

The poor relation

The police and CPS response to crimes against older people

July 2019

© HMICFRS 2019

ISBN: 978-1-78655-854-1

www.justiceinspectors.gov.uk/hmicfrs

Contents

Foreword.....	5
About this report	7
Main findings	9
Causes of concern and recommendations	14
Areas for improvement	20
Introduction	22
About this inspection.....	22
Structure of this report	22
Methodology	23
What we know about crimes against older people.....	24
Extent of crimes against older people.....	24
Nature of crimes against older people	25
Barriers to reporting crime	27
The prosecution of crimes against older people	29
Impact on older victims of crime, and of the fear of crime.....	29
Findings from our case file review about the nature of crimes against older people.....	31
Flagging of crimes against older people	33
Older people as hate crime victims.....	35
National definitions, guidance and policies.....	36
Police definition and policies.....	36
CPS definition, policies and legal guidance	36
Effect of the lack of a shared approach to crimes against older people between the police and the CPS	38
The stages of a victim's experience: from reporting a crime to investigation .	39
Reporting crimes.....	39

Identification of vulnerability	40
Risk assessment and management.....	42
Allocation of investigations	44
Police investigations	47
Victim care and witness arrangements	56
Safeguarding arrangements	59
The stages of a victim's experience: looking after victims as the case progresses.....	72
The police provision of information to the CPS	72
Compliance with the Code of Practice for Victims of Crime	74
Victim personal statements.....	82
Outcome of investigations	83
Communication with the victim after charge	85
The prosecution of crimes against older people.....	87
Special measures	89
Instructions to prosecutors.....	93
Decision making when a victim does not want to proceed with a case.....	94
Leadership, governance and training.....	95
National leadership for crimes against older people	95
Police training	98
Police and CPS quality assurance of crimes against older people	98
Police and CPS learning from previous cases	99
Police and CPS partnership working	100
The Herbert Protocol	101
Conclusion.....	102
Definitions and interpretations	104
Annex A – Methodology	114

Annex B – Crimes against vulnerable older people criteria and indicators....	120
Annex C – External reference group	126
Annex D – About the data.....	128

Foreword

In our inspection, we found that the police and the Crown Prosecution Service (CPS) need to prepare for the growing challenges of helping and keeping safe an ageing population.

Many older people lead active and safe lives. Not all older people are vulnerable, but they are more likely than other groups to be living with some form of physical or mental ill health. Too many older people are socially isolated and lonely and may leave their homes only rarely. The criminal justice system has to find ways to overcome these barriers to giving older people the access to justice that they deserve.

Crime against older people isn't well understood, despite the vulnerability of older people and the importance that society attaches to looking after people in their old age. There has been little police analysis of the problem, including the links to disability hate crime and domestic abuse. We found that police forces had only a superficial understanding of the problems, although all had recognised that fraud was an increasingly common concern for older victims.

No single national group or body exists to co-ordinate the work of criminal justice agencies to monitor and improve the response to crimes against older people (in the same way as there are, for example, joint policing and CPS working groups). This affects the understanding and grip on crimes against older people nationally. For example, we were concerned to find that the number of crimes against older people referred by the police to the CPS has declined for two consecutive years, but there has been no co-ordinated action to find out why and what should be done.

The police and the CPS need to work together better

The police alone cannot solve these problems. For example, we believe they can find better ways of working with the CPS. A significant first step would be to agree a simple joint definition for what we mean when we talk about 'crimes against older people'. This could recognise that old age does not itself make someone more vulnerable, but that when older people do become the victims of crime they are more likely to require extra support.

We believe the police can bring more focus and co-ordination to crimes against older people by developing a strategy to outline what steps the police service needs to take to address some of the current challenges, and to prepare for the future.

In this way, more focus can be brought to the problem and the links with, for example, domestic abuse can be understood better. This should also help to improve the response to vulnerable older people when they are victims of crime,

matching the work we have seen in other areas of vulnerability such as child and domestic abuse.

For an increasingly ageing population with a disproportionate amount of complex needs, we believe that this approach is now necessary to kickstart the change we need.

We have concerns about adult safeguarding arrangements

In this inspection, for the first time, we assessed adult safeguarding arrangements. Our findings are of grave concern.

Adult safeguarding was described to us as the ‘poor relation’ of safeguarding arrangements, with inconsistent local partnership work to consider what protections or support might need to be put in place for vulnerable adults. Forces told us of a focus on children over adults, and we found a lack of understanding of what their duties were under the Care Act 2014 regarding adults at risk.

We found that from national policy and training, through to safeguarding practice in forces, much work is needed to make sure that older people – and adults at risk more generally – receive a consistently good service, and that the police work effectively with others.

The catalyst for wider improvement

It is important to recognise that our findings aren’t just relevant to older people. We believe our recommendations can help the police and the CPS shine a spotlight on the needs of some of the most vulnerable members of society, regardless of their age. We want this report to be the catalyst for wider improvement.

Encouragingly, we saw plenty of examples of good ideas being adopted by individual forces. If taken up more widely, they can make a real difference to the police’s approach to giving a better service to all victims of crime. For example, we want some chief constables to work with other organisations to see how the support services offered to victims can be improved.

We are grateful to the six forces that we inspected, the members of our external reference group, and to BritainThinks, whose staff spoke to victims on our behalf.



Wendy Williams

HM Inspector of Constabulary



Kevin McGinty CBE

HM Chief Inspector of the Crown
Prosecution Service

About this report

In 2018/19, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) conducted a joint inspection of how the police and the CPS respond to crimes against older people. This report sets out our findings and makes a series of recommendations aimed at improving police and CPS practice, and so the service provided to victims.

What do we mean by 'older people'?

The average life expectancy in the UK is increasing. In 2017, there were just under 12 million people aged 65 years and over, 2.2 million more than ten years before.

[The proportion of the population aged 65 years and over has increased by at least 0.1 percent every year since 2008, and by 2066 more than a quarter of the population will be in this age bracket.](#)

There is no agreed age or definition across the criminal justice system (or indeed society) for what constitutes an 'older person'. For example, Age Concern defines old age as starting at 50 years; the CPS at 60 years;¹ and different forces have chosen their own lower age limits (for example, one force inspected for this report had chosen 60).

For the police, older people are often considered to be a non-defined group within a wider collection of vulnerable people. In contrast, the CPS does identify older people as a recognised group and has an accompanying policy that dictates the expectations for that organisation.

Studies show that older people are more likely to fear being the victims of crime than people in other age groups. Older people as a group are also more likely to be affected by the physical and mental challenges of attending court to give evidence.

¹ The CPS has recently consulted on a new, and higher, age of 68.

Safeguarding

One of the aims of the inspection was to examine the safeguarding arrangements for vulnerable older people. The [Care Act 2014](#) placed statutory safeguarding duties on the police for the first time. As a result, the police are required to work with local authorities and clinical commissioning groups to safeguard any adult who:

- has needs for care and support (whether or not the authority is meeting any of those needs);
- is experiencing, or is at risk of, abuse or neglect; and
- as a result of those needs is unable to protect himself or herself against abuse or neglect or the risk of it.²

In our inspection, we have used the term ‘safeguarding’ in this context. We have done this because the police make people safe in many ways – for example, by providing crime prevention advice or arresting perpetrators – and we want to make clear what part of police practice we are describing.

² [Section 42\(1\), Care Act 2014.](#)

Main findings

The main findings below are the most significant. Please read the whole report for a more complete picture of our findings, and some examples of effective and poor practice, at each stage of the criminal justice system.

There is no national police focus on older victims, many of whom are vulnerable

The police don't generally treat crimes against older people as a specific category of offending. Older people are also not one of the groups of vulnerable people considered by the cross-policing vulnerability and public protection board (which draws together the National Police Chiefs' Council (NPCC) leads for, for instance, domestic abuse and child-centred policing, to help direct improvement activity for all vulnerable victims). Instead, older people are treated as vulnerable if certain conditions apply, or if they are deemed to be 'at risk' and so in need of safeguarding.

The police and the CPS can work better together

In contrast to the police, the CPS has a policy on crimes against older people for those who are over 60 and where certain other features apply – such as where the offender has exploited an expectation of trust. However, beyond the requirement to flag these cases, we found little evidence that the policy was being considered and applied by prosecutors.

We don't believe that these different national arrangements allow the police and the CPS to work effectively together. Also, because there isn't a specific focus on the problems that are more likely to affect this group of people, there is a lack of understanding and ability to improve things that aren't working.

A good start would be to agree a joint and simple definition of what constitutes a crime against an older person. This would help both organisations to understand better the motivations for, and the effect of, crimes against older people.

Building on this more joined-up approach, the police should develop a strategy that accounts for some of the specific problems faced by older people, assesses how these may change over the coming years and provides a plan for how these will be addressed.

We would also like the police to consider whether, nationally, the response to crimes against older people can be organised differently and feature more prominently in the approach to policing vulnerability.

It is critical that the police have consistent and effective arrangements to make sure people are kept safe

In their work, the police must be effective at identifying anyone they come across who needs safeguarding. They must then tell other organisations about what they have found.

Our inspection only looked at a narrow subset of cases going through adult safeguarding processes in England and Wales, because we only examined cases involving older people. However, our findings paint a bleak picture of the state, resourcing and effectiveness of these arrangements.

We found no common approach to how the police work with other organisations that have responsibility for keeping older people safe. The police don't always identify older people who need safeguarding. They don't always share information in effective ways, and sometimes they don't work very well in partnership with other organisations offering help and support.

Some of these problems aren't the sole responsibility of the police. We found some reluctance from partners to become as fully involved with the police in adult safeguarding arrangements as they are in those for children. This is unacceptable.

The police are usually good in their initial dealings with older victims

We found that when victims, or their representatives, called the police, there was mostly an appropriate response. Most victims were seen promptly and in person: forces sent an officer to speak face to face with a victim in 171 of the 192 cases we examined in detail. This is positive and contrasts with findings from some of our other inspections.³

We were also pleased to find that the initial police decisions about whether a victim was vulnerable were mainly accurate. We think that forces' investment in training to help officers recognise vulnerability is starting to pay off.

³ [*State of Policing. The Annual Assessment of Policing in England and Wales 2017*](#), Her Majesty's Chief Inspector of Constabulary, 2018, page 18.

Investigations are often not good enough

This case study, taken from our assessment of case files, shows some of the common failures we saw.

Case study

A 70-year-old victim with learning difficulties gave the friend of a neighbour her bank details and asked for help with her finances. The victim later found that substantial amounts of money had been taken from her accounts. The victim told the police that she thought the suspect had taken advantage of her because she was vulnerable and lonely. The investigating officer did not visit the victim until 11 days after the report was made. Neither the investigating officer nor supervisor considered the use of a registered intermediary to help the victim. The victim was asked to go through her bank statements herself to identify what money had been stolen. No statement was ever taken from the victim, and no consideration given to better ways for the victim to give her best evidence. The suspect was not arrested but was invited for an interview two months later. There was no record that the victim had been referred to support agencies or of what safeguarding arrangements had been put in place. The case was closed because the police concluded there was insufficient evidence against the suspect.

There is little evidence that the police are routinely assessing victims' needs

The [Code of Practice for Victims of Crime](#) makes it clear that the police should conduct assessments of victims' needs and whether they need any support.

In this inspection, we found that either this had not taken place, or that some elements of assessment had sometimes taken place, but not in any standard way. Vulnerable victims weren't being treated according to their needs because of these omissions and errors. This had implications throughout the criminal justice system, from the decisions made about how the case should be investigated through to the provision (or lack of it) of special measures in court.

Victim support services usually carry out victim needs assessments if victims are referred to them. But we are concerned that this system of referral doesn't work as well as it should. Opportunities are missed for victims to be supported.

The police aren't always able to see any needs assessment that victim support services have carried out. At times, the assessment takes place after the investigation has started. These ways of working aren't in the best interests of victims.

The police and the CPS are often poor at dealing with the complex needs of vulnerable older victims

As well as the failure to conduct victim needs assessments and to make safeguarding referrals, we were concerned that the police and the CPS often didn't consider:

- different ways for victims to give their best evidence (for example, by giving their account to the police by video recording);
- special measures assessments, so vulnerable victims could give their best evidence (for example, by giving evidence in court by video link);
- special measures meetings, so that the CPS could give victims confidence and reassurance;
- requesting registered intermediaries to help victims communicate and understand what was happening (in the six months to February 2019, only 26 out of the 43 Home Office forces requested these intermediaries to help victims or witnesses who were over 65 years old); and/or
- reasonable adjustments to help victims give their evidence in court (for example, by using hearing loops).

There seems to have been little progress since we reported in [other inspections](#) that the police and CPS urgently need to improve these aspects of victim care. We are so concerned that we have made several recommendations in this important area.

Crime allocation policies are often not sophisticated enough

Most of the forces we visited had relatively simple crime allocation policies, with decisions based primarily on crime types. For example, common assaults would generally be viewed as minor and uncomplicated offences suitable for investigation by frontline officers.

It is important that the police make good decisions about what type, and what level, of resources are allocated to investigate crimes. Officers with the right skills and experience can then be matched to the needs of the investigation and, importantly, to the needs of the victim and witnesses.

Some victims have more complicated needs. For example, some older people may lack the mental capacity to make decisions at the time they are needed. This can add complexities to crimes that require different skills and training.

In most of the forces we visited, the crime allocation policies weren't sophisticated enough to always produce the right decisions for the particular circumstances of the case. Victims suffered poor outcomes after their case was allocated to officers who may not have the skills and training, or time, to investigate effectively.

In one force, North Wales Police, we were impressed with a more detailed and well-researched crime allocation process that was likely to provide more consistent and well-evidenced decisions. More forces could benefit from adopting this approach, which we discuss in detail under 'Allocation of investigations' below.

Systems to refer victims to support services remain patchy

In our [hate crime thematic inspection in 2018](#), we highlighted that some processes were more effective at referring victims to support services than others. We also said that victims sometimes weren't referred when they should have been.

In this inspection, we again found that some victims weren't being appropriately referred to support services. In two forces, the introduction of new IT systems had caused problems with victim referrals. One of these forces was unaware that problems existed.

It was positive to find that Cambridgeshire Constabulary incorporates a witness care unit within the victim support service. These services are sometimes separate from the support services provided to victims to help them recover from being victimised.

A joined-up service means that victims are allocated one worker who understands their case and who looks after them from start to finish. More police forces could learn from this way of working, which we describe in more detail under 'Referral to victim support' below.

Causes of concern and recommendations

Our recommendations are designed to help the police and CPS to provide a better service to all victims of crime, and particularly older victims.

The police and CPS must be able to recognise and respond to people who are vulnerable. This can present challenges for both organisations. Sometimes this is due to organisational problems, and sometimes because officers and prosecutors don't have the awareness, skills or experience to deal effectively with the needs of some victims.

We have made several recommendations in this report. For ease of reference, we have drawn them together in a single chapter here and organised them by reference to those they are addressed to.

As we have said, some of our recommendations aren't just about older people. But we hope that, if adopted, they will help improve policing and the service to all victims.

For the National Police Chiefs' Council and the Crown Prosecution Service

Cause of concern

The police and CPS response to crimes against older people is not as co-ordinated and effective as it could be. This is partly because there is no joint agreed definition of what constitutes an older victim and no co-ordinated approach to the response to these crimes.

Recommendation

Within six months, the NPCC lead for adults at risk and the CPS should agree a joint and simple definition of what constitutes an older victim, and take a co-ordinated approach to understand and respond to the problem.

For the National Police Chiefs' Council and the College of Policing

Cause of concern

The police don't always consider that they need to tell the CPS of adjustments victims need to be able to give their best evidence. This is because there is little guidance for officers about how and when they should do this.

Recommendation

Within six months, the NPCC lead for case file quality should work with the College of Policing to produce guidance for officers, which should be given to chief constables.

For the National Police Chiefs' Council

Cause of concern

Older people are not sufficiently recognised as a group of vulnerable people by the police, and so there is little co-ordination of activity to make sure that older people are given the best service.

Recommendation

Within six months, the NPCC leads for adults at risk, age-related matters and the vulnerable people portfolio should develop a strategy for how the police service should respond to the problems faced by older people, and agree who should be responsible for it.

Cause of concern

Current systems of crime allocation used by police forces don't always consider the needs of victims and the complexities of cases.

Recommendation

Within six months, the NPCC lead for crime investigation should work with other interested parties to review current allocation processes, and recommend systems that more easily help forces to allocate an appropriate investigative response.

Cause of concern

Some older victims of crime aren't being helped to give their best evidence, because the police don't always make effective use of the registered intermediary scheme.

Recommendation

Within three months, the NPCC lead for adults at risk should remind chief constables that it is important that officers consider whether a registered intermediary can help victims to give better evidence.

Cause of concern

The police don't consistently assess the needs of victims as set out in the relevant codes of practice. The needs of victims aren't always met, and the CPS aren't always given the right information to tailor the help it offers to the needs of the victims.

Recommendation

Within six months, the NPCC lead for victims and witnesses should establish good ways for police forces to conduct a victim needs assessment. This should include whether the assessment should be completed when officers first meet victims and witnesses, and whether there are benefits in providing the assessment to the CPS and other appropriate organisations.

For the College of Policing**Cause of concern**

Victims may be put at risk because officers aren't given guidance and training in how to keep adults safe.

Recommendation

As a matter of urgency, the College of Policing should develop guidance and training for officers involved in adult safeguarding arrangements.

For chief constables

Cause of concern

The police don't consistently assess the needs of victims as set out in the relevant codes of practice and so the needs of victims aren't always met.

Recommendation

Within six months, chief constables should make sure that victim needs assessments are always completed.

Cause of concern

Chief constables don't understand well enough the current demand for adult safeguarding arrangements, and haven't considered the likely future demand and the implications for forces.

Recommendation

Within three months, chief constables should conduct analysis of the current and future demand for adult safeguarding, including the gap in knowledge that may exist from those cases where referrals aren't made because of errors or omissions. This analysis should be incorporated into [force management statements](#) (FMSs).

Cause of concern

Some victims may not be receiving support services, and some support services don't work as well as they could. This is because the police don't always refer victims when they should, support services don't have ready access to police information, and witness care arrangements are sometimes provided separately.

Recommendation

Within six months, chief constables should work with police and crime commissioners and their mayoral equivalents, and other relevant organisations, to review whether victim support services can be provided in a better way.

For chief constables and the National Police Chiefs' Council

Cause of concern

Some adults who need safeguarding are being put at risk because the police aren't always referring cases to partner organisations, and there are no effective measures to ensure that referrals have been made.

