



## **RESPONSE OF THE POLICE AND CRIME COMMISSIONER OF WILTSHIRE AND SWINDON TO THE HMICFRS REPORT: PRE- CHARGE BAIL AND RELEASED UNDER INVESTIGATION: STRIKING A BALANCE**

### **Police and Crime Commissioner's comments**

I welcome this report which explores the impact on victims when suspects are released under investigation (RUI) or if there are delays in the bail process.

I am passionate about the rights of victims being front and centre in the criminal justice system and this is crucial when an investigation reaches the point of bail or RUI. It is important that victims are kept updated on the progress of the investigation and are given dates for when they can expect updates.

All victims of crime have the right to expect clear and consistent communication from the police and signposting to the right support services. As the report points out, delays in investigations can have an enormous impact on both victims and suspects in cases when bail and RUI are used. There is also a risk that delays increase the probability of a case failing to result in the successful prosecution of the offender. Police and Crime Commissioners and wider Criminal Justice Partners must do everything they can to prevent any delays throughout the criminal justice journey to ensure that victims do not lose their confidence in the system and do not withdraw from the process.

In my role as the chair of the Wiltshire Criminal Justice Board, I play a pivotal role in supporting local justice partners to work together to address both local and national priorities for improvement. In this regard, we agreed to provide an effective and efficient Criminal Justice System in Wiltshire. I am pleased that Wiltshire Police was one of Forces inspected as it is important to show transparency with the public on issues such as this.

As Police and Crime Commissioner, I hold the Chief Constable to account on the implementing the recommendations and ask for regular progress and performance reports during my discussions with the Chief Constable and at the Wiltshire Criminal

Justice Board. The Board has been fully updated about the outcome of the report, the Force's training plans under the current legislation and preparations for the expected legislation changes in 2022.

**Chief Constable's comments**

Wiltshire have ensured that these recommendations are consistently reviewed within the governance structure. Progress updates are provided to our Strategic Performance Board and Wiltshire Criminal Justice Board. We will continue to ensure continued development in this area of the business and provide regular progress updates to the HMICFRS against recommendations.

**Business lead**

*(makes the below comments against the recommendations)*

<b>Recommendations</b>	<b>Wiltshire response</b>
<p>The report reports 8 'recommendations' 2 for forces which are referred to below;</p>	
<p>Forces should develop processes and systems to clearly show whether suspects are on bail or RUI. This will help them to better understand the risk a suspect poses to victims and the wider community and will help to increase safeguarding.</p>	<p>Since the inspection the Bail and RUI Qlik Sense app has been developed and refined which shows how many people are on both RUI and bail. This app uses an algorithm which has been agreed by the Force Ethics Board and identifies the highest risk suspects on bail and RUI and ranks them. This allows an 'at a glance' view of the highest risk suspects to be expedited. The app also allows individual teams to see exactly who they have on Bail/RUI therefore allowing Inspectors and Sergeants to conduct more thorough Hierarchical Crime Review (HCR) meetings.</p> <p>In addition to the app, a revised HCR policy has been agreed under the governance of the Force Investigation Standards Board. This is being started published along with CPD training for CPT officers around bail/RUI legislation and the risks associated with mismanagement of investigations.</p>
<p>Forces should record whether a suspect is on bail or RUI on the MG3 form when it is submitted to the CPS. This should be regularly checked and any changes in bail or RUI provided to the CPS. The CPS should work with the police to ensure this information is provided</p>	<p>A force e-brief/circulation is in the process of being written reminding all officers of the need to annotate the MG3. The Superintendent lead for Crime has arranged CPT/LCI's training days in relation to disclosure and this recommendation will be added into that training. The training is currently scheduled with People Development to take place over February and March 2021.</p>

	<p>CID officers will be informed of this recommendation on Tuesday 19th January 2021.</p> <p>The Integrated Prosecution Team will also conduct an audit of the files to ensure MG3's are endorsed and will compile a list of repeat offenders to ensure their supervisors are informed and mistakes rectified.</p>
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Cc: Wendy Williams, HMI  
Chief Constable Kier Prichard, Wiltshire Constabulary