mother tells you that she lost her cool in the face of this provocation and accepts that she had no right to grab her daughter's tormentor by the arm. No injuries have been caused and the mother has never been in trouble with the police before.

*Notes: Suitable for resolution, as although technically this is an adult vs child assault, there is a bigger picture- the offender has been severely provoked and accepts she has*

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*done wrong. The assault itself is at the very lowest end of the scale and in these circumstances I would go so far as to say that even if the injured party refused to agree to the matter being dealt with by resolution, it wouldn't be in the public interest to prosecute anyway.*

6. You are sent to a report of criminal damage to a car's wing mirror that was caused by youngsters playing football in the street. Initially, the caller is quite irate because she states that she had been outside on three or four occasions to ask those involved to move in case damage was caused to nearby parked cars. The youth (aged 11) who caused the damage is identified and he accepts he was reckless in his actions. The caller, whose car was damaged, says she won't press charges as long as the wing mirror is fixed.

*Notes: Suitable for resolution- the offender has admitted the offence, which is a low level criminal damage. The fact that the youths had been repeatedly asked to move and advised there was a possibility of cars being damaged means that this falls into the boundaries of a reckless act of criminal damage as opposed to a total accident where the outcome could not have been foreseen. As the offender has no income it would be difficult for him to make good the loss but if his parents agreed to pay for the repair this could be included as part of the resolution. If they refused, the injured party's desire for the wing mirror to be repaired could not be implemented and the officer may have to consider an alternative course of action.*

7. You attend a shoplifting offence where a local heroin addict (who has previous convictions) has been detained stealing £80 worth of spirits from a local supermarket. The property has been recovered and the offender states they took the items to sell in order to buy drugs.

*Notes: There are many options available to deal with this matter. Taking the circumstances of the theft in isolation, i.e. relatively low value, property recovered, and offender admits the offence, it may be possible to apply a resolution if all parties felt this was the most appropriate course of action. Looking deeper though, if the offender has admitted committing the theft in order to fund a heroin habit, I would suggest it would be in the public interest to make an arrest at least, as this is acquisitive crime and a resolution is unlikely to have a deterrent effect.*

*If the offender is arrested, this will facilitate a DIP test and as a positive reading for opiates is likely to occur, this will enable the offender to enter into a compulsory drug assessment and treatment programme. Ultimately this will have the greatest chance of preventing re-offending, either because the programme is successful and there is no longer a need to steal to buy drugs, or because a continuation of this offending pattern or breach of the conditions of the required assessment could result in a prison term.*

*It may be that a decision to charge is taken due to the offender's previous convictions and possibility of re-offending, but another option would be a fixed penalty being issued due to the value of the items being suitable in this case. If issuing a fixed penalty were the desired outcome, it would be appropriate for it to be issued after arrest rather than at the scene so that the DIP process could be applied at the police station.*

8. You attend a report of a disturbance in the street. On arrival it transpires that those involved are a group of work colleagues on a night out who have been drinking to excess. Work-related tensions have boiled over and one of the group has allegedly called one of the others a 'fucking bitch' during the argument. The person that this was directed to is adamant that this is a public order offence and insists that the offender is arrested and prosecuted. The others present either don't want to get involved or didn't hear this comment being made.

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*Notes: On the facts of the offence, this would be suitable for resolution, as this is low level public disorder and despite the adamant stance of the individual to whom the comment was directed, unless this happened in the middle of a convent tea party or at a primary school, the context of the offence is unlikely to have caused enormous distress to any third parties present. Other members of the group do not wish to become involved, so this matter would be potentially difficult to investigate, making it unlikely that the evidence would amount to much more than one person's word against the other's. There are no aggravating features to the words used (e.g. racist overtones), so additionally it would not be in the public interest to prosecute.*

*The only sticking point is that if the injured party still insists on a prosecution and refuses to accept a resolution, this would result in a situation whereby a true resolution could not be applied to the satisfaction of all parties. This would not however, result in the officer being obliged to resort to a criminal justice disposal, as the proportionality and public interest factors still point away from this option.*

*Another point to consider would be if the offender denies the offence and refuses to partake in a resolution. If this occurs, and the injured party changes her mind about insisting on prosecution and agrees to a resolution (that involves the officer merely advising the alleged offender), this would not stop the officer offering advice to the alleged offender without her having to make any admission of guilt. A further option would be to issue a fixed penalty for public order if the offender admits the comment was made and the officer felt that this was appropriate.*

9. Whilst on patrol you encounter two adults shooting tin cans on the canal bank with an air rifle. They have been fishing and there is no one else around. They both admit using the air gun and also accept that they shouldn't have it in a public place. One has previous convictions, and the other doesn't.