Recommendation

Within three months, chief constables should ensure that adult safeguarding referrals are always made when appropriate, with effective processes in place to make sure this happens. The NPCC lead for adults at risk should advise chief constables as to how this is best achieved.

For the Crown Prosecution Service, the College of Policing and the National Police Chiefs' Council

Cause of concern

Some vulnerable and intimidated witnesses may not always be provided with sufficient reassurance and confidence to provide evidence in court.

This is because:

- the current CPS guidance on special measures is out of date and sets out a position that contradicts current practice in relation to special measures meetings; and
- there is no clear guidance for the police on special measures meetings.

Recommendation

Within six months, the CPS should review its guidance about special measures. The CPS should also work with the College of Policing and the NPCC, so that special measures meetings are offered to victims and witnesses when appropriate.

For the Crown Prosecution Service

Cause of concern

Some victims may not be kept safe after a court case has ended because prosecutors don't always consider and apply for a restraining order.

Recommendation

Within three months, the CPS should remind prosecutors to record that a restraining order has been considered in all appropriate cases.

Areas for improvement

In some areas, we think that the police and the CPS need to make improvements, but we have not made specific recommendations about how they should do this.

For the National Police Chiefs' Council

Area for improvement

Within six months, the NPCC lead for adults at risk should conduct a national survey to improve the understanding of any barriers, or enablers, to effective adult safeguarding that exist. Analysis of what works best should be used to help forces to respond effectively to adult safeguarding.

Area for improvement

Within three months, the NPCC lead for case file quality should remind chief constables:

- to make sure a victim personal statement is included with the initial submission to the CPS; or
- to record the reason for the absence of a victim personal statement on the pre-charge advice form.

Area for improvement

Within three months, the NPCC lead for adults at risk should produce a guide template for forces for safeguarding referral forms that can be adapted for local circumstances, so it is easier for officers to include all necessary information.

For chief constables

Area for improvement

Within six months, chief constables should find good ways to assess the current demands on the police made by older people. These assessments should include a prediction of future changes in demand, account for the work of other organisations, and be incorporated into FMSs.

For the Crown Prosecution Service

Area for improvement

Within six months, CPS Areas should put in place effective monitoring arrangements so that cases involving older people are accurately identified and prosecuted in accordance with updated policy and guidance.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently provide clear instructions on the prosecution file as to a victim's entitlements under the Code of Practice for Victims of Crime. The instructions should be recorded on the charging advice form in CPS-charged cases, and at the initial review in police-charged cases.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently record special measures entitlements on the relevant pre-charge advice form.

Prosecutors should also be reminded to record on the file review that special measures meetings have been considered when appropriate.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently include all relevant information about the victim as an older person in the instructions to court prosecutors.

Area for improvement

Within three months, the CPS should consider whether crimes against older people should routinely be incorporated into local scrutiny panels.

Area for improvement

Within three months, the CPS should clarify that the lead for hate crime includes responsibility for crimes against older people.

Introduction

About this inspection

We live in a society where average life expectancy is increasing. In 2017, there were just under 12 million people aged 65 years and over, 2.2 million more than ten years before. [The proportion of the population aged 65 years and over has increased by at least 0.1 percent every year since 2008.](#)

At the same time, the perception of what is old is shifting. While old age should not necessarily be associated with vulnerability, it is inevitable that older people will suffer disproportionately more from physical and mental ill health. It is this, rather than age itself, that can make older people vulnerable. Older people may also feel the effects of crime differently from other age groups (as we discuss further in the next section). These factors alone could make older people vulnerable.

In 2017, following a consultation about our 2017/18 Joint Inspection business plan, the then Home Secretary commissioned an inspection to establish the nature and extent of problems affecting older people within the criminal justice system, concentrating on crimes of abuse and exploitation (including financial).

We conducted this thematic inspection with HMCPSI. The police and CPS must work effectively together to deal with such crimes, so there are great benefits in being able to consider all the aspects that might affect the criminal justice response to older victims.

While we conduct a rolling programme of inspections of all forces' response to child protection, this is the first time that we have specifically looked at how older people are dealt with by the police and the CPS.

Structure of this report

The rest of this section sets out the methodology we used in this inspection. The next sections examine what we know about the extent and nature of crimes against older people (from published statistics, as well as from our own review of 192 case files), and the national guidance and policies that guide the police and CPS response.

We then set out our inspection findings. These follow the stages of a victim's experience from the point of reporting, referral by the police to victim support services or for safeguarding, and then the criminal justice and prosecution process.

Finally, we consider what we have found about the organisational arrangements that affect how the police and CPS deal with crimes against older people, and draw together our conclusion and recommendations.

Methodology

We began our inspection by consulting with interested parties. We set up an external reference group (ERG) to represent the views of interested parties and to help and support the inspection team. The ERG helped us to consider the views of victims, and to supplement this we worked with [BritainThinks](#) whose staff spoke to older victims on our behalf.

The terms of reference and members of our ERG are in annexes B and C.

Inspection criteria

The inspection considered the experiences of older people in the criminal justice system using the following overarching criteria: strategy and leadership; understanding and recognition; assessment and management of risk; victim care, support and referral; police investigation; and progression of crimes to court.

Inspection fieldwork

We carried out the inspection in four phases.

- In phase one, we worked with HMCPSI to examine 16 cases of crimes against older people in each police force/CPS Area. These cases were identified by the CPS as involving a victim aged over 60.
- In phase two, HMICFRS inspectors visited six police forces and their corresponding CPS Areas.⁴ We reviewed policies and relevant documents that the forces gave us, interviewed senior and operational lead officers, and held focus groups with frontline officers, staff and partner organisations. We also completed assessments of 16 cases in each force. Each involved an older victim but had not resulted in a charge.
- Phase three, conducted on our behalf by BritainThinks, was to interview older victims of crime.⁵ We are very grateful to the older people who took part in these interviews.
- Phase four consisted of interviews with national leads from the NPCC, Home Office, Welsh Government, College of Policing and CPS.

There is more detail about our inspection methodology in annex A.

⁴ East of England, Wessex, South West, North West, Yorkshire and Humberside, and Wales.

⁵ We will publish the report by BritainThinks on our website.

What we know about crimes against older people

We found that the police and the CPS don't know enough about the extent, nature and trends in crimes against older victims. In this chapter, to provide some context for the reader, we have tried to explain some reasons for why things happen to older people. We cannot be sure we are right, but we hope that this prompts others to do more to understand how older people are affected by crime, and what the police and other organisations should do about it.

Extent of crimes against older people

There is no nationally published police data that sets out how many older people in England and Wales are the victims of crime. Some reasons for this are related to the way that data is collected. For example:

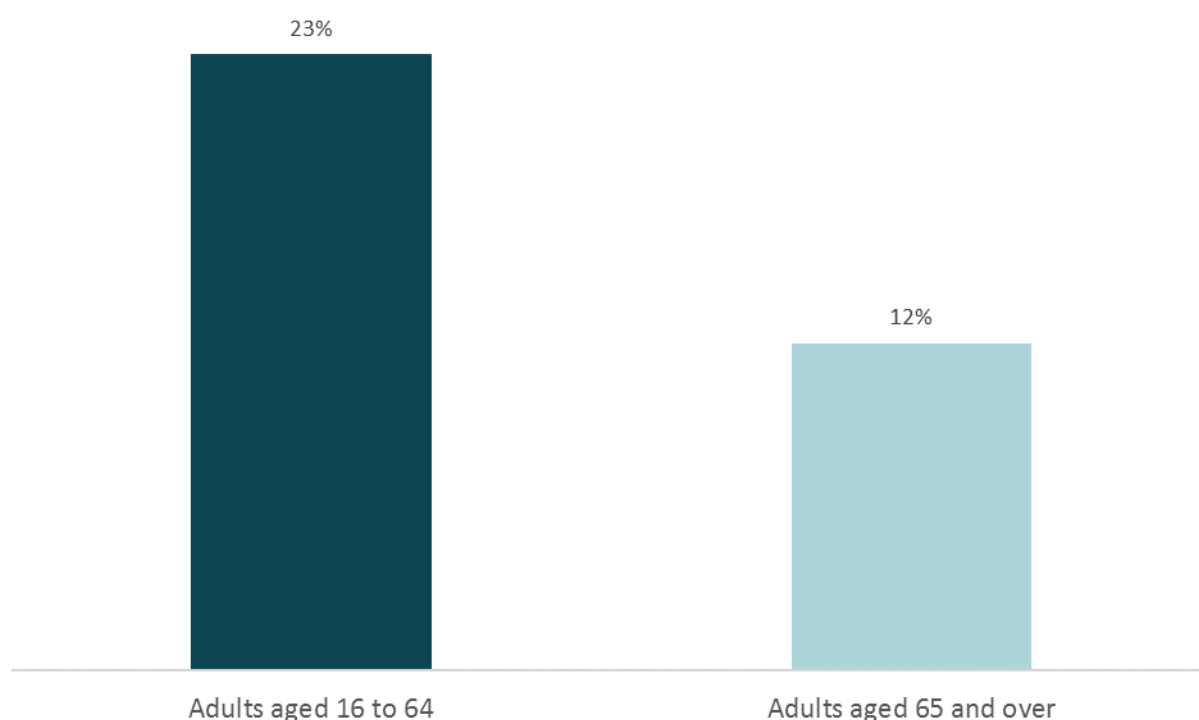
- published police-recorded crime figures are not broken down by age; and
- police forces don't flag crimes against older people so that information can be easily analysed.

While there is therefore no published recorded crime data, figures published in January 2019 in the [Crime Survey for England and Wales](#) (CSEW) show that 8.7 percent of people aged 65 to 74 have experienced crime in the past year. The figure drops to 5.6 percent for those aged over 75.

The crime statistics in the CSEW indicate that younger people are more likely to experience crime, and the likelihood of experiencing crime decreases with age. One reason for this is that many violent and public order offences (which make up 39 percent of all recorded crimes) take place on streets or other public places in the evenings or at night,⁶ when older people are less often outside.

⁶ Violence and public order offences make up 39 percent of the total reported crime. For more information, see [Police recorded crime and outcomes open data tables](#), Home Office, 2019.

Figure 1: Estimated percentage of adults who were victims of one or more crimes, 2017/18⁷



Source: Crime Survey for England and Wales⁸

The CSEW does not include people living in places like care homes and has an upper age limit of 59 for crimes of intimate violence.⁹

Nature of crimes against older people

Older people are vulnerable to becoming victims of certain types of crime, particularly those that typically take place in the home.

For example:

- [Analysis of doorstep crime](#) conducted by the national tasking group of National Trading Standards in 2014 found that 85 percent of victims were aged 65 and over. Similarly, [a 2004 study](#) suggested that 82 percent of victims of distraction burglary were over the age of 70 and were usually elderly, female and white.

⁷ This is the estimated percentage of adults who have been a victim of at least one personal crime or have been resident in a household that was a victim of at least one household crime.

⁸ This chart uses the age categories provided in the Crime Survey for England and Wales data.

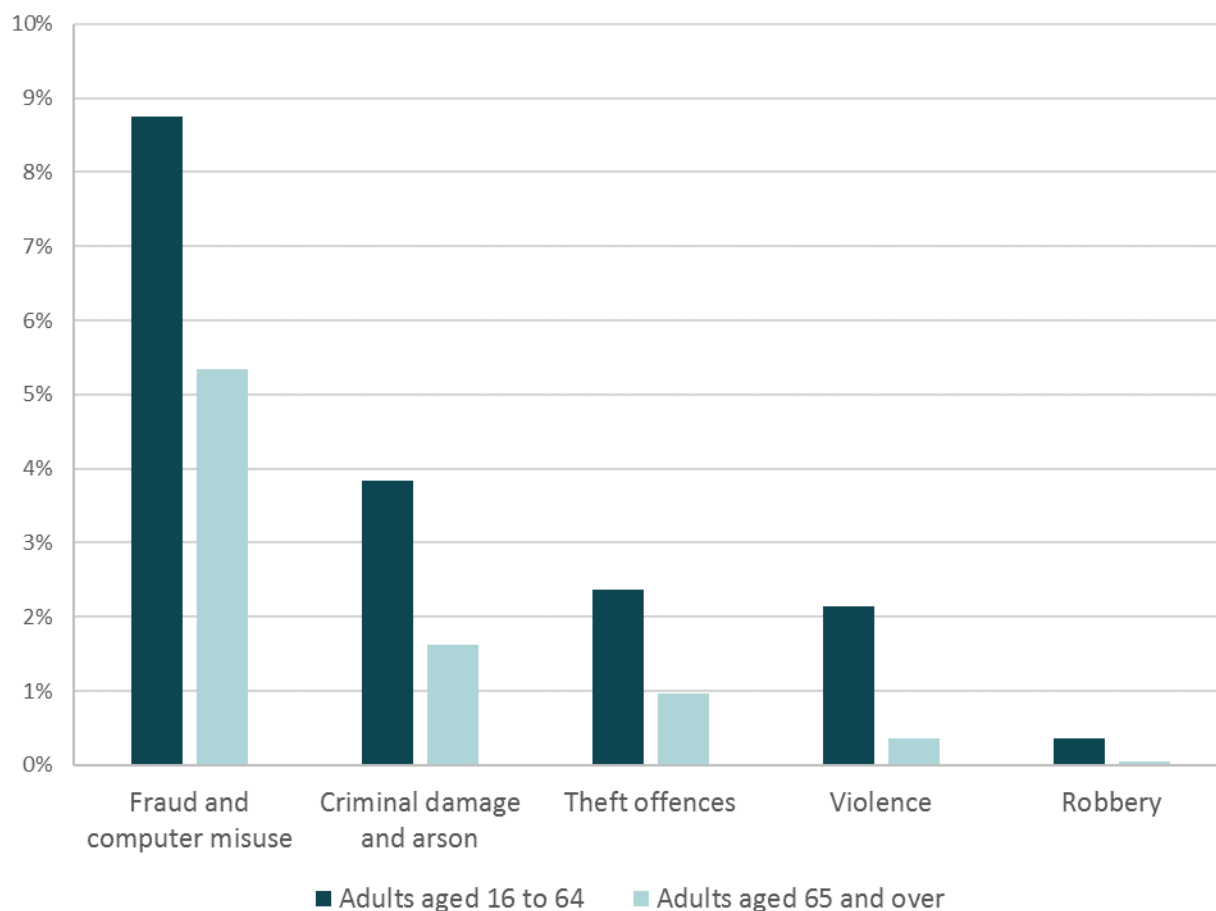
⁹ [In 2011, it was estimated that 291,000 people over 65 were living in care homes.](#)

- [Research](#) has shown that **sexual offences** against people aged 60 and over may have unique features. For example, there is a slightly higher number of incidents of stranger rape in this age group in comparison to the overall position.¹⁰
- Overall, a quarter of **domestic homicides** in the United Kingdom involve a victim aged 60 and over, even though this age group accounts for 18 percent of the population. There are also differences in the types of perpetrators that commit the offences – for example, more homicides are committed by family members.¹¹
- We also know from research that older people are likely to be victims of **fraud**. [Research conducted by Age UK](#) found that over half (53 percent) of people aged over 65 believed they had been targeted by fraudsters. However, in our 2019 report, [Fraud: Time to Choose](#), we concluded that forces needed to do more to understand the nature of fraud in their area and work out how to respond. We consider the police response to fraud further under ‘Fraud’ below.
- [Research conducted by SafeLives](#) in 2015 indicated that 44 percent of those surveyed aged 60 or over experienced **abuse from an adult family member**, compared with 6 percent of younger victims. The report found that older women’s markedly different experiences of domestic abuse compared with those in younger age groups were not adequately recognised. The study estimated that in the preceding year approximately 120,000 individuals aged 65+ had experienced at least one form of abuse (psychological, physical, sexual or financial).
- [Research from 2007](#) suggested that around 2.6 percent of the population aged 65 or over had been victims of **elder abuse** in the UK. [This figure equates to 273,000 victims at 2016/17 population levels](#). A [global study published in 2017](#) estimated that one in six older people experiences some form of physical, emotional, sexual or financial abuse each year.

¹⁰ We are aware that the Home Office recently provided £100,000 of funding to develop training for independent domestic and sexual violence advocates about the needs of older victims of domestic and sexual violence.

¹¹ ‘[Domestic Homicide of Older People \(2010–15\): A Comparative Analysis of Intimate-Partner Homicide and Parricide Cases in the UK](#)’, Bows, *British Journal of Social Work*, 2018.

Figure 2: Estimated percentage of adults/households¹² who were victims of one or more crimes by crime type, 2017/18



Source: Crime Survey for England and Wales, 2017/18

Barriers to reporting crime

While we know that many crimes are not reported to police by victims of all ages, we were told that there are additional barriers to older people reporting crime. For example, the routes by which crimes are reported are as follows:

- Forces are increasingly using online methods for victims to report crime. But it is possible that some older people will feel less confident, or be unable, to report crimes online than younger age groups.
- We have reported in [our other inspection work](#) that some forces have struggled to provide a good service to people ringing the non-emergency (101) line.

¹² The criminal damage and arson figures are for households.

- We also know that the number of police station front counters has reduced dramatically over recent years. We have been told that this may present a barrier to reporting crime, but there is little evidence of how this has affected older people.

Some older people can also experience a particular set of challenges that are not well understood. Our research and inspection indicated that this can include a combination of:

- social isolation, and/or a lack of access to trusted people to tell;
- not knowing how to report a crime;
- not recognising that what has been experienced is a crime;
- a perception of not wanting to be a burden or cause a problem (this came through very strongly in our interviews with victims);
- mental ill health or other cognitive problems;
- fear of loss of their home or being placed into care;
- fear of retribution, especially if the perpetrator is a carer;
- shame, particularly if the perpetrator is a family member, or if they have been duped into giving away money or valuable possessions; and
- not being believed, or a fear of not being believed.

One victim told us:

“The hardest thing was to go to the police station, because I hadn’t done anything wrong, so I felt weird going to the police.”

(Older victim of financial fraud, 67)

However, we do know that, like other sections of society, older people are not a homogenous group and the experiences and effects of crime will vary between individuals.

The prosecution of crimes against older people

While age is not a protected characteristic in hate crime legislation,¹³ the CPS reports on its performance about crimes against older people in its [annual hate crime report](#). We have discussed this further below under ‘Older people as hate crime victims’.

The [2017/18 report](#) included the following information:

- The number of cases referred by the police as a crime against an older person decreased from 3,467 in 2016/17 to 3,389 in 2017/18, a decrease of 78 (2.2 percent).
- The volume of completed prosecutions fell from 3,554 in 2016/17 to 3,295 in 2017/18 – a decrease of 259 (7.3 percent).
- The conviction rate increased from 80.4 percent in 2016/17 to 83.6 percent in 2017/18.

Only crimes against older people and disability hate crime saw a reduction in referrals by the police in the past year from the picture of offending in the hate crime report. Crimes against older people also saw a reduction in referrals in the previous year. This is surprising and worrying. [Domestic abuse referrals made by the police to the CPS have also decreased over recent years](#).

As we have shown above, certain types of crimes affecting older people – such as fraud – are increasing and the population is getting older, so it is possible that there is an increasing number of older victims.

We recognise that there is a wider trend of a reduction in referrals to the CPS by the police. However, more work needs to take place to understand why, given the above factors, referrals of crimes against older people are in decline.

Impact on older victims of crime, and of the fear of crime

“I don’t open the door to anyone now. I always had the doors open in the summer. It’s changed me a lot ... I’m certainly more cautious.”

(Older victim of physical abuse, 81)

The fact that many older victims experience crimes in their homes could mean that they suffer increased feelings of anxiety and distress. It could also make older people feel that they are imprisoned in their homes and easy targets for criminals.

¹³ These are race, religion, disability, sexual orientation and transgender.

BritainThinks staff spoke to older victims of crime on our behalf. They concluded that being victimised can have a significant and often long-lasting impact on older people. For many victims, it had led to a heightened awareness of their own vulnerability. While there is apparently less likelihood of older people becoming victims of crime, the effect on these victims may therefore be more severe. This is especially so if the victims are suffering from mental and/or physical disabilities.

Older age groups tend to worry more about becoming victims of crime, according to [data published in 2017 by the Office for National Statistics](#) that suggested that age is a factor that influences our perceptions of crime. This is important, because this apprehension may mean that older victims change their behaviour – for example, not leaving their homes, so avoiding the possibility of being victimised. [Research by Age Concern](#)¹⁴ showed that nearly half of those surveyed aged 75 and over were too afraid to leave their home after dark because they believed they would suffer verbal abuse or mugging.

Different age groups were shown to be more concerned about different types of crime, with those aged over 55 most concerned about online crime and identity theft.

There is clear evidence that crime against older people can be different and can have different effects. But we also don't know enough about this, and this is not helped by the way that information is gathered. Not all police forces treat crimes against older people as a specific type of offending. As a result, there has been no necessity to identify these crimes, and gather and analyse information about them. In its [Policing Vision 2025](#), the NPCC states:

“Most forces do not have a thorough evidence-based understanding of demand, which makes it difficult for them to transform services intelligently and demonstrate they are achieving value for money.”

We discuss this position further in relation to crimes against older people under 'Understanding adult safeguarding' below.

¹⁴ Age Concern merged with Help the Aged to form Age UK in 2008.

Findings from our case file review about the nature of crimes against older people

From our inspection of cases of crime, most older people were vulnerable in some way.

From the 192 cases of crimes against older people that we examined, in 37 cases the victim appeared to lack the mental capacity to make some decisions and this may have been relevant to their case. There was also a clear link between older people and disability, with 72 out of the 192 victims being disabled in some way.

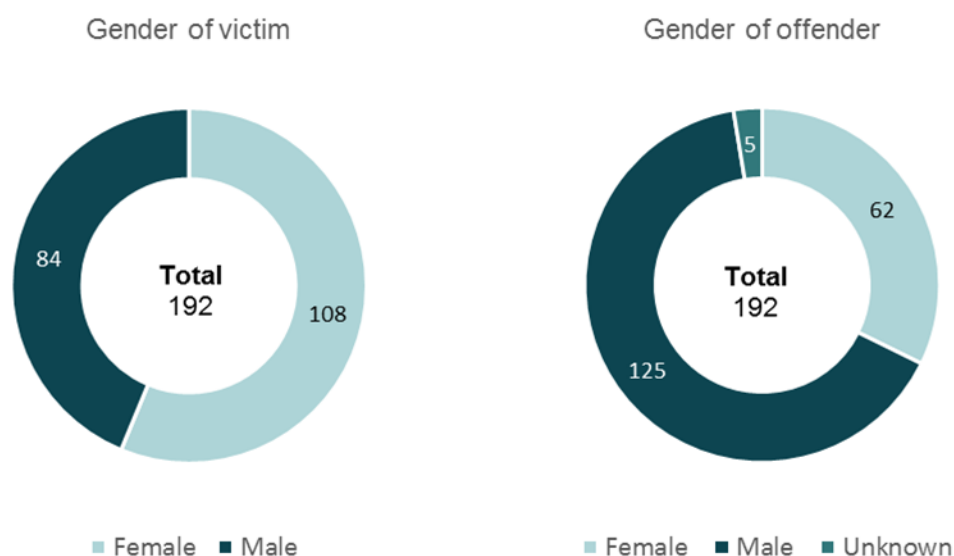
We found evidence that the victim had previously been the victim of a crime in 95 of the 196 cases, although we could not tell whether the victim had always been targeted because they were old.

We also found that in 74 of 192 cases there was evidence that the perpetrator had previously offended against an older person.

The level of repeat targeting of older people may be because, as we have said above, older people are likely to be at home more and may be more easily targeted. It could also be because older people are the victims of domestic abuse. In the 192 cases that we examined, 75 related to domestic abuse. Overall, the victims of the crimes we examined were more likely to be female, and perpetrators were much more likely to be male.

The average age of older victims in our case sample was 75, and the average age of perpetrators was 40. There was a small difference in the ages of victims depending on the outcome of the case.

Figure 3: Gender of victims and offenders in the case files examined by HMICFRS

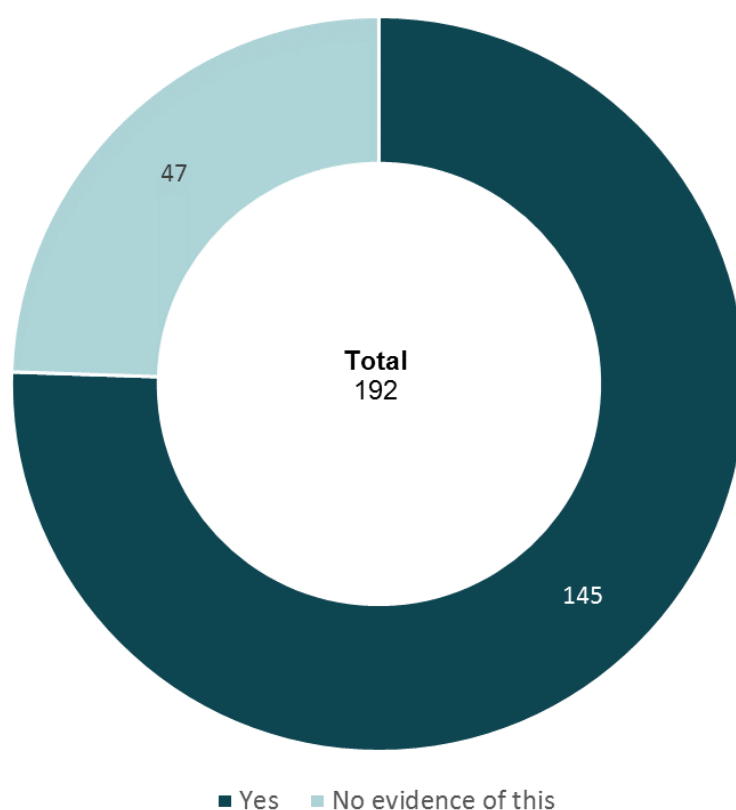


Source: HMICFRS case assessment

Victims in charged cases were, on average, 78 years old, and 73 years old in the cases that did not result in a charge. While this age difference is relatively small, it does show that there are likely to be additional challenges for criminal justice agencies in looking after older victims at court.

We also considered whether the victim appeared to know the perpetrator.

Figure 4: Whether the victim knew the perpetrator



Source: HMICFRS case assessment

In the cases that we examined, older people were more likely than not to have been targeted by someone they knew. In most cases where the perpetrator was known, they were a family member of the victim.

We did not examine enough cases to be able to draw any firm conclusions as to whether this represents the real picture of offending against older people. It is also very important to remember that we cannot know about cases that are never reported to the police. However, we hope this information can be used to help the police, CPS and other organisations to understand this problem.

We would like to see more research into why perpetrators repeatedly target older people. This would help police forces to make older people safer by preventing this type of behaviour.

Flagging of crimes against older people

It is important to have a consistent and accurate way of gathering information about crimes and their victims because:

- it enables forces, the CPS and the Government to understand the nature of crime, and to identify emerging trends;
- forces can easily identify and prioritise crimes and make decisions regarding the most appropriate response; and/or
- informed decisions can be made about the support services victims need.

Flags or markers are placed on IT systems to allow forces and CPS Areas to identify and gather information more easily for crimes such as domestic abuse and hate crime. Police forces also use flags to identify when they consider that a victim is vulnerable.

We found that flagging by the police and the CPS is not good enough. This makes it harder for the police and the CPS to properly understand the nature and extent of crimes against older people.

Since most police forces don't treat crimes against older people as a specific type of crime, they don't flag such crimes. The CPS, however, does have a requirement to flag such cases on its case management system if they meet the definition set out in the policy.

We were told by CPS Area hate crime leads that the flagging of cases was inconsistent. Cases were being flagged based on age alone, rather than because of the additional factors in the CPS policy.

We found that there was no specific monitoring or quality assurance of the flagging of crimes against older people, and therefore little or no evidence that the accuracy of flags was being checked at any stage.

We assessed 152 cases submitted to the CPS by six police forces. These had been finalised between January and October 2018 and had been flagged by the CPS as being a crime against an older person. We found that 25 of those cases had been incorrectly flagged.

We also examined a further 154 cases finalised from the same period. These involved a victim over the age of 60 but had not been flagged as a crime against an older person by the CPS. We found that 15 of these cases had not been flagged when they should have been.

In addition, of the 96 charged cases that we examined in our case assessments, four cases were not flagged correctly by the CPS and a further nine cases were not flagged at the earliest opportunity.

As well as human error, incorrect flagging may happen because some CPS staff don't know the policy as well as they might, or because the definition is quite long and detailed.

Although it is positive that the CPS has a system for identifying crimes against older people, we are not reassured that the flagging is sufficiently accurate to enable a thorough assessment of this type of crime to take place.

Area for improvement

Within six months, CPS Areas should put in place effective monitoring arrangements so that cases involving older people are accurately identified and prosecuted in accordance with updated policy and guidance.

For the police, some crimes involving older people – for example, domestic abuse and hate crime – will fall into categories of offending that are flagged. It is important that these aspects are correctly flagged because it often influences subsequent work – for example, which department of a police force will investigate the crime.

In our case assessments, we found 75 out of 192 cases related to domestic abuse. The domestic abuse flag was used appropriately 61 times. The police did not always flag cases that involved financial abuse in domestic circumstances, for example when a grandson had stolen money from a grandparent. While these types of crime would not fall into some traditional views of what constituted 'abuse', the effects on some victims could be serious.

In relation to disability hate crime, the flagging was worse, with only 11 out of 36 relevant cases being appropriately flagged by the police.

We have previously found that the police flagging of crime is not good enough.¹⁵ We have also found problems with the accuracy of CPS flagging in our [disability hate crime inspection](#).

¹⁵ [Living in fear – the police and CPS response to harassment and stalking](#), HMIC and HMCPSI, 2017. [Understanding the difference: the initial police response to hate crime](#), HMICFRS, 2018.

Older people as hate crime victims

Crimes motivated by hostility towards the age of a victim are not one of the five designated strands of hate crime,¹⁶ although some older victims may become hate crime victims based on their other characteristics. The purpose of the police defining crimes as hate crimes is so that forces can give these crimes more attention and give victims a priority service.

In 2018, as part of our [thematic hate crime inspection](#), we considered the approach, taken by some police forces, to define hostility towards victims' personal characteristics – such as age – as hate crime.

We were told that 14 forces treated crimes motivated by the age of the victim as hate crime. Four of the six forces that we visited in this inspection had previously told us that they treated crimes motivated by the age of the victim as hate crimes. During our fieldwork, we asked forces to explain what this meant for older victims of crime.

One force told us that age-related crime had never been treated as hate crime in the force and the previously supplied information was incorrect. The other three forces, while maintaining that it was still the position of the force, had done very little or nothing to communicate this to officers and staff.

In the forces that we visited, it made no apparent difference to older victims of crime that the force had stated that such crimes would be treated as hate crimes. Since the approach to dealing with crimes motivated by age was underdeveloped, the forces had no better understanding of the problem than those that had not taken this approach.

In the 192 cases that we examined, 72 had a victim who was disabled in some way. In these cases, we cannot say that the motivation of the perpetrators was due to hostility towards the disability of the victims. However, the links between older people and disability hate crime are obvious.

As we have stated above under 'Policies', the CPS includes crimes against older people in its hate crime reporting mechanisms. Crimes flagged as relating to older people are checked to see whether there is any evidence that the crime has been motivated by the disability of the victim. However, none of the other CPS approaches to hate crime are used for this type of offending.

¹⁶ These are race, religion, disability, sexual orientation and transgender.

National definitions, guidance and policies

Police definition and policies

There is no agreed policing definition of what constitutes an older victim, with different forces specifying their own minimum ages for this. Nationally, the police don't have policies and procedures that specifically deal with crimes against older people. Instead, older people who are also vulnerable form a non-defined subset of the wider categories of 'vulnerable adults' or 'adults at risk'.

None of the forces that we visited had published policies about crimes against older people, but one had recently created a draft copy.

We consider this subject further in 'National leadership for crimes against older people' below.

CPS definition, policies and legal guidance

In contrast, the CPS is the only criminal justice service that identifies crimes against older people as a separate category of offending. The CPS defines such crimes in its [policy statement](#) as those in which the victim is aged 60 or over, and the crime falls into one of the following categories:

- (a) criminal abuse or neglect of older people where there is a relationship and an expectation of trust (for example, by family members, friends, paid workers, volunteers, etc). This includes: domestic violence and where older people are targeted because they are either perceived or known to lack mental capacity; or criminal abuse or neglect of older people living either temporarily or permanently in regulated or un-regulated care settings;
- (b) crimes which are specifically targeted at older people because they are perceived as vulnerable or potentially easy to steal from (for example, financial abuse or theft, muggings of older people, doorstep theft, distraction burglary or rogue traders);
- (c) crimes against older people which are not initially related to their age but may later become so (for example, a burglary where the burglar does not know the age of the householder but later exploits the situation on discovering that the householder is an older person); and
- (d) crimes against older people which are in part, or wholly motivated by hostility based on age, or perceived age, (for example, an assault, harassment or antisocial behaviour involving derogatory statements associated with the victim's age).

The policy and separate legal guidance were published in 2009. Neither have been formally updated since.

At the time of our inspection, the existing CPS policy was not available to view on the CPS intranet. This had been the case since 2017, due to an IT problem. When this was discovered, a decision was made not to upload the policy due to likely impending changes. Nonetheless, it appears that the policy has not been available to prosecutors for some time.

In autumn 2018, the CPS consulted on the introduction of a new definition and draft revised policy. That consultation has closed, and the CPS told us that it had delayed the introduction of a new policy until it had considered this report. We welcome this decision.

The [CPS consultation](#) said:

“We recognise that older people are often targeted because of their age and a perception that they are vulnerable. This can have a devastating impact on the victim because they are being targeted for a personal characteristic. Whilst there is no statutory definition of crimes against older people, nor legislation allowing for a sentence uplift to be applied as in hate crime cases, we are committed to ensuring that justice is delivered for older people by prosecuting offences against them and supporting victims and witnesses throughout that process.”

We found that knowledge among prosecutors was very limited about the detail of the current policy. We were told that the current definition of an older person is not set out in the legal guidance on the CPS intranet.

The current legal guidance is also misleading. At the start of the document, only the term ‘over 60’ is used. Only later does it refer to the additional conditions outlined above. There is also a short-form version of the policy that again just says ‘over 60’. So the current CPS guidance is not as clear as it could be.

The CPS definition itself also contains anomalies and overlaps several other policy areas. For example, it appears to cover domestic abuse cases where the victim is 60 years or above, even if the victim has no vulnerabilities. It could also include cases where the perpetrator is in fact older than the victim.

In most of the cases that we examined, the policy was not referred to and, even when it was, it was in general terms and did not detail specifically what actions were relevant as a result. We found little evidence that the policy was dictating the way cases involving older victims were prosecuted.

We have been told by the CPS that one of the main purposes of its crimes against older people policy is to ensure that these crimes are appropriately flagged. Flagging these cases enables them to be included in hate crime assurance checks so that the CPS can tell whether they relate to disability hate crime. If they don't, then they are treated no differently from any other case.

It seems that the CPS crimes against older people policy is currently only being used to check whether the case involves disability hate crime. In this respect, the policy does not seek to directly improve CPS practice for older people.

Nonetheless, [the CPS states that guidance is needed](#):

“because we want complainants and witnesses and their families and communities, as well as the general public, to be confident that we understand the serious nature of these crimes.”

Effect of the lack of a shared approach to crimes against older people between the police and the CPS

It is disjointed and ineffective for the police and CPS to have different approaches to crimes against older people. This disconnected approach does not recognise that older people may be disproportionately victimised by some types of crimes, and that the effects of these crimes may be more severe.

A simple and joint definition could recognise that old age does not itself make someone vulnerable, but when older people do become the victims of crime they are more likely to require an enhanced response that recognises their individual needs.

[The Law Commission is also considering whether the personal characteristic of age deserves enhanced protection in criminal law and on what basis.](#)

So, consideration of the recognition of old age as an important motivating factor for crime, that deserves a specific focus, would not be a unique approach.

Cause of concern

The police and CPS response to crimes against older people is not as co-ordinated and effective as it could be. This is partly because there is no joint agreed definition of what constitutes an older victim and no co-ordinated approach to the response to these crimes.

Recommendation

Within six months, the NPCC lead for adults at risk and the CPS should agree a joint and simple definition of what constitutes an older victim, and take a co-ordinated approach to understand and respond to the problem.

The stages of a victim's experience: from reporting a crime to investigation

Reporting crimes

Staff working in force control rooms are usually the first people victims will talk to when they contact the police. It is vitally important that control room staff have the skills and training to gather enough information about the victim and the circumstances of the incident.

Some of the control room staff we spoke to had not been trained in recognising vulnerability. One force did not have a training day incorporated into the working rota of their control room staff.