*Notes: Suitable for resolution, as there is no information to indicate that this is a common problem at this location, or that the men's actions have caused distress to anyone. They make the necessary admissions and although the incident was technically in a public place, it occurred on a secluded canal bank and not in the middle of Tesco's. It is also possible that the offenders may genuinely have thought they weren't doing wrong. The fact one of them has previous convictions does not preclude a resolution being applied in his case, unless the officer felt that the nature and recency of the convictions bore such relevance that a resolution was not suitable, (e.g. numerous firearms convictions, the last one being for possessing an air weapon in a public place, last week...) The officer may seek that the offenders disclaim the firearm as part of the resolution agreement.*

10. Whilst on patrol, you witness a drunken woman pick up an ornamental garden gnome from a front garden, conceal it under her coat and stagger off down the road. When you speak to her, she admits she was going to keep it as a trophy, and hands it over straight away. She tells you that her actions were impulsive and stupid, and expresses remorse. It turns out that she is a medical student who has been out celebrating success in her final exam. She has never been in trouble with the police before.

*Notes: Suitable for resolution, as the property can be returned intact, the offender admits the offence and expresses remorse. This is clearly an act of drunken foolishness and should be dealt with accordingly. The officer would also have the option of dealing with her for a drink-related offence (i.e. D&D or Being drunk in a public place), especially if arrest became necessary due to high levels of intoxication, which may then result in a fixed penalty being issued if considered appropriate. Even following arrest, there is nothing to preclude the final outcome being a verbal warning with no further action being taken. Considering the overall context of the offence, it would not be in the public interest to prosecute (or even caution) for a theft offence, especially as this would cause potential damage to the woman's career prospects by handing her a criminal record.*

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11. You attend a report of a petrol station employee stealing money from the till. He has been caught red-handed by his employer who set up a covert camera after noticing that takings were down significantly on this particular till when this employee was at work. On this occasion, he has been caught with £220 stuffed into his trousers, but the employer estimates that up to £3,000 has gone missing over the last few weeks. The offender admits the theft of the £220, but denies all knowledge of any other offences. He has one caution for theft, five years ago. The employer would prefer a prosecution but wants you to decide on the appropriate course of action.

*Notes: Not suitable for resolution, (unlike the theft of the 69p bottle of pop by an employee in the WMP training power point), as this is a breach of trust (theft by employee) that requires formal action being taken. The value of the property is also relatively high and the offence was only uncovered due to the employer's suspicions over previous similar matters. The offender denies all knowledge of these other thefts at this stage, but should be given the opportunity to be formally interviewed after arrest. The employer 'prefers' the prosecution option but is looking for guidance from the officer. Supervisors are crucial in this type of case in ensuring that officers use their professional judgement in an ethical manner. The fact that the offender has one previous caution for theft could also tend to indicate the direction the officer should take.*

12. Whilst on patrol you stop a vehicle being driven very slowly out of a side street, and enquiries reveal that the driver is a 17-year-old who has 'borrowed' her mother's car to practice for her impending driving test. The driver only has a provisional licence and informs you that her mother does not know she has the vehicle, and did not give her permission to take it. She has travelled approximately 200 yards from her home address. The offender has never been in trouble with the police.

*Notes: Suitable for resolution in terms of the TADA offence if the injured party agrees; however, it is still appropriate to report the offender for the document offences. A resolution for the TADA would be appropriate as no third party has been endangered or inconvenienced in these particular circumstances. If the injured party did not agree to a resolution, the officer may still consider it not to be in the public interest to prosecute for TADA.*

13. You attend a report of youths dropping stones from a bridge onto the motorway below. Damage has been caused to a lorry but no one has been injured. The damage consists of scratches to paintwork, valued at approximately £50. The driver tells you that he only reported the incident for insurance purposes. Offices and houses overlook the area and there is a possibility that CCTV may have picked up the offenders running away.