One victim told us:

“I’d seen adverts on TV saying to call 101 instead of 999 if it isn’t an emergency, but when I spoke with her, she asked me how old I was and whether I was alone, and said that because I was with my son, I wasn’t vulnerable and said that officers can’t be everywhere.”

(Older victim of criminal damage, 65)

Another victim had a better experience:

“My neighbour told me about 101 – I wouldn’t have called it otherwise. But I’m pleased I know about it, and I’d call that number in the future. They were very helpful.”

(Older victim of attempted burglary, 76)

We also found that knowledge of safeguarding procedures among control room staff was very limited and sometimes non-existent.

In 171 out of the 192 cases we examined, officers visited the older victim in person. These visits happened within a timescale appropriate to the seriousness of the case and the needs of the victim in 142 out of the 171 relevant cases.

This is encouraging, particularly given some of our other inspection findings¹⁷ showing that forces are struggling to meet call demand.

The victims that we spoke to also had a generally positive view of the way the police initially dealt with them.

¹⁷ [Understanding the difference: the initial police response to hate crime](#), HMICFRS, 2018.

[PEEL spotlight report: A system under pressure](#), HMICFRS, 2019.

One victim told us:

“They came that day to make sure we were OK. I know they are busy, the police. And then when they came the next day as well, we were really surprised. I thought the police response was good – it felt like they were checking up on us. It felt like someone was caring about us. It makes it feel better when there’s someone like that about.”

(Older victim of criminal damage, 80)

We have been told by some victims that they would prefer to go to a police station in the first instance to report a crime. This may be because in the past this is how crime was often reported.

One victim told us:

“It did make me feel better knowing there was a police station on my road. It’s only a five-minute walk so I went there to make the report.”

(Older victim of financial fraud, 67)

There are fewer station front counters these days, but we cannot tell how this has affected older people.

Identification of vulnerability

After an incident or crime has been reported, the police should assess whether the victim is vulnerable. This is done for several reasons, but one of the most important is to decide whether the victim should be referred to the local authority for an assessment of need or whether an officer should raise a safeguarding concern.

This process is usually called ‘safeguarding’. This is different from victim support, which is provided to victims of crime to help them cope with, and recover from, what has happened to them. We discuss this further under ‘Referral to victim support’ below.

Most forces have adopted the [College of Policing's definition of vulnerability](#):

“A person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation.”

Nationally, there has been a concerted effort by police forces to increase the knowledge and understanding of officers and staff about vulnerability. In our [report detailing the emerging themes](#) from the first group of 2018/19 PEEL inspections,¹⁸ we conclude that the forces inspected had “improved their understanding of hidden forms of vulnerability, with officers and staff showing a good understanding of what they are looking for”.

To support this focus on the recognition of vulnerability, the [College of Policing has developed a vulnerability training package](#), which encourages frontline officers and staff to “look beyond the obvious and feel empowered to use their professional curiosity when dealing with those who are vulnerable”.

In the forces that we visited, most had introduced some form of vulnerability training, and all of them had raised the awareness of the importance of recognising and dealing appropriately with vulnerable people. Officers and staff we spoke to generally had a good understanding of why recognising vulnerability was important.

In the 192 cases that we examined, we considered that the victim was vulnerable in 150. The police recorded this appropriately on all but six occasions. This is positive and evidence that the police are generally good at initially recognising vulnerability.

Some forces had given additional responsibilities to officers and staff related to vulnerable people.

Vulnerability officers

Gloucestershire Constabulary has introduced a team of vulnerability officers across the force. Their role is to be a focal point for vulnerable people of all kinds, to visit victims and tell them about support services that they could receive.

The vulnerability officers regularly meet with older people and can be tasked by other officers to visit victims to provide support and crime prevention advice. The officers are also an important link between neighbourhood and safeguarding officers, making sure that information is shared.

These initiatives help forces to improve because they raise the importance of identifying and responding to vulnerability.

¹⁸ [PEEL](#) is the programme in which HMICFRS draws together evidence from its annual all-force inspections. The evidence is used to assess the effectiveness, efficiency and legitimacy of the police. These assessments were introduced so that the public will be able to judge the performance of their force and policing as a whole.

Risk assessment and management

Risk assessments

Initial risk assessments are completed before the victim is visited and spoken to in detail. They help the force to determine the priority of response and how the victim should be contacted.

Risk assessments are used by the police to keep people safe. They are different from victim needs assessments, which are used to identify what help and support victims need. We discuss victim needs assessments under 'Victim needs assessments' below.

Five of the six forces we inspected used initial risk assessments in control rooms. Four of the five forces used a process called Thrive,¹⁹ or a variation on it.

We were concerned to find that there was no evidence of an initial risk assessment taking place in 97 out of the 192 cases. We found that in some forces there was no requirement to follow a set process such as Thrive. This is not a good way of working because it is open to errors and omissions.

Enhanced or secondary risk assessments enable forces to consider in more detail the level and nature of the risk to the victim. This includes any previous victimisation and the likelihood of it happening again or becoming more serious. If an enhanced risk assessment is completed, it is usually after the victim has been visited and when the police have a more detailed understanding of what has happened.

We found that an enhanced risk assessment was completed in only 105 of the 192 cases that we examined.

If domestic abuse has been identified, most forces complete a domestic abuse risk assessment tool called DASH (domestic abuse, stalking, harassment and honour-based violence risk assessment), or a variation on it.

All the forces we visited used [multi-agency risk assessment conferences](#) (MARACs) to exchange information and manage risks to high-risk domestic abuse victims. MARACs are partnership meetings, involving local authority and voluntary agency partners.

¹⁹ Thrive is a structured assessment based on the levels of threat, harm, risk and vulnerability faced by the victim, rather than simply by the type of incident or crime being reported to help staff determine the appropriate level of response to a call.

Risk management

We have used the definition of risk management as:

“the management of the responses adopted in cases where risk is identified, to minimise risk of further harm by the offender”.²⁰

Risk management plans are a vital way of keeping victims safe because they enable the police to:

- understand the risks to the victim that officers have identified;
- consider what interventions are available; and
- choose and implement the most suitable actions to manage the identified risks and protect the victim.

In our case assessments, we considered whether a risk management or safety plan had been completed. No risk management plan was completed in 143 of the 192 cases we examined.

Our inspection shows that, unless an older person has been the victim of domestic abuse, it is very unlikely that a secondary risk assessment will take place and that risk management processes will be implemented.

In our [2018 hate crime inspection](#), we said that we were concerned about the risk assessment and management processes for hate crime victims. We were told that the College of Policing was considering the use of a general risk assessment process for vulnerable victims.

We are also concerned that police officers and staff don't routinely either conduct risk assessments or complete risk management plans for older victims of crime.

We will continue to monitor and contribute to this important area of work, and press for more urgency in the work if we think it is appropriate.

Suspect management

While we think that risk assessments and risk management plans are very important, the police will often take other action to manage the risks to the victim. These include, when a suspect has been identified, imposing bail conditions to prevent the suspect from contacting the victim.

In 92 of the 187 cases that we examined where a suspect had been identified, the police took no action to manage the suspect and protect the victim.

²⁰ [Authorised Professional Practice on domestic abuse: Understanding risk and vulnerability in the context of domestic abuse](#), College of Policing, 2015.

If victims don't feel supported and protected, they may not want to proceed with their allegations. The police did not manage the suspect to safeguard the victim in 70 of the 96 cases that did not result in a charge. This may be one reason why some cases don't result in charges.

As we have said above, the use of bail is one way the police can make victims feel safer. Sometimes the police decide to release suspects 'under investigation' rather than using bail. Other ways of keeping victims safe include the use of orders such as [domestic violence protection orders](#). [Some victims groups have complained that the lack of the use of bail and orders is placing some victims at risk](#).

In [some of our other inspection work](#), we have commented that police can do more to use orders to protect victims, particularly from domestic abuse.

We intend to examine in more detail, in an [inspection later this year](#), how and why the police release suspects under investigation.

Allocation of investigations

When a victim reports a crime, police forces decide how it should be investigated. Increasingly, forces will decide whether a crime is likely to be solved before deciding whether to allocate an investigating officer. If a crime falls into a certain category (usually deemed as 'low level') and there is apparently no obvious way for the perpetrator to be identified, the police may decide not to investigate further. This process is sometimes called 'screening out' a crime.

If the perpetrator is already known, or the police decide that there are lines of enquiry that will probably lead to this identification, crimes are usually allocated for investigation. Because the investigation of crime is one of the most important roles that the police perform, these decisions are critically important.

The main factors that affect allocation of investigations are crime type, risk, complexity and availability of resources. When allocation is not based on all the above factors, then victims may be let down by the investigative response.

The College of Policing [authorised professional practice for investigation](#) gives little guidance to forces about the allocation of crimes, although it does offer lists of offences that are generally suitable to be dealt with by officers with and without enhanced investigative training.

We think that forces can be better at allocating crimes for investigation, regardless of the age of the victim.

We found a variety of methods for allocating crimes for investigation, but they were all generally based only on crime type. For example, minor assaults would be allocated to frontline officers. In line with College of Policing guidance, forces choose

this path because it is believed that these cases are simpler to investigate and require less skill, training and experience.

We found in our [2019 fraud inspection](#) that, in general, strategies focused on offence types rather than categories of people.

As we have said above, older people are more likely to have needs that are different from those of some younger victims. These could include:

- help in giving their evidence by way of visual recording;
- the lack of mental capacity to make decisions at the time they are needed;
- the need for a registered intermediary; and/or
- adjustments to account for disabilities.

These circumstances of older victims can add complexities to an investigation. Some require specific skills and training. If these are not considered when a crime is allocated for investigation, it is possible that the investigating officer will not be able to deal with the case as well as they could.

In this inspection, we found that 89 out of 192 cases had been dealt with by frontline officers²¹ and 74 by investigators from specialist teams or criminal investigation departments.²²

In the cases that were not good enough and had been dealt with by frontline officers, we cannot say that there would have been a different outcome if the case had been dealt with by an investigator. It is also important to remember that frontline officers may be just as capable of investigating a case as an investigator, and that forces should not seek to de-skill frontline officers.

However, if crime allocation is too simplistic, it is likely to be inconsistent and may not always meet the needs of the victim. This could, in turn, lead to inconsistent outcomes both for the investigation and for the victims.

In this inspection, we found that crimes investigated by frontline officers had been dealt with less well overall than those handled by investigators. One reason could be that frontline officers have not been given the necessary training to help them investigate more complex crimes.

²¹ That is, either response officers whose primary role is to respond to calls for service by members of the public, or neighbourhood officers who are allocated to dedicated areas.

²² The remaining cases were dealt with by other units, for example 'prisoner processing teams'. In general, these officers would not receive enhanced investigative training.

[We have found previously that officers in specialist protecting vulnerable people units generally conduct more effective investigations than non-specialists.](#)

We also found, in our [inspection of harassment and stalking](#), that some forces were not as good as they could be at deciding on an appropriate investigative response:

“...the level of complexity of the crime investigation itself was not systematically assessed to establish whether frontline officers had the skills, experience and/or time to investigate the crime effectively.”

Welfare of investigators

While poor and inconsistent allocation decisions are not good for victims, they are also not good for forces or the officers themselves. If an officer does not have the skills, experience or time to investigate the offences properly, it can cause unnecessary stress and anxiety.

The [adult safeguarding and investigative guidance](#) states:

“Supervisors should closely monitor the workload of staff investigating the abuse of vulnerable adults. As in other areas of public protection work, these investigations can be traumatic for staff.

To fulfil the duty of care to employees and the requirements of health and safety legislation, supervisors should ensure that all staff are provided with adequate administrative and intelligence-led support to enable them to carry out their duties. In addition, supervisors have responsibility to ensure that workloads are manageable.”

We found very little evidence that crime allocation took account of these factors and considered the impact on the investigating officers. In those forces that had an adult safeguarding policy, the welfare of investigating officers was not included.

More widely, we also noted in our [PEEL spotlight report: A system under pressure](#) that the pressures of demand were affecting the health and wellbeing of the police workforce.

Crime allocation triage

North Wales Police has introduced a crime allocation triage process based on a simple-to-use scoring matrix. The system gives scores for various aspects of the investigative process, and considers risk, severity and complexity.

Importantly, the development of the process was based on an analysis of which police role made the best decisions about crime allocation. This showed that detective sergeants were best placed to make these decisions based on their investigative skills and experience.

The resulting process considers important questions such as whether a safeguarding meeting may be required, and what the needs of the victim may be – for example, a video-recorded interview or special measures.

The process provides an indicative score that enables good decisions to be made about which officers are best placed to investigate the crimes.

This system, while still relatively new, has the potential to improve crime investigation. This is because it can more consistently recognise that not all crimes and victims are the same, and each has different needs that may require different skills and training.

Cause of concern

Current systems of crime allocation used by police forces don't always consider the needs of victims and the complexities of cases.

Recommendation

Within six months, the NPCC lead for crime investigation should work with other interested parties to review current allocation processes and recommend systems that more easily help forces to allocate an appropriate investigative response.

Police investigations

After a crime has been allocated to an officer for investigation, it is very important that each victim and witness is individually assessed. The investigative response can then be tailored to individual needs and forces can comply with the [Code of Practice for Victims of Crime](#) (we consider compliance with this document under 'The stages of a victim's experience: looking after victims as the case progresses' below).

Older victims can present specific challenges to investigators. The most common are that some victims may:

- need help to provide their evidence by video interview;
- need a special measures assessment so that provision can be made in court to help them give their evidence;
- not understand the investigative process and need a [registered intermediary](#) to help them communicate with the police and at court;
- need adjustments to help them give their evidence, such as hearing loops for the hard of hearing;
- not be able to give informed consent because of mental ill health; and/or
- be especially vulnerable to repeat victimisation and need a plan to address this.

In this inspection, we examined whether the victim was treated as vulnerable and/or intimidated so that they could give their best evidence – for example, by giving their account by a video recording. We found that this was dealt with appropriately in only 57 of 103 relevant cases.

Use of intermediaries

Some older people may need help to communicate or to understand the investigative process. In such cases, police officers should consider whether a registered intermediary²³ can help the older person.

The [College of Policing's investigation guidance](#) states:

“Intermediaries can provide advice to investigators to help achieve more productive interviews, including:

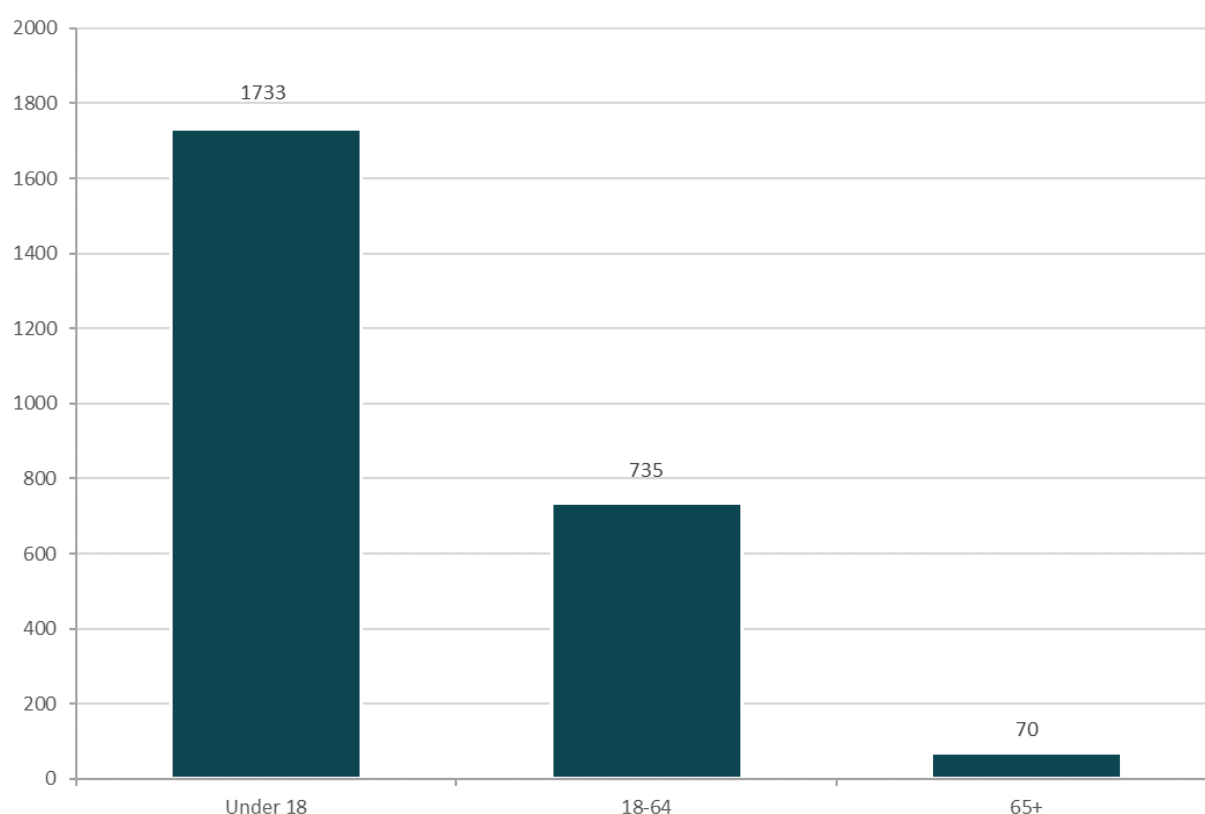
- how a witness communicates;
- their level of understanding;
- how it would be best to question them to get the best evidence;
- types of questions to avoid;
- how long the witness will need to answer a question.”

²³ Further information can be found in [Achieving Best Evidence in Criminal Proceedings](#), Ministry of Justice, 2011.

The police can ask for a [registered intermediary from the National Crime Agency \(NCA\)](#), which operates the scheme [in partnership with the Ministry of Justice](#). The CPS can also request a registered intermediary to help victims when they go to court.

Between September 2018 and March 2019, 2,538 registered intermediaries were requested by the police and 516 by the CPS. There are differences between how many registered intermediaries are requested for older people compared with other age groups.

Figure 5: Number of requests submitted to the NCA for a registered witness intermediary by age group,²⁴ September 2018 to February 2019



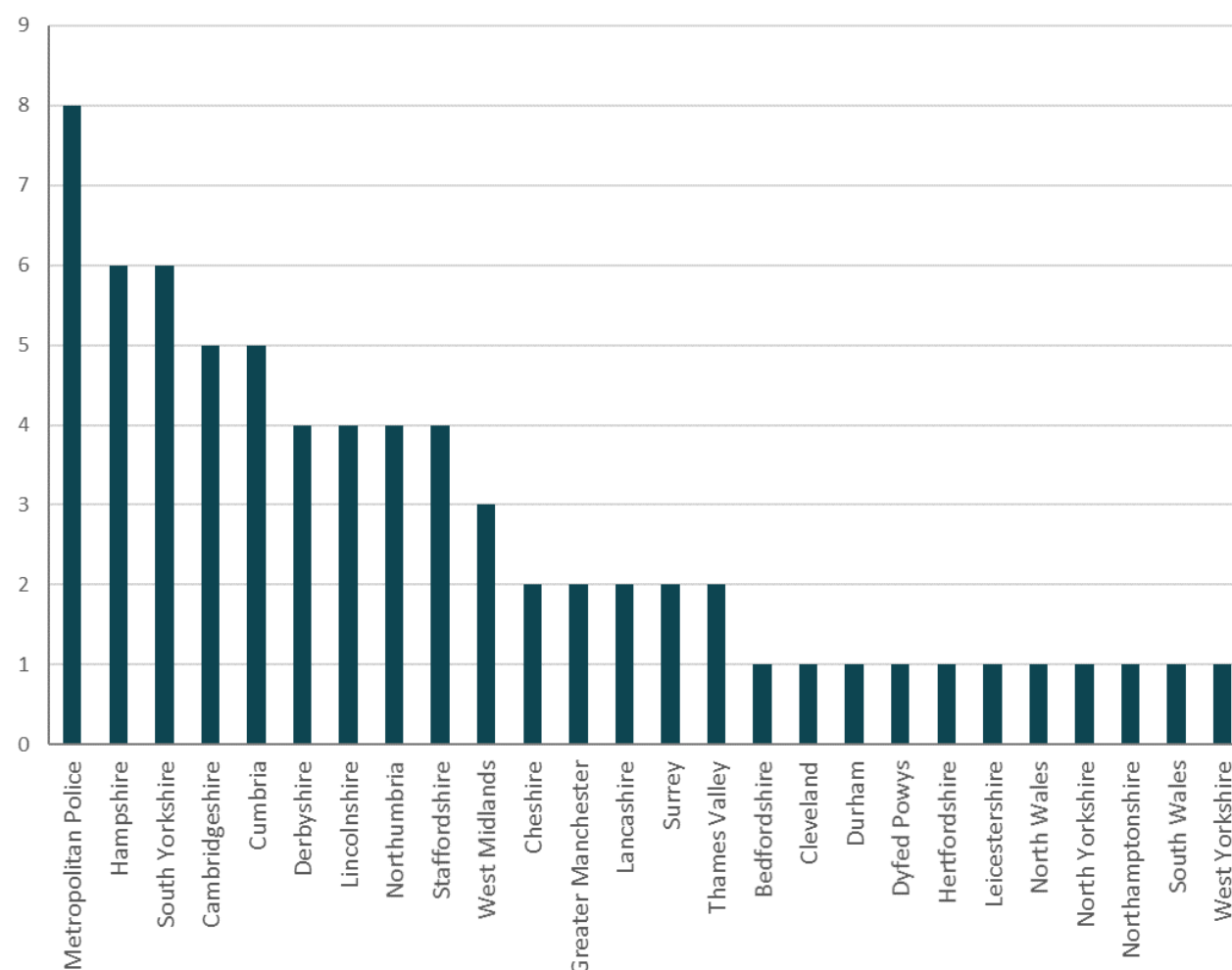
Source: National Crime Agency

For older people,²⁵ we have shown a breakdown of the requests by police force and CPS Area in the figures below.

²⁴ The age groups in this chart are based on the data provided by the NCA. It is not possible to use this data alone to determine whether registered intermediaries for older victims are under-requested when compared with other age groups.

²⁵ The NCA keeps data for witnesses who are over 65.

Figure 6: Number of requests submitted to the NCA for a registered witness intermediary by police forces for victims aged 65 and over, September 2018 to February 2019



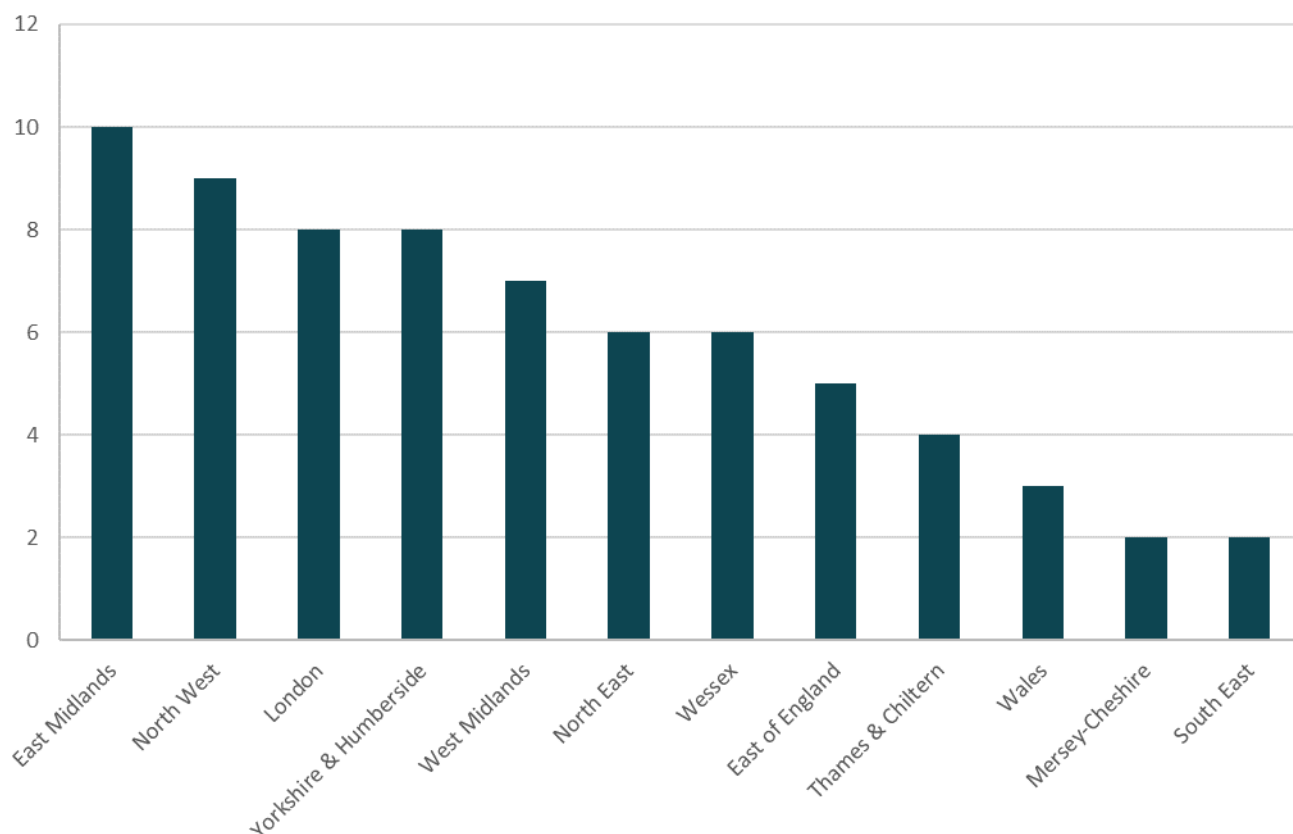
Source: National Crime Agency

So, only 26 out of the 43 forces requested registered intermediaries to help victims and witnesses who were over 65 years old.

Some of the 26 police forces use the registered intermediary scheme more frequently than others. This will be partly due to the size of the force, but it is also likely that some officers and staff will either not know about the scheme, will not have enough knowledge about how to ask for a registered intermediary or may not think that the victim could benefit from this service.

The same inconsistency of understanding and use of registered intermediaries is likely to be true of CPS lawyers and prosecutors.

Figure 7: Number of requests submitted to the NCA for a registered intermediary for a witness (over 65) by CPS Area, September 2018 to February 2019



Source: National Crime Agency

In 2018, the Victims' Commissioner conducted a [review into the use of registered intermediaries](#). The review found that registered intermediaries were sometimes not being requested when they should have been. The report also concluded:

“The review found inconsistency in the way in which vulnerability is assessed by Police and the CPS, also leading to variations across police forces and within them as to whether a RI [registered intermediary] will be requested. It found a lack of awareness by police and the CPS of the role of RIs.”

Case study

The victim was 83 years old and lived alone. He had a history of mental health issues and struggled to communicate easily. He was violently attacked and robbed. There were obvious problems with his ability and willingness to give evidence. These should have been addressed through a video interview and use of a registered intermediary to allow him to give his best evidence. However, a statement was taken instead. At court the victim was unable to give evidence and the case was discontinued. This may have been avoided if a video-recorded interview had been available to be played to the court.

In the cases that we examined, we found 41 occasions when the victim could have benefited from a registered intermediary,²⁶ but the police had only considered this option on 22 occasions.

We also found cases where the CPS had also failed to consider the need for a registered intermediary.

Cause of concern

Some older victims of crime aren't being helped to give their best evidence, because the police don't always make effective use of the registered intermediary scheme.

Recommendation

Within three months, the NPCC lead for adults at risk should remind chief constables that it is important that officers consider whether a registered intermediary can help victims to give better evidence.

We did find other examples of where the police had used better ways of obtaining evidence from some older victims.

Case study

An 86-year-old woman with limited mobility and a history of heart problems had her purse stolen in a distraction burglary. The victim was video-interviewed by the police at the start of the investigation. The police strengthened the evidence by filming the scene, which helped the court to understand the case. The CPS successfully applied for special measures so that the victim could be cross-examined by video link. The victim did not have to endure the stress of attending court and the defendants changed their pleas to guilty.

Supporting victims with reduced mental capacity

Investigators also need to be aware of, and know what to do, when victims may not have the mental capacity to make decisions. The [College of Policing provides some guidance](#) about what to do when dealing with victims vulnerable because of mental illness, but it does not contain specific information on the nature of mental capacity, the impact this may have on a victim and/or the ability of the police to proceed with a case.

²⁶ We made this assessment based on the details available but because we may not have been in possession of all the circumstances we cannot be certain that this was the case.

In 37 of the 192 cases that we examined, we found evidence that the victim may have lacked mental capacity at the time of the investigation. In 22 of these cases, we considered that the police had not taken all the necessary appropriate action as a result, such as seeking a mental capacity assessment to help decide what support a victim may need to provide their best evidence.

Communicating the needs of victims to the CPS

We assessed how good the police were at telling the CPS about whether victims required special measures.

A special measures assessment (MG2) form should be submitted at once with the case file to make the CPS aware that the victim is vulnerable and so that prosecutors can make appropriate arrangements. Otherwise delays to the court process may caused undue anxiety to victims, or may affect the chances of a successful prosecution.

We found that a sufficiently detailed MG2 requesting special measures was included in the initial police file in only 20 out of the 49 cases where the use of special measures was relevant. This is very poor.

Case study

A 76-year-old victim of a public order offence told police that she was partially blind and disabled. She had previously been the victim of similar behaviour by the perpetrator. This was recorded in her statement. However, the police recorded that no special measures assessment was needed, and the CPS did not identify and challenge this. The perpetrator pleaded not guilty and the victim gave evidence at court without any adjustments being made for her disabilities.

Timeliness and effectiveness of investigations

It is important for the police to investigate crimes promptly. Otherwise evidence may be lost, or victims and witnesses may become frustrated and decide that they don't want to support the investigation.

In the 192 cases that we examined, the investigation was timely in 130 cases. We know that due to competing demands police forces are unable to investigate crimes as quickly as they would like.

We considered that the investigation had been thorough in 124 of the 192 cases. A failure to track down witnesses or to secure other evidence such as CCTV footage were among the reasons why investigations were not thorough.

BritainThinks spoke to victims for us. They found that victims' experiences of the investigation process were frequently characterised by low levels of communication

from the police. Some victims also told us about inconsistencies in the police response they received.

We have concluded that police investigations into crimes against older people are often not good enough, and there is an urgent need to make improvements.

Supervision

Police supervisors play an important role in making sure that investigations are conducted effectively. This is especially so because in some forces quality assurance arrangements are limited.

In the 192 cases we examined, we considered that the supervision of the investigation was either fully effective, or limited but appropriate, in 108 cases. In 15 cases, we saw no evidence of any supervision.

We found that supervision in those cases that did not result in a charge was not as effective as in those that did. We cannot say that the reason that cases did not result in a charge was because of a lack of supervision but, if investigating officers are not given guidance and the cases are not being checked, it is more likely that they will fail.

We considered that the supervision provided by investigators was sometimes better than that provided by frontline officers, and more likely to take place at the start of an investigation.

In contrast, frontline supervisors sometimes did not become involved in a case until it was apparently concluded. They then performed more of a 'sign-off' function. This is not a good way of working because it does not help and guide frontline officers, some of whom may lack skills and experience.

Fraud

"I didn't want to talk about it, because I'm a fool. I can't believe I did it!"

(Older victim of fraud, 77)

Older people may be more likely to become victims of fraud than younger people. This may be because some older people are viewed as an easy target by fraudsters, or because they have placed their financial affairs into the care of others because of mental ill health. We are therefore setting out in more detail our findings on the police response to this kind of crime.

A recent [report by Europol](#) concluded that criminals have always seen older people as easy targets, but the growing number of potential victims, low risk of being caught and lenient sentences were likely to encourage increased targeting of older people.

[Research conducted for Age UK](#) indicated that more than two fifths (43 percent) of older people surveyed believed that they may have been targeted by fraudsters.

In 2019, we conducted an [inspection of the police response to fraud](#). The inspection did not look specifically at older people or in detail at the investigative response to fraud. Nonetheless, the report concluded that, in general, vulnerable people were identified and supported well.

All the forces we inspected had introduced Operation Signature, developed by Sussex Police as a means of providing additional support to victims of fraud. Operation Signature is designed to prevent the most vulnerable from becoming subject to repeat targeting. Each force had adapted the operation to suit their own needs, but generally followed the same principles:

- The early identification of potential vulnerability to prevent repeat victimisation.
- This is achieved by recognising vulnerability factors such as mental health or learning disabilities. However, in most cases, age is used as the determining factor.
- If a victim is identified as potentially vulnerable, a personal visit will be made to conduct a further assessment of their needs.
- Those with a high level of vulnerability will then be given support and links made with local services or charitable partners.

The forces used a monthly list of victims provided by the [National Fraud Intelligence Bureau](#) as the basis for Operation Signature.

The forces we visited did not all use the same age at which older people would be considered for Operation Signature if certain additional factors applied.²⁷

One force used the age of 65. This was thought to be around the time that some people retire, may have more money available and may become increasingly vulnerable to fraud. Another force used the age of 70, but this was designed to limit the number of victims who would become eligible for visits, because of the limited available police resources.

²⁷ The forces usually applied other factors as well as age to decide whether a person was vulnerable – for example, the value of the fraud.

Supporting fraud victims

Dorset Police has created an investigation team that assists in supporting older victims of fraud. The team members are subject matter experts and give guidance to officers who visit victims to give crime prevention advice. The unit has five staff members and works with [Action Fraud](#) to identify victims of fraud, including that committed online.

Greater Manchester Police uses trained and vetted volunteers – known as ‘Scambusters’ – in their cybercrime hub. The volunteers, many of whom are older themselves, make personal contact with all victims over 65. The volunteers provide advice and give information about other support services.

A recent evaluation of the service found that 86 percent of victims had been told something they were not previously aware of, and 80 percent had changed their habits because of the advice they had received.

These pockets of emerging practice will help some older victims of fraud. However, across the country there is likely to be inconsistencies of approach between forces.

Victim care and witness arrangements

In this inspection, we made an overall judgment about the quality of care provided to victims in the cases we assessed.

We found that the victim care was not good enough in 101 of the 192 cases we examined. Victim care covers several different areas. In the chapters below, we show the reasons why victims were sometimes let down and identify areas where improvement can be made.

We welcome the recent launch of an [NPCC victims and witnesses strategy](#) and we hope it will be the springboard for improvements in the way that victims and witnesses are treated.

Referral to victim support

“If you haven’t got family and you’re on your own at my age, then something like that [access to support] does make a difference.”

(Older victim of theft, 75)

After reporting a crime, every victim is entitled to be referred to a service that can give them support. Police and crime commissioners and their mayoral equivalents are responsible for funding victim support services in their area.

The [Code of Practice for Victims of Crime](#) states:

“The police will explain to you that they will automatically pass your details to victim support services within 2 working days of reporting the crime. You are entitled to ask the police not to pass on your details to victim support services. If you are a victim of a sexual offence or domestic violence, or if you are a bereaved close relative, the police will seek your explicit consent before sending your details to victim support services.”

We first reported on the effectiveness of the police in this important aspect of their work in our [hate crime thematic report](#) in 2018.

Forces operate one of two systems for referring victims to support services:

- Opt-out – victims’ details are automatically passed to victim support services unless they specifically state that they don’t want this to happen. This is the system described in the victims’ code.
- Opt-in – victims are only referred if they specifically consent for their information to be passed to the referral organisation.

In the hate crime inspection, we concluded that there was a significant difference in the referral rate according to which system was used. Victims living in an area where opt-out systems were in operation were far more likely to receive support services.

All the forces we visited in this inspection had an opt-in system.

During the fieldwork phase of our inspection, we discovered that two forces had IT problems, which meant that some victims had not been referred for support when they should have been. One force was not aware of this problem until we told them. The other force had already recognised the problem and had taken remedial action.

As a result, we have not been able to use the results from our case assessments because we could not be sure that the information that was available in the crime records was an accurate reflection of whether or not a victim had been referred to victim support services.

In our case assessments, we also looked for any evidence that the victim had been referred to specialist organisations, such as Age UK, that provide support to older victims. We found very limited evidence of this. This may be because such referrals are often made by victim support services, which have different IT systems that are not linked to those of the police.

Co-ordinating victim support

In Cambridgeshire, arrangements for looking after victims who need support, and those who are going to court to give evidence, are combined. This is because the police, and the police and crime commissioner decided to jointly fund this combined service. (Police and crime commissioners are responsible for funding victim support services in their area.)

The hub has 20 'victim and witness care co-ordinators' who phone victims referred to them. The co-ordinators talk to victims about the impact of the crime on them, and offer emotional and practical support based on their needs. This includes an offer of a face-to-face visit by volunteers who work with the service.