*Notes: Not suitable for resolution, as although the driver only reported the matter for insurance purposes, if the offenders are traced, the potentially deadly implications of this sort of activity necessitate more formal police action. There are also potential lines of enquiry that should be followed.*



## **Proportionate Crime Recording & Investigation Process WC201R - Quality Checklist**

All fields must be completed satisfactorily, with special attention being given to the following areas:

1. Has the victim signed their declaration?
2. Has the offender made a response acknowledging responsibility and/or showing remorse?
3. Has the offender signed their declaration?
4. Has an appropriate adult countersigned? (Where applicable).
5. Do the case papers confirm that the resolution has been completed? (This can be recorded in the 'Y' box in 'Filing Information', or on a supplementary WC202. If the resolution is still pending, the crime report will remain with the OIC on Docutrak).
6. Has the OIC confirmed that FLINTS and PNC have been checked?
7. Has the OIC recorded their rationale for why they consider a community resolution to be the appropriate outcome?
8. Has a supervisor endorsed the WC201R with their signature? (This may also be recorded on a WC202 if necessary).

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## Proportionate Crime Recording & Investigation Process Docutrak Filing Guide

New filing options have been created in Docutrak to allow local reports to be filed according to the final disposal type. These are:

- FILE RESTORATIVE OPTION COMPLETE
- FILE SOLVABLE BUT NOT PROPORTIONATE TO INVESTIGATE
- FILE OFFENDER FAILED TO COMPLETE RESTORATIVE OPTION
- FILE OFFENDER DECLINES RESTORATIVE OPTION
- FILE VICTIM DECLINES RESTORATIVE OPTION

Where none of these are applicable, the existing disposal fields will be used; e.g. FILE DETECTED, FILE UNDETECTED etc.

Examples of where these new options would be appropriate are given below:

- FILE RESTORATIVE OPTION COMPLETE: Offender agrees to take part in a Community Resolution and completes it satisfactorily.
- FILE SOLVABLE BUT NOT PROPORTIONATE TO INVESTIGATE: The investigating officer determines that the offence may be solvable but it is not proportionate or in the public interest to investigate, e.g. where there are ten witnesses to an offender stealing a 5p lollipop.
- FILE OFFENDER FAILED TO COMPLETE RESTORATIVE OPTION: The offender fails to complete an agreed Community Resolution and it is felt that it would either be disproportionate or not in the public interest to prosecute. Failure to complete an agreed Community Resolution could form part of an officer's decision-making process when considering how to deal with a future offence committed by the same offender.
- FILE OFFENDER DECLINES RESTORATIVE OPTION: This disposal field would be used where the offender refuses to take part in a Community Resolution and it is felt that it would either be disproportionate or not in the public interest to prosecute.
- FILE VICTIM DECLINES RESTORATIVE OPTION: The investigating officer may determine that a matter is either disproportionate to investigate or that it is not in the public interest to prosecute, and suggests an appropriate Community Resolution to the victim as an option, but they decline. (In these circumstances, the officer should not feel compelled to automatically revert to a prosecution if it is not the right thing to do).

Depending on your existing OCU / Departmental policy, either supervisors or crime assessors may file reports.

On the next page is a simple guide demonstrating how to access the new options.

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1. To access the new options, go to the 'notes' section on the Docutrak record and click the grey box to its right hand side.

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Address <http://bianca.7777/docutrak/docedit.do?docid=2067956>

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**Inbox**  
**Documents**  
**Create doc**  
**Profile**  
**Users**  
**Locations**  
**Alerts**  
**Logout**

Type: CRIME REPORT

Reference: 20H2 / 11685 / 08

Receiving Officer: CONNOLLY\_20182

Status: Allocated

FR Date: 24/12/2008 Add 28 days

Doc Details: WOU 47 ASSAULT OCCASIONING ABH

Created: 26/11/2008

Filed:

Validation Status: Screened 2

Notes

OK

Click here to open menu

2. Scroll through the filing menu, select the appropriate disposal field then close the record as normal.

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**Docutrak**  
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Document Details