Confidential support using a Freephone number is also given to victims who don't wish to report their crime to the police. This is an entitlement in the Code of Practice for Victims of Crime.

The hub also contains several specialist co-ordinators including a community psychiatric nurse; two support workers for young victims of crime (including those affected by domestic abuse) from the charity Family Action; a specialist exploited migrant worker and a victims of trafficking worker; a non-domestic abuse stalking and harassment support worker; and a restorative justice specialist.

One support worker is allocated to provide access to support services and to look after the victim when they go to court. This provides continuity, is more streamlined and works well for victims. In other areas, these services are split between different organisations and the victim has different workers depending on what service is being provided.

As the service is partly funded and staffed by the police, workers in the hub can directly access police records. This means that workers can get a good idea about what has happened to the victim before they speak to them. It also means that police officers or staff don't need to obtain the consent of the victim to refer to the in-house service. In other areas, workers rely on a short extract of information provided by the police and so need to ask victims more detailed questions, which may make some victims uncomfortable.

We believe that this system of support is better for victims. In our [inspection of hate crime](#), we highlighted a similar approach being used by Avon and Somerset Constabulary. We have shown the additional benefits of this way of working under 'The stages of a victim's experience: looking after victims as the case progresses' below.

Such arrangements, based on a working principle that police staff operate within the victim support services, can more easily overcome some of the difficulties that we have found with police referrals for support. Support workers have ready access to police IT systems. They have more information and can make better decisions as to how to best help victims.

Cause of concern

Some victims may not be receiving support services, and some support services don't work as well as they could. This is because the police don't always refer victims when they should, support services don't have ready access to police information, and witness care arrangements are sometimes provided separately.

Recommendation

Within six months, chief constables should work with police and crime commissioners and their mayoral equivalents, and other relevant organisations, to review whether victim support services can be provided in a better way.

Safeguarding arrangements

The need to keep people safe applies to people of all ages, not just older people. However, older people as an age group are likely to be disproportionately represented in adult safeguarding arrangements. The police will come into contact with people who need safeguarding in many kinds of ways, not just when they have been the victims of crime.

In this and other chapters, when we talk about safeguarding arrangements we mean the statutory responsibility on police forces to keep adults safe under the [Care Act 2014](#). We have done this because police forces keep people safe in many other ways and we wanted to differentiate these.

So, it is very important that police officers and staff understand what they need to do and why, and that police forces have effective working practices.

Statutory responsibilities on police set out in the Care Act 2014

[Section 42\(1\) of the Care Act 2014](#) places a statutory responsibility on the police in England²⁸ to work with local authorities and local clinical commissioning groups (also known as 'health authorities') to safeguard any adult who:

- "has needs for care and support (whether or not the authority is meeting any of those needs);
- is experiencing, or is at risk of, abuse or neglect; and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it."

Police understanding of safeguarding responsibilities and processes

The [statutory guidance for the Care Act 2014](#) makes it clear that any organisation involved in adult safeguarding arrangements should have policies and procedures.

The police [Guidance on Safeguarding and Investigating the Abuse of Vulnerable Adults](#) was published in 2012. It is comprehensive but important changes to legislation and practice since 2012 mean it is now badly outdated. For example, the definition of a vulnerable adult contained in the guidance was repealed by the Care Act 2014.

The [Making Safeguarding Personal: What might 'good' look like for the police?](#) guidance sets out a way of working for organisations involved in adult safeguarding arrangements. It aims to put the person at the centre of decision making about what is right for them.

Not all the forces we visited had adult safeguarding policies. None had specific training courses for officers involved in adult safeguarding arrangements. Some forces did not even have a copy of the national police adult safeguarding guidance on their intranets. Some specialist officers had undertaken some joint training with partner organisations, such as local authorities. We discuss this further under 'Police safeguarding guidance and training' below.

The definition of a 'vulnerable adult' in a safeguarding context is more prescriptive than the wider police definition of vulnerability. It is designed to generate specific safeguarding actions by a local authority to consider whether they should make, or cause to be made, an enquiry under section 42 of the Care Act 2014.

There will also be many occasions when the police find out about a vulnerable person who needs help from other organisations, but when there is no statutory

²⁸ The Social Services and Well-being (Wales) Act 2014 places some similar responsibilities on Welsh police forces.

responsibility to safeguard the person under the Care Act 2014. There is an expectation that police officers should pass this information to these other organisations, which might include, for example, drugs and alcohol or mental health services.

So, there can be a contradiction between the need for the police just to recognise someone as vulnerable and tell someone about it, and the need to recognise someone who is vulnerable and who needs safeguarding and when there is a statutory responsibility to work with partners to keep the person safe.

Many officers and staff we spoke to did not understand these differences. This may be because there is very little policy, guidance and training to help them understand adult safeguarding. We found that knowledge was better among specialist safeguarding officers, most of whom had received some form of awareness-raising or training, usually provided by the local authority. We discuss this further under 'Police safeguarding guidance and training' below.

Frontline officers need to have the knowledge and skills that will enable them to be able to recognise when a person needs safeguarding. This priority, and what to do thereafter, is outlined in [*Making Safeguarding Personal: What might 'good' look like for the police?*](#).

In the 192 cases we examined, 37 of the victims appeared to lack the mental capacity, at the time, to make decisions. The police dealt with these issues appropriately in only 22 of those cases.

The police were a little better at dealing appropriately with disabled victims and did so in 50 of the 72 relevant cases.

Case study

An older couple who both had dementia were victims of a complex fraud involving hundreds of thousands of pounds over a long period of time. The suspect befriended them and persuaded them to give him access to their bank account. Because of their vulnerability, meetings were held with police and social care services to ensure that the couple were kept safe and protected. There was good joint working between social care and police both during the investigation and in the longer term.

Safeguarding referral forms

When officers and staff deal with any person whom they believe needs safeguarding, it is important to create a record of what has been done. All the forces we visited had a form to be used for this, but none of the forms were the same. Forces have had no guidance about designing a form, so forms have developed in individual forces to suit local needs.

Some of the forms could be improved – for example, by making it easier for officers to detail exactly what the care and support needs of the person were, or why it was important for officers to seek the consent of the person to have their information shared.

We accept that safeguarding referral forms need to vary because of local arrangements. But some important aspects, such as the need for officers to properly consider consent and what the care and support needs are, should be consistent.

A standard referral form that can be adapted for local circumstances would lead to more consistency and less likelihood of errors and omissions.

Area for improvement

Within three months, the NPCC lead for adults at risk should produce a guide template for forces for safeguarding referral forms that can be adapted for local circumstances, so it is easier for officers to include all necessary information.

Regardless of the adult safeguarding form used, we examined how effective the police were at recognising the safeguarding needs of victims and submitting them correctly.

We found that a referral was required in 119 out of 192 cases. This was because we considered that the victim needed safeguarding and had care and support needs. However, in 43 of these 119 cases, either no referral had been made or we could find no evidence that this had been done. This is a matter of considerable concern.

Case study

Four youths wearing masks attacked an older male victim on a mobility scooter. The victim was sprayed in the face with an unknown substance and pushed off his scooter. He reported the offence the next day and was terrified, injured and confused. Despite living on his own without any care or support, the victim was not visited until a day later. The police later noted that the attack had left the victim shaking, fearful and scared to go out at night. No safeguarding referral was made, and this omission was not picked up by supervisors.

In a [policy position paper on adult safeguarding](#), Age UK concluded that:

“The abuse and neglect of older people remains a largely hidden issue, which leaves hundreds of thousands of older people experiencing, or at risk of, avoidable harm.”

In one force, despite officers having received vulnerability training, the number of adult safeguarding referral forms had not increased since 2017. In other forces, we

found that the number of forms submitted had increased year on year because more officers and staff had received vulnerability training, and so had become aware of the need to submit the forms.

We found little if any evidence that crimes had been checked to make sure that adult safeguarding referral forms had been appropriately submitted. Much of the responsibility for this checking seemed to rest with supervisors. In the cases that we examined, we did not find any evidence that this was an effective way to make sure that this task had been completed.

In some forces, we were told that control room operators would not close an incident unless they had been reassured that an adult safeguarding referral form had been completed. While this is a good way to make sure that forms are submitted, we did not find any evidence of this happening.

We are very concerned that some vulnerable older people who need safeguarding are not being recognised by the police. Not enough adult safeguarding referral forms are being submitted and forces have ineffective systems to make sure that these important tasks are done.

Cause of concern

Some adults who need safeguarding are being put at risk because the police aren't always referring cases to partner organisations, and there are no effective measures to ensure that referrals have been made.

Recommendation

Within three months, chief constables should ensure that adult safeguarding referrals are always made when appropriate, with effective processes in place to make sure that this happens. The NPCC lead for adults at risk should advise chief constables as to how this is best achieved.

Safeguarding referral processes

The [2012 police adult safeguarding guidance](#) says the decision to refer a case to a local authority for support should fall to a force safeguarding vulnerable adult co-ordinator (SVAC). The guidance envisaged that a SVAC would decide on the need for a referral and then, if appropriate, pass the referral to the local authority.

However, this guidance is now out of date and all the forces that we visited now have a process whereby all the safeguarding referral forms are sent to a generic police email address. From there, the forces had different ways of working.

One force sent all the email referrals received from officers to the local authority. Little research into the circumstances of the cases was conducted, and there was no

effective decision making about whether a referral was appropriate. This was not a good system because:

- the local authority could receive inappropriate referrals, and this could have an impact on how effective they could be;
- the force could not understand the real nature of the safeguarding demand; and
- the force could not improve because officers and staff could not learn from inappropriate referrals.

Another force used a filter system to ensure that referrals were appropriately made. But when a decision not to refer was made, there was little follow-up. This meant that officers and their supervisors would not learn from understanding the reasons why a referral had not been made.

In our case assessments, we considered whether a safeguarding referral should have been made to the local authority. Out of 192 cases, we considered that a referral was not necessary in 39 cases. In the remaining 153 cases, a referral was made 76 times, was not made 43 times, and we could not tell whether a referral had been made on 34 occasions.

Some officers and staff we spoke to said they often did not know what had happened to the safeguarding referral they had made. This is important because:

- some officers may not make referrals in the future if they don't know what action has been taken as a result;
- it does not help officers understand the referral process and the benefits to the subject of the referral; and
- it does not help officers to understand what has happened to the person, which would help them deal with the person if they had to visit them again.

We were told by some officers and staff who worked in the referral teams that they did not have the capacity to tell officers when a referral had been made inappropriately, and would instead record the decision on the form itself. Faced with the increased demand on the referral teams, this may be understandable. But it does not allow officers, and forces, to improve.

Providing feedback regarding inappropriate referrals could also help to reduce unnecessary future referrals and help to manage overall demand on the referral teams.

Importantly, if officers and staff don't understand the referral process and how it can help the person concerned, it is more difficult for them to explain this and to ask for consent for the police to share this information with partners.

It is also important for officers to understand that gaining consent should be part of a [Making Safeguarding Personal](#) approach that enables safeguarding to be done with, not to, people.

We were told by some staff who worked within police safeguarding teams that it was sometimes not clear whether the person had consented for their information to be shared. In these cases, the staff had to contact the officers who had completed the form to find out whether consent had been given.²⁹ This added to delays in sharing information and could also be an indication of a wider problem with a lack of understanding about adult safeguarding procedures.

Police safeguarding guidance and training

The [statutory guidance for the Care Act 2014](#) states that:

“... anyone in contact with the adult, whether in a volunteer or paid role, must understand their own role and responsibility and have access to practical and legal guidance, advice and support.”

In the forces we visited, we spoke to officers who had specific adult safeguarding roles. Some of these officers had been given a limited amount of training, usually offered together with local authority safeguarding teams. More general aspects of safeguarding are covered in the level 1 and 2 Professionalising Investigation Programme courses.

The College of Policing does not currently have a specific training package for officers involved in adult safeguarding. Some aspects of safeguarding work are contained in other courses, such as the modern slavery course and the Specialist Sexual Assault Investigation Development Programme.

In contrast, child abuse and safeguarding investigators complete the Specialist Child Abuse Investigator Development Programme.

We have described above under ‘Police understanding of safeguarding responsibilities and processes’ that the national police adult safeguarding guidance is out of date. We have also shown that not all the forces we visited had adult safeguarding policy and guidance documents.

[Making Safeguarding Personal: What might ‘good’ look like for the police?](#) could be used more widely by the police to help make sure that people are properly safeguarded. At the time of our inspection, this document was not on the College of Policing website.

²⁹ In some very serious cases, consent to share information does not have to be given – for example, if there is a threat to life.

So, there is little up-to-date guidance and no formal approved training to help officers involved in such important work as adult safeguarding. Considering the impact of poor practice can be so significant for victims, we are surprised and concerned about this.

We accept that training is expensive and time-consuming for police forces. However, this area of police practice is of great importance, not least for victims, and there is every likelihood that demand for these services will increase. More needs to be done to help officers understand this work and to provide a consistent and professional response.

As we have said above, this need for training had been recognised in some areas by working with local partners to provide it. We welcome the provision of training, but we are concerned that the way that this is currently provided to officers is inconsistent and unevaluated.

Cause of concern

Victims may be put at risk because officers aren't given guidance and training in how to keep adults safe.

Recommendation

As a matter of urgency, the College of Policing should develop guidance and training for officers involved in adult safeguarding arrangements.

Partnership safeguarding arrangements

As we have said above, when the police have decided that a person needs safeguarding, they should send a referral form to the local authority. We did not inspect local authority adult safeguarding arrangements, but we did consider the police involvement in information-sharing arrangements.

It is important to note that one force area may contain several different local authorities, each working in different ways. This creates challenges for the police. As clinical commissioning groups are also statutory partners in safeguarding arrangements, all the agencies need to work well together.

[Making Safeguarding Personal](#) states:

“Partnership working is vital not only in identifying individuals at risk but also in finding approaches and outcomes that are acceptable to them.”

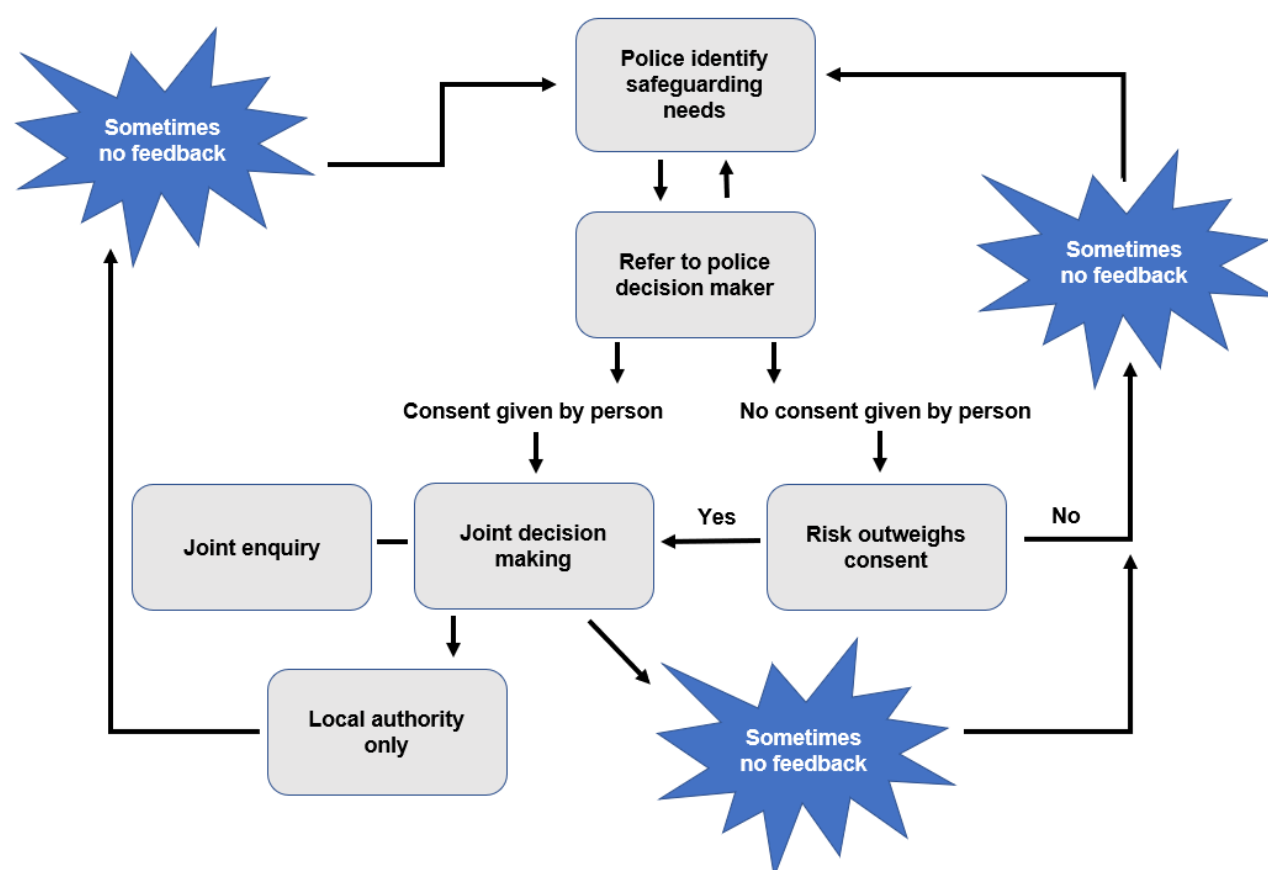
Partnership arrangements for safeguarding children are more established and have developed at a greater pace than those for adults. This is not surprising and may partly have been driven by high-profile cases.

A good way of working, which frequently happens in child safeguarding arrangements, is for partner organisations to come together and discuss the concerns raised by partners. This helps well-informed decisions to be made about the best course of action. If a decision is jointly made that the person needs safeguarding, a strategy discussion between relevant partners can follow to work out the best way of meeting their needs.

This may involve section 42 enquiries,³⁰ which take place to find out whether any abuse or neglect has happened. The local authority may decide that another organisation such as the police should carry out the enquiry, but the local authority retains overall accountability.

We have shown in Figure 8 below how some adult safeguarding arrangements currently work. It shows that, in the forces we visited, information does not always flow back to the police effectively. However, it seems that there is a great deal of variation between forces.

Figure 8: Adult safeguarding arrangements



³⁰ Section 42(2) of the Care Act 2014 states that a “local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult’s case (whether under this Part or otherwise) and, if so, what and by whom.”

We found examples where safeguarding arrangements seemed to be working effectively. However, only one of the forces that we visited operated in the same way across their whole force area.

Adult safeguarding

Humberside Police has four multi-agency safeguarding hubs (MASHs). Two of those MASHs cover the safeguarding of adults, children and domestic abuse, and the safeguarding arrangements are the same for each.

Information on safeguarding referral forms received from the police is researched and reviewed. A decision as to whether to share this information with the local authority and/or clinical commissioning groups is made by a police dedicated decision maker.

If a decision is made to share information, this is done in discussion or at meetings where partners can contribute relevant information. Decisions are taken jointly about the requirement for further action and which agency will take the lead. The detail of what actions are needed to make people safe is worked out in joint strategy discussions.

The close alignment of safeguarding arrangements for children and adults also operates at a strategic level, with the same detective superintendent attending both the children and adults safeguarding boards.

Safeguarding arrangements such as these need the commitment of all the partners involved. In some areas, we were told by forces and organisations that they could see the value in these arrangements and that there was a desire to move to introduce them in the future.

However, in one area, although the police had a strong wish to introduce closer working, we were told that the local authorities did not see the value of this approach.

Although the Care Act 2014 places a statutory obligation on organisations to work together in England to safeguard adults, it is left to individual areas to work out how this should happen. In Wales, the Social Services and Well-being (Wales) Act 2014 provides broadly similar responsibilities.

In England, [section 43\(1\) of the Care Act 2014](#) requires each area to establish a safeguarding adults board. The statutory guidance states that the local authority should consider appointing an independent chair. An independent chair allows the board to hold each organisation to account and to ensure that organisations work well together. In Wales, [section 134\(4\) of the Social Services and Well-being \(Wales\) Act 2014](#) requires the 'lead partner' (usually the local authority) to establish a safeguarding adults board.

We found differences in the safeguarding arrangements in the six forces we visited. The police worked more closely in some areas than in others with local authorities and clinical commissioning groups.

In all the forces that we inspected, officers involved in adult safeguarding arrangements had good relationships with partners, were well respected and had an active involvement in partnership meetings, such as safeguarding adults boards and the various sub-groups. However, we believe that it is likely that the police involvement in adult safeguarding arrangements is inconsistent, and less effective partnership arrangements for adult safeguarding exist across the country.

We have been told that there is no national understanding of which arrangements exist in which areas, and whether there are common barriers that exist to effective working. A survey of police involvement in adult safeguarding arrangements could be one way to address this.

We understand that such a survey may require some time-limited resources. However, a national survey could:

- provide greater understanding of what works well that can be shared;
- identify barriers to effective working that can be acted on;
- enable individual forces to focus on their own arrangements and review whether improvements can be made; and
- provide a benchmark by which improvements can be measured.

Area for improvement

Within six months, the NPCC lead for adults at risk should conduct a national survey to improve the understanding of any barriers, or enablers, to effective adult safeguarding that exist. Analysis of what works best should be used to help forces to respond effectively to adult safeguarding.

Partnership oversight and understanding of adult safeguarding

The NPCC's [*Policing Vision 2025*](#) states:

“Policing must address the sources of demand on its resources working with a range of partner agencies including health, education, social services, other emergency services, criminal justice and victims’ organisations. This work needs to reflect the more complex emerging crime challenges while being conscious of service-drift, as partner agencies capacity is reduced.”

None of the forces that we inspected knew both the number of referrals that were being made to local authority safeguarding teams, and the number of requests received by partners to conduct adult safeguarding enquiries when a crime was believed to have been committed.

Some forces had good systems for monitoring referrals made to local authority safeguarding teams, but one force did not routinely monitor this information.

Some forces also did not know how many requests from local authorities had been made for enquiries under section 42 of the Care Act 2014.³¹ Sometimes there was no single system for requests from the local authorities to be received by the force. For example, requests could be received through the police control room or made directly to officers in safeguarding teams.

We have also stated above that we found in our case assessments that officers sometimes had not made safeguarding referrals when they should have done. As a result, it is likely that there is demand that cannot be seen by forces and which they don't currently understand enough. This is important because it may have an impact on the numbers of officers and staff that are needed to do the work.

There are wider implications too – most importantly, for the vulnerable adults themselves, and for partners in adult social care and safeguarding who may not be aware of vulnerable victims.

The chairs of the safeguarding adults boards whom we spoke to did not know that the police may not be making a significant number of safeguarding referrals.

The safeguarding adults boards did not routinely check to make sure that referrals had been made. The boards therefore relied on police forces to do this work. None of the police forces that we inspected routinely quality assured the adult safeguarding referral process to make sure that it was working effectively.

Only one of the force management statements for the six forces we visited had attempted a comprehensive analysis of the current demand placed on the force by adult safeguarding arrangements. This is surprising, because not only does this demand patently exist but it is likely to increase significantly in future years.

When conducting an analysis of the demand for adult safeguarding arrangements, it is important to consider the hidden demand that seems to exist because officers and staff don't always complete an adult safeguarding referral when they should.

³¹ Section 42 of the Care Act 2014 requires that each local authority must make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect and, if so, by whom.

Cause of concern

Chief constables don't understand well enough the current demand for adult safeguarding arrangements and haven't considered the likely future demand and the implications for forces.

Recommendation

Within three months, chief constables should conduct analysis of the current and future demand for adult safeguarding, including the gap in knowledge that may exist from those cases where referrals aren't made because of errors and/or omissions. This analysis should be incorporated into FMSs.

The stages of a victim's experience: looking after victims as the case progresses

The police provision of information to the CPS

The police must provide comprehensive and accurate information to the CPS, both about the victim, the perpetrator and the nature of the case. This is important because the CPS must be able to understand the risks to, and the needs of, the victim. The CPS must be able to assess the evidence easily and advise on remedial investigative action and/or the correct charge.

We found that, in nearly all the charged cases we examined (90 out of 96), the police either told the CPS the age of the victim or at least said that they were older. These basic standards allow a decision about whether a case should be identified on the CPS IT case management system as one that falls under their crimes against older people policy.

We also saw evidence of the police trying to build a case and provide alternative sources of evidence when possible to corroborate the victim's account.

We found that the case file submitted by the police was in most cases of a reasonable standard. It is positive that the police failed to gather enough good-quality evidence to support a prosecution in only nine of the 96 charged cases that we examined.

The police responded promptly in most cases (22 out of 29) where the CPS asked for further material or information on aspects of the case related to the age of the victim.

However, we found a marked and worrying difference in the performance of the police when the circumstances of the victim meant that either they were vulnerable or required help to give their evidence.

We have stated above that it is important for the police to assess the ability of victims and witnesses to give evidence at the start of the investigation. It is also important that the police continue this assessment during the investigation and keep CPS informed.

This is especially so for older people, who may need adjustments to be made so that they can give their evidence. For example, the older person may need to sit down to give their evidence or may need help to hear the court proceedings. Failure to do this could cause the victim unnecessary distress and/or delays to the court process. It could also ultimately lead either to the victim withdrawing support for the prosecution or not being able to give their best evidence.

Under [section 149 of the Equality Act 2010](#), police forces and the CPS are bound by the public sector equality duty – that is, the duty to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who don't; and
- foster good relations between people who share a protected characteristic and those who don't.

So, the police should tell the CPS if the older person needs adjustments to give their evidence. This may be different from a decision as to whether the victim is vulnerable and requires special measures. The College of Policing does not cover this aspect in its [Working with victims and witnesses](#) guidance, although some aspects covered, relating to the language and culture of victims, deal with [achieving best evidence](#).

If the CPS receives this information from the police, it should tell the relevant local witness care units (WCUs). There is a WCU in each police force area. Staff employed in WCUs provide a single point of contact for victims and should provide 'tailored support' for each witness to ensure that they can give their best evidence. This is based on a needs assessment.

The CPS [Public Policy Statement on the Delivery of Services to Victims – The Prosecutors' Pledge](#) gives example of what tailored support might look like for older people, such as enabling some older people to give their evidence while seated because of their frailty.

The police should have considered ways of enhancing the evidence of the victim – for example, by making adjustments or by special measures – in 148 of the 192 cases that we examined. We found evidence that this had been done in only 45 cases.

The police gave information regarding required adjustments in only 8 of the 41 relevant cases that we examined.

Cause of concern

The police don't always consider whether they should tell the CPS of adjustments victims need to be able to give their best evidence. This is because there is little guidance for officers about how and when they should do this.

Recommendation

Within six months, the NPCC lead for case file quality should work with the College of Policing to produce guidance for officers, which should be given to chief constables.

Police officers must be able to present the results of investigations to the CPS, including the risks faced by the victim. The CPS must then be able to assess the evidence easily and advise on remedial investigative action and/or the correct charge.

Police supervisors play an important role in making sure that prosecution case files include all relevant material. We found no evidence of supervision in 49 of the 96 charged cases. Many of the case files that were submitted to the CPS contained important omissions, such as a lack of victim personal statements or special measures assessments. The lack of, or ineffective, supervision is likely to be a significant reason for these failings.

In our [Criminal Justice Joint Inspection business plan 2018-19](#), we have said that we will consider what more we can do to inspect this important area of police work.

Compliance with the Code of Practice for Victims of Crime

The police and the CPS are required to comply with the Code of Practice for Victims of Crime (the victims' code), which outlines how victims should be treated. In addition, the CPS should treat victims in line with the [Prosecutors' Pledge](#).

Many people are not aware that the victims' code exists and find it difficult to understand what it means for them. That is why it is very important that the police and the CPS comply with the code on all occasions and explain it to victims.

Overall compliance with the victims' code

In the 192 cases that we examined, we found evidence that the victims' code had been complied with on only 97 occasions. This is very poor.

In the 96 charged cases that we examined, the police and CPS had only fully complied with relevant guidance in 49 cases. Overall, the quality of service of the CPS when considering the victim as an older person was rated as good in only 41 out of 96 cases.

We have also highlighted in some of our other reports³² that the police and CPS often don't comply with all their duties under the victims' code.

Currently, there is no way of knowing how well police forces and the CPS comply with the victims' code. The Victims' Commissioner, in her [2017/18 report](#), stated that monitoring compliance is difficult because the data is inconsistent or non-existent.

The Victims' Commissioner summarised by saying:

"I remain concerned by statistical and anecdotal evidence suggesting that victims are not always receiving their entitlements, as set out in the Victims' Code. This is not acceptable. Victims deserve better."

The government's [Victims Strategy](#) published in September 2018 included a commitment to amend the victims' code and importantly to hold agencies to account for compliance with the code. We welcome these developments and will watch the police and CPS response closely.

Victim needs assessments

Police and prosecutors should assess at an early stage whether the victim is entitled to an enhanced service.³³ Victims of the most serious crime,³⁴ those who are vulnerable and/or intimidated, and those who have been persistently targeted should receive a different and better service. This could include receiving more frequent updates on their cases, and/or automatically considering special measures to help them give their best evidence.

While older people are not automatically entitled to an enhanced service, many will qualify for such because of their personal characteristics and/or how they have become victimised.

The [victims' code](#) states:

"All victims of a criminal offence are entitled to an assessment by the police to identify any needs or support required, including whether and to what extent they may benefit from Special Measures."

³² [Living in fear – the police and CPS response to harassment and stalking](#), HMIC and HMCPSI, 2017, page 69. [Fraud: Time to Choose](#), HMICFRS, 2019, page 96. [A report from the findings of the Area Assurance Programme \(AAP\) in 2016-17 and 2017-18](#), HMCPSI, 2018, page 53.

³³ [Code of Practice for Victims of Crime](#), Ministry of Justice, 2015, page 40.

³⁴ These are domestic violence, hate crime, terrorism, sexual offences, human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent.

The code makes it clear that the police are responsible for the assessment, although victim support services may do a more detailed assessment on behalf of the police. The code also states that the assessment should take place at 'an early stage'.

None of the forces that we inspected consistently assessed victims' needs in a standard way. We could see that forces had complied subsequently with some elements of the victims' code. For example, sometimes a special measures assessment took place, but none of the information was always gathered together in a coherent way.

One force had previously used a form for officers to complete that had served as both an assessment and guidance to officers as to what was important. However, after a new IT system was introduced, the force was no longer able to use the form. One of the results was that referrals to victim support declined significantly, although the force was introducing new ways of working to try to address this.

Case study

The victim was 81 years old and suffered from dementia. Because of the dementia, she kept a note of her PIN numbers with her bank cards in her purse. The purse went missing. One of the victim's sons admitted to another son that he had taken some money from one of the accounts to pay some urgent utility bills. This was reported to the police, along with suspicions that money had been taken from other accounts. No victim needs assessment took place and the victim was not treated as a vulnerable victim needing enhanced services. The suspect was never interviewed, and no other enquiries were made. The case was closed with a note that the case would be difficult to prove.

We found examples of the positive benefits to victims of completing a needs assessment.

Case study

A 74-year-old victim was sexually assaulted by a tradesman who was working at her home. The victim told her carer, who immediately reported the incident to police. The police carried out a thorough needs assessment of the victim and ensured that relevant referrals for safeguarding and specialist support were made. This was followed by regular reassurance visits and updates to the victim from the neighbourhood policing team. Wider safeguarding was identified for other potential customers of the suspect. Police contacted the suspect's employer to ensure that he did not meet other older people.

We believe it is likely that some police officers don't complete victim needs assessments because they believe that this job will be fulfilled by victim support services. However, if the victim is not referred to victim support (which, as we describe above, often does not happen), the police cannot comply with their obligations under the code.

Victims may have an assessment of their needs completed if they are referred to victim support services. However, it is unlikely that the police will routinely have access to the assessment and be able to use it to inform how they should look after the victim and investigate their case. It is also possible that the assessment undertaken by victim support services will be completed after the investigation has taken place.

It would help police forces, the CPS and victims if officers routinely carried out the assessment of victims' needs in a standard way. The assessment should also take place when victims and witnesses are first spoken to in detail. If this assessment was then provided to the CPS, it would help prosecutors to understand what actions the police had already taken and what further help was needed from them.

The early completion of a victim needs assessment by officers would allow them to plan how the needs would be met, including whether victims needed help to provide their evidence, or if special measures for giving evidence in court were appropriate. We believe that if an assessment was initially completed, it is more likely that the important things that the police and the CPS are required to do would then follow.

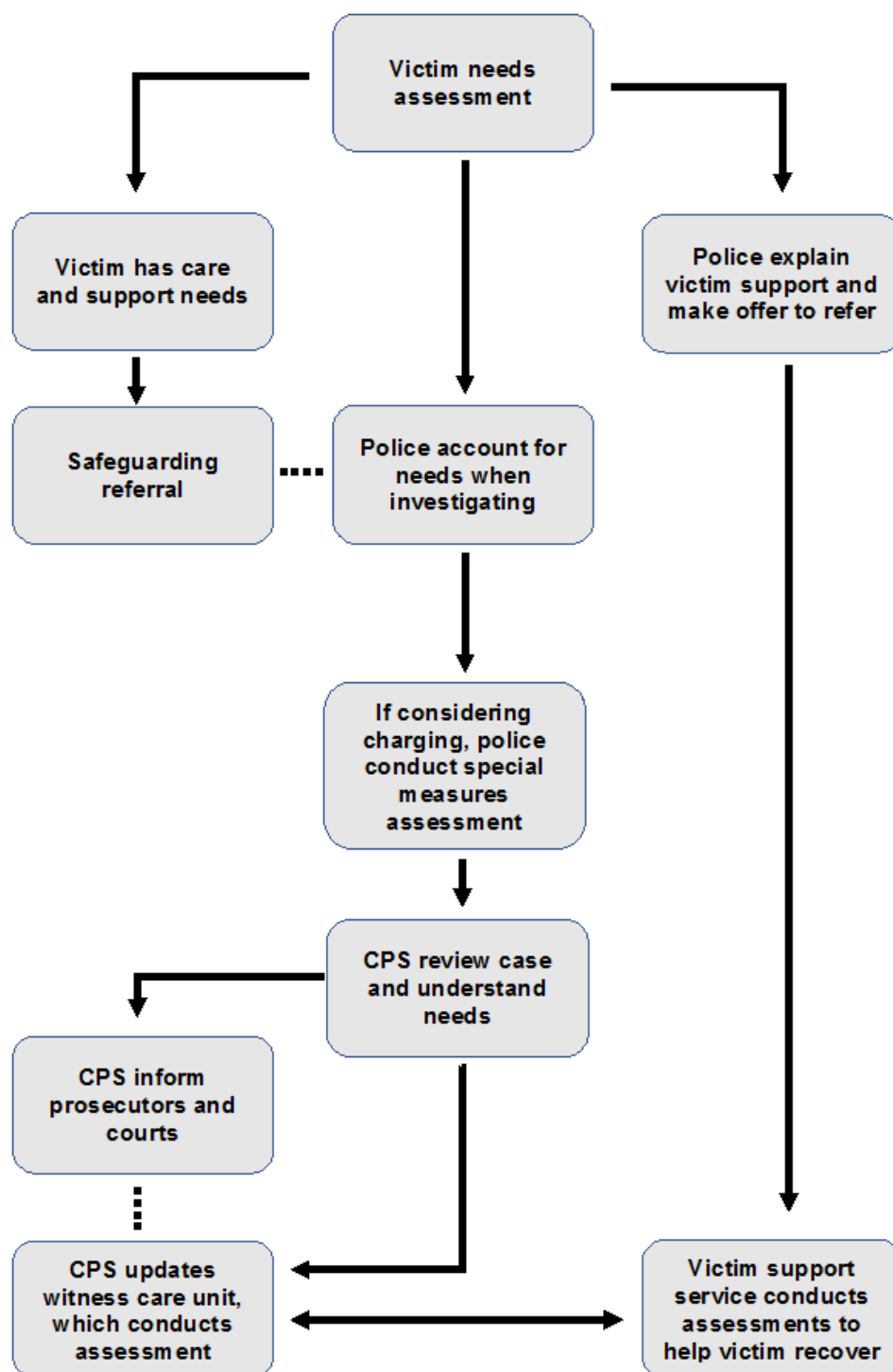
Such an approach will help officers make good decisions about whether safeguarding referrals should be made. This is supported by guidance in [Making Safeguarding Personal](#):

“Whether or not the Victims' Code applies in a police matter, applying its underlying principles more generally at the frontline in both prevention and intervention will support Making Safeguarding Personal.”

The added benefit of the consistent completion of victim needs assessments is that it would allow victims and officers to talk about whether the victim would benefit from a referral to victim support services. If so, the relevant support services could be provided with the assessment to help them decide how they could best help the victim.

In Figure 9 below, we show how the effective completion of victim needs assessments by the police can result in several positive benefits for victims.