**Inbox**  
**Documents**  
**Create doc**  
**Profile**  
**Users**  
**Locations**  
**Alerts**  
**Logout**

Type: CRIME REPORT

Reference: 20H2

Receiving Officer: CONNOLLY\_2

Status: Allocated

FR Date: 24/12/2008

Doc Details: WOU 47 ASSAULT OCCASIONING

Notes

OK

**Docutrak-Notes - Microsoft Internet Explorer**

Notes

FWD CRIME MANAGER  
FWD IMU  
FILE RESTORATIVE OPTION COMPLETE  
FILE UNDETECTED RAPE - COMPLAINANT WITHDRAWS CO-OP  
FILE SOLVABLE BUT NOT PROPORTIONATE TO INVESTIGATE  
FILE OFFENDER FAILED TO COMPLETE RESTORATIVE OPTN  
FILE OFFENDER DECLINES RESTORATIVE OPTION  
FILE VICTIM DECLINES RESTORATIVE OPTION  
FWD VEHICLE TEAM  
FWD BEAT MANAGER

OK Cancel

Select appropriate disposal from list of options

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## Proportionate Crime Recording & Investigation Process

### *Eligible Offences Guide*

<b>Excluded</b>	Serious assaults (i.e. Sec 20 GBH & above)
	Serious sexual offences
	Robbery
	Burglary Dwelling
	Partner & Ex-Partner domestic
	Racist / hate / vulnerable
	Drugs offences
<b>!</b>	Vehicle crime (if not solvable)
<b>Eligible</b>	Public Order
	Criminal Damage
	Assault ('Minor' Sec 20 & below)
	Theft
	Burglary Other

**! – Requires careful consideration**

- **This list is not exhaustive.**
- **Officers must ensure that each case is considered on its own merits, taking into account the overall circumstances of the offence / offender / victim.**
- **If in doubt, consult a supervisor.**

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## Proportionate Crime Recording & Investigation Process

### 'Excluded Offence' Guidance

Community Resolutions are designed to be a swift and effective method of dealing with lower level offences. Occasionally, officers are faced with a situation where an offence that belongs in the 'excluded list' may be suitable for this method of disposal due to unusual or extenuating circumstances. To put this into perspective, during the roll out phase only about 3% of all Community Resolutions fell into this category.

Some examples to date are listed below:

- **Burglary Dwelling:** 11 year old first time offender took a packet of sweets from a room in her friend's house that she had no permission to enter.

- **Racially Aggravated Common Assault:** 15 year old first time offender suffering from Autistic Spectrum Disorder called a neighbour a racist name and pushed past him after his football was confiscated.

- **Partner-on-Partner Criminal Damage:** Wife of victim (no previous convictions or domestic abuse history) broke window of husband's car after she discovered he was having an affair.

*In all of the above cases, the victim insisted that the offender was not arrested and there were compelling reasons why a criminal prosecution was not appropriate.*

Originally, the designated authority for considering these offences as 'special cases' was the OCU Crime Manager. The Chief Constable has now decided to allow Inspectors to be the designated authority for deciding whether an offence normally excluded from a Community Resolution outcome can be dealt with in this way.

If you are not already familiar with which offence types are normally excluded, please view the guidance handbook that was issued at the start of November 2009. This can also be viewed on the intranet here:

<http://intranet2/pdf/A5%20Do%20the%20right%20thing%20-%20FINAL%20VERSION%2019-10-09.pdf>

(For specific guidance on domestic abuse offences, please see pages 6 & 7 of the guidance booklet).

As a guide, it would be rarely appropriate to resolve an excluded offence after an offender has been arrested, although it may be the right thing to do on rare occasions. Community Resolutions are most definitely not intended to be a 'slightly better option than NFA'; for example in the event that an offence is investigated and due to CPS advice or other factors it becomes apparent that a charge or caution is unlikely.

In all cases, the authorising Inspector must be satisfied that the OIC has presented a suitable rationale and verified that they have conducted background checks on FLINTS, PNC and any other system that is appropriate to the circumstances (e.g. PPU systems for domestic abuse offences). Officers should not go ahead and finalise any resolution for an excluded offence until after the Inspector has been consulted and made the decision that it is appropriate. The authorising Inspector must support their decision with suitable rationale on a WC202.

**For further information, please either contact Inspector Simon Guilfoyle or speak to your local SPOC.**