Figure 9: Victim needs assessment benefits



In Avon and Somerset Constabulary, we found a good way of working that we included in our [national hate crime inspection report](#). Victim needs assessments are completed by the victim support service, Lighthouse.

In the report we concluded:

“All referred victims are contacted and a common needs assessment is completed. This indicates what type of support the victim would benefit from, and why. Importantly, this assessment is placed on the force crime recording system, so it is visible to officers. This provides important information to officers and allows them to take this assessment into account when contacting the victim and conducting the investigation.”

While providing obvious benefits to victims, the police and other agencies, this way of working is not commonplace in other forces. We would like to see other forces adopt this approach and have made a recommendation under ‘Referral to victim support’ above.

We will continue to work with the relevant organisations to help them to understand the benefits of a more streamlined and joined-up approach to victim support. However, we think that police forces can also act quickly to ensure that victim needs assessments are completed effectively.

Cause of concern

The police don’t consistently assess the needs of victims as set out in the relevant codes of practice. The needs of victims aren’t always met, and the CPS aren’t always given the right information to tailor the help they offer to the needs of the victims.

Recommendation

Within six months, the NPCC lead for victims and witnesses should establish good ways for police forces to conduct a victim needs assessment. This should include whether the assessment should be completed when officers first meet victims and witnesses, and if there are benefits in providing the assessment to the CPS and other appropriate organisations.

Cause of concern

The police don’t consistently assess the needs of victims as set out in the relevant codes of practice, so the needs of victims aren’t always met.

Recommendation

Within six months, chief constables should make sure that victim needs assessments are always completed.

Updating victims on the progress of investigations

The [victims' code](#) outlines the rights of victims to be updated about the progress of investigations. The code states the police should inform victims how often they will be updated about the progress of the case after a discussion with the victim. Victims should get important updates, such as when someone has been arrested or charged, within five days. Those entitled to an enhanced service should receive updates within one day.

In our case assessments, it was often not possible to tell when the victim had been updated. In one force, we found that the timescale for victims to be updated about the progress of the case was automatically set to the maximum of 28 days. While it was possible for officers to override this, in the cases that we examined, we did not find that this had been done.

Case study

A 75-year-old victim had been in dispute with the suspect over some building work. The victim was in a restaurant when the suspect deliberately poured coffee over him and his meal. Staff saw the incident and it was captured on CCTV. The suspect threatened the victim and warned him not to report the incident to the police. The victim was traumatised but did call the police. The victim was not contacted by the police for three weeks. In the intervening time, the victim phoned the police for an update but was given no information. Although he was vulnerable and intimidated, there was no evidence that the victim was assessed as requiring an enhanced service.

We also found examples where victims had been well looked after by the police.

Case study

A very vulnerable 69-year-old woman with poor mental health was living alone. Afraid of being burgled, she carried a large sum of cash in her rucksack when she went out. The victim was robbed, and the cash was stolen as she was returning home. The investigation was timely and thorough. All lines of enquiry were followed and a prompt arrest of one of the suspects resulted in the recovery of half of the money stolen. There was good victim care throughout the process with regular updates given to the victim. A safeguarding referral was made to the local authority and a referral was made to victim support services.

Some older victims of crime that we spoke to told us that they had experienced poor levels of communication from the police.

Prosecutors did not always give clear instructions on the file that detailed the older victims' entitlements under the victims' code. This is important because these instructions are used by other CPS staff and prosecutors to decide how they should treat the victim.

The failure of the police and CPS to consistently comply with the victims' code is an important and enduring problem.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently provide clear instructions on the prosecution file as to a victim's entitlements under the Code of Practice for Victims of Crime. The instructions should be recorded on the charging advice form in CPS-charged cases, and at the initial review in police-charged cases.

We also found that the CPS did not challenge cases where the police had not provided it with relevant information to enable decisions to be made about victim and witness entitlements. This meant that the police did not learn from these errors and omissions.

We discuss how effective the police and the CPS had been in delivering some specific enhanced entitlements for older victims of crime, such as special measures, under 'Special measures' below.

We found some good examples of local initiatives to help look after older victims of crime.

[The Cambridgeshire Bobby scheme](#)

This scheme operates in Cambridgeshire and Peterborough and provides free crime reduction support to victims of crime over the age of 60 and to all victims of domestic abuse.

The scheme gives crime prevention advice as well as practical support by installing safety measures such as door locks and chains. Police officers and staff and the local victim support service can make direct referrals.

The initiative has been running for more than 18 years and has so far helped more than 46,000 victims.

Victim personal statements

Victim personal statements must be submitted to the CPS when the prosecution file is sent to the CPS.

The victim personal statement is of critical importance to the criminal justice process because it can:

- give victims the opportunity to provide a more structured response about how the crime has affected them – physically, emotionally, psychologically, financially or in any other way;
- allow victims to express their concerns about bail or the fear of intimidation by or on behalf of the defendant;
- provide victims with a means by which they can say whether they feel that the crime was motivated by their age, or whether disability played a part in the crime;
- provide victims with the opportunity of stating whether they wish to claim compensation or request assistance from Victim Support or any other help agency; and
- provide the criminal justice agencies with a source of information on how the crime has affected the victim (or, in the cases of homicide, the family of the victim) and a practical way of ensuring that the sentencing court will consider (in accordance with section 143 of the Criminal Justice Act 2003) any harm that the offence caused.

Victim personal statements are particularly important for older victims because the impact of the crimes can be especially profound. The statement should be taken at an early stage of the investigation because it can help the police to understand how the crime has affected the victim, and help them to assess how the victim can provide their evidence in the best way.

The Victims' Commissioner produces an [annual review of the use of victim personal statements](#). The latest report concluded:

"I am disappointed to report that the data reveals little progress being made since 2013/14. In terms of the proportion of victims offered the opportunity to make a VPS by police, only one in six victims were offered this opportunity. Yet more than half of victims who were offered a VPS chose to make one, and of those who did make a VPS, the majority felt it had been taken into account by the criminal justice system."

In the 192 cases that we examined, it was not appropriate to take a victim personal statement on 32 occasions. Of the remaining 160 cases, there was no evidence that 63 victims had been offered the opportunity to make such a statement. On another 25 occasions, while the statement had been taken, this could have happened more quickly.

In the 73 charged cases where it was appropriate to take a victim personal statement (and it was not recorded that the victim declined to make one), it was only initially submitted to the CPS by the police 33 times. This may partly be a recording issue, in that the police may not always tell the CPS that the victim had declined an offer to give a victim personal statement. The CPS requested a victim personal statement in 29 out of the 40 outstanding cases but only a further 8 became available by the first hearing.

Area for improvement

Within three months, the NPCC lead for case file quality should remind chief constables:

- to make sure a victim personal statement is included with the initial submission to the CPS; or
- to record the reason for the absence of a victim personal statement on the pre-charge advice form.

When the police don't provide accurate or enough information, it is important that the CPS tell the police this as soon as possible. If not, the likelihood that the case will not proceed at court increases. If the material is not provided at all, the defendant may be acquitted. In the 34 relevant cases that we examined, the CPS asked for this material promptly on only 20 occasions.

Outcome of investigations

The police can decide to conclude an investigation at any time. Sometimes, police forces decide not to begin an investigation if there appears to be little chance of identifying the perpetrator.

When the police do investigate a crime, they may not, despite their best efforts, identify the person responsible. We have discussed the effectiveness and thoroughness of investigations into crimes against older people under 'Police investigations'.

In this inspection, we examined 96³⁵ cases that had not resulted in a charge. In 47 of these, the case was closed because the victim did not support any further action by the police, even though the suspect had been identified.

There are various reasons why victims might tell police about a crime and who was responsible but then decide that they do not want to proceed with the allegation. We know that, for example, some victims may fear what might happen to them or feel that the police are not supporting them adequately. Because we did not speak to the victims in the cases we examined, we don't know whether this was a reason in these cases.

Case study

A 72-year-old was the victim of repeated anti-social behaviour and other crimes. Since 2017, eight of these reports had been recorded as crimes. Another four incidents had been reported but not recorded. The victim then reported that four young males had thrown eggs at his house, and that on several occasions someone had switched his electricity off using the outside junction box. A police community support officer visited the victim. The males were identified and warned about their behaviour. There was no consideration of how to keep the victim safe for the future. The entries on police systems appeared to show that the police were concerned to manage the demand for their services caused by the number of calls, rather than to treat the victim as vulnerable and provide an appropriate co-ordinated response with other agencies.

We also found examples of good work by the police.

Case study

An 84-year-old victim who lived alone in a secluded location had property and cash stolen in a burglary. During the burglary, her late husband's ashes were spilled. She was confined to the ground floor of her home and had daily care and support from her family. Police attended promptly, and they ensured that the victim had all the safeguarding support she required from her family and other care agencies. The investigating officer conducted a thorough investigation including press appeals, house-to-house enquiries, and commissioning enquiries on social media and sales sites to find the stolen property. The victim and her family were kept up to date and there was a clear focus on the victim throughout. As a result, a suspect was identified. The suspect was known to police and was already in custody having been arrested in the area at the time of the burglary.

³⁵ We examined 16 cases in each of the 6 forces that we inspected.

Victims told us that it was not just the outcome of a case that was important, but how it was communicated. This can have a considerable impact on older victims and their levels of satisfaction with the police response.

Some victims told us that they had received a text from the police to inform them that their case had been closed. The victims thought that this was inappropriate because it did not give them sufficient information.

When the police believe that they have sufficient evidence against a suspect, they must decide what to do next. In this inspection, we did not look at cases where an [out-of-court disposal](#) was chosen.

In certain cases, such as those involving domestic abuse, the CPS must decide how to proceed, using the [Director's Guidance on Charging](#) and the [Code for Crown Prosecutors](#). Crimes against older people are not specifically mentioned in these documents, so it is possible that crimes against older people could be charged by either the police or the CPS.

In the 96 charged cases that we examined, 8 had been charged by the police and 88 by the CPS.

Communication with the victim after charge

When an alleged offender is charged, the main responsibility for communicating with the victim about court proceedings falls to witness care units (WCUs).

In some areas, WCUs are combined with victim support services. We describe the benefits of this arrangement above under 'Referral to victim support'.

In most cases, WCUs had kept victims informed of the progress of their case, and in a timely way. We found examples where WCUs had helped victims who had communication difficulties – for example, by contacting an appropriate family member where the older victim found it difficult to use the phone.

When the victim was vulnerable or had a characteristic that made communication potentially more difficult, the contact was conducted appropriately in 63 out of the 68 relevant cases that we examined. This is positive.

The CPS needs to communicate well with the WCUs so that, in turn, victims can be kept informed and their needs considered. In most of the cases where the CPS needed to tell the WCU about the needs of a victim (for example, in relation to considerations about accepting pleas of guilty or whether special measures were required), we found that these communications were effective.

When the CPS decides that charges are to be dropped or substantially altered, prosecutors should write to the victim within one day if the victim has enhanced entitlements, and within five days in other cases.³⁶ This was done in a timely way in only 17 out of 32 cases that we examined.

It is particularly important for older people that prosecutors should also consider the best way of communicating with victims. There were only three cases in our sample where there was an obvious need to consider the needs of the victim when preparing a letter to them. In two out of the three cases, this was dealt with properly. However, in one case, where the victim was partially blind, a standard letter was sent with no apparent consideration given to the use of either Braille or larger print.

In other inspections, we have also noted that the CPS could be better at writing to victims and explaining decisions.³⁷

In certain cases – for example, serious sexual offences – the CPS must offer to meet victims to explain their decisions.³⁸ In both the cases that we examined where it was appropriate, a meeting was offered to explain the decision.

Prosecutors should comply with [CPS guidance](#) and, whenever possible, speak to victims and witnesses before they give their evidence. This can help victims and witnesses understand the court process, which can be a daunting prospect, and put them at ease. This allows them to give their best evidence to the court. Prosecutors should note that this has been done on the CPS summary record of the hearing.

In the cases that we examined, where older people attended court to give evidence, we found a record that the victims and witnesses had been spoken to by a prosecutor in only 11 of the 21 cases.

Prosecutors may simply be failing to record that they have spoken to victims and witnesses. However, without accurate records we, and the CPS, cannot be reassured that this important work is happening.

³⁶ [Code of Practice for Victims of Crime](#), Ministry of Justice, 2015, page 44.

³⁷ [A report from the findings of the Area Assurance Programme \(AAP\) in 2016-17 and 2017-18](#), HMCPSI, 2018. [Victim Liaison Units: Letters sent to the public by the CPS](#), HMCPSI, 2018, page 30.

³⁸ [Code of Practice for Victims of Crime](#), Ministry of Justice, 2015, page 50.

The prosecution of crimes against older people

When the police provide a case file to the CPS, prosecutors must assess whether there is sufficient evidence to charge and, if so, what is the most appropriate charge. Prosecutors also decide on whether it is in the public interest to charge. This is called the 'code test' because it relates to the [Code for Crown Prosecutors](#).

All 88 cases that were charged by the CPS complied with the Code for Crown Prosecutors. This is positive.

For cases involving older people, we found that, in 40 of the 88 relevant cases examined, prosecutors had not considered all the factors that might affect the case, including the [CPS crimes against older people policy](#).

Reasons why we considered that improvements could be made include:

- no evidence that the lawyer had considered the CPS policy for prosecuting crimes against older people;
- a failure to ensure that the police had fully investigated cases where it appeared that the older person had been targeted because of their age;
- no early or sufficiently detailed consideration of appropriate special measures and any other necessary adjustments;
- not considering appropriate ancillary applications early enough (or at all); and
- not ensuring that all aggravating features of the case were presented to the court at sentence.

An important part of the role of the charging prosecutor is to ensure that victims are kept safe. This can be done by applying to the court for a restraining order. While the application can only take place after the case been concluded, it is important that the prosecutor considers the need for this at the earliest stage, because they may need to ask the views of the victims and the police.

We assessed whether prosecutors considered all relevant applications and ancillary orders at the charging stage. In the 84 relevant cases³⁹ that we examined, 43 did not meet the required standard. The most common reason, in 23 cases, was that a restraining order was not considered when it should have been.

³⁹ Twelve cases were not relevant – for example, because the case was discontinued.

In our joint [national harassment and stalking inspection](#), we also found problems with the application for restraining orders. In the report we made the following recommendation:

“The College of Policing and the CPS should ensure that victims are properly protected through the use of restraining orders by respectively:

- revising the summary of evidence form to ensure a consistent and appropriate response to such applications; and
- providing clear guidance about applications for restraining orders.”

In 2019, we [reported on the progress of this recommendation](#) and were told by the CPS:

“The summary of evidence form has not been revised. Instead this recommendation has been incorporated into the stalking checklist which must accompany all cases of stalking or harassment that the police submit to the CPS. When they use the checklist, police officers must answer this question: ‘Restraining Order – does the complainant want one and if so with what terms?’

The same checklist also prompts prosecutors to make timely applications, and the CPS guidance reinforces this.”

While improvements have been made that deal with stalking and harassment cases, we are not convinced that other types of cases will see the benefit of this approach. Although in this inspection we did not examine whether the police had correctly told the CPS that a restraining order was required, we do believe that there are enduring and important failings in the way that the CPS deals with applications for restraining orders.

We were told that the CPS has just updated the ‘review screen’ on its case management system. This is a screen that prosecutors must complete when reviewing every case and it will now also generate the charging advice document (MG3).

The screen has been changed to require prosecutors to consider important issues in their review including considerations relating to victim and witness needs, trial issues, special measures, intermediaries and interpreters.

We welcome this change, which should make sure that the quality of CPS reviews is more structured and consistent. We hope that these changes will result in improvements to the early consideration of restraining orders when this is appropriate.

Cause of concern

Some victims may not be kept safe after a court case has ended because prosecutors don't always consider and apply for a restraining order.

Recommendation

Within three months, the CPS should remind prosecutors to record that a restraining order has been considered in all appropriate cases.

Special measures

Special measures allow vulnerable or intimidated witnesses in a criminal trial to give their best evidence. They can include giving evidence behind screens in court or via video link.⁴⁰ All special measures are particularly important for older people.

An older person is not entitled to special measures as of right but can often be eligible because they have been a victim of the most serious crime or persistently targeted, or are vulnerable or intimidated.

We have discussed above the importance of the police assessing at an early stage whether a victim is entitled to special measures. If they are, the police should explain the special measures available and discuss which ones are most appropriate. The police should then tell the CPS that this has been done.

HMCPSP inspectors also examined the approach of the CPS to special measures when they were considering charges. Inspectors concluded that, in the 88⁴¹ relevant cases, 13 did not sufficiently consider what special measures would have been appropriate for the older person. Even in cases where special measures were considered, it was rare to see any detailed consideration of this issue.

We found charging lawyers frequently did not give clear advice regarding victims' entitlements. Lawyers also sometimes did not challenge incorrect or incomplete information given by the police on this important issue.

The lack of initial consideration of appropriate special measures had a consequence for cases when they later reached court. We found that in 6 of the 23 cases where special measures could have been used, no applications to the court were made.

⁴⁰ Established under the Youth Justice and Criminal Evidence Act 1999.

⁴¹ Eight cases were not charged by the CPS.

Case study

An older vulnerable woman reported that she had been assaulted by nursing home staff. She was suffering from Parkinson's disease, poor mobility and acid reflux. A registered intermediary would have helped her to communicate when giving her evidence. It was clear from the outset that the allegation would be contested. Nevertheless, the police presented her evidence in a statement rather than a video. Neither the police nor CPS engaged a registered intermediary to improve the quality of her evidence. At trial, the defendant was acquitted.

As we have stated above, we hope that the changes to the way reviews are recorded by prosecutors will help ensure that special measures are considered in all appropriate cases.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently record special measures entitlements on the relevant pre-charge advice form.

Prosecutors should also be reminded to record on the file review that special measures meetings have been considered when appropriate.

Special measures meetings

In some circumstances, a meeting with the CPS to discuss special measures could help victims and witnesses. The current [CPS guidance](#) states that the purpose of a meeting is:

“to reassure witnesses that their needs will be taken into account and thereby help build up their trust and confidence.”

The guidance gives several important benefits to having a meeting, such as reducing any reluctance by the victim to attend court and providing an opportunity for the witness to explain their concerns about giving evidence and ask questions about special measures.

While the CPS guidance on special measures indicates that in some circumstances a meeting with the CPS can take place, we found that in practice this aspect of the guidance is not applied.

At the time of the inspection, the CPS was reviewing its guidance in relation to the use of special measures meetings.

We are aware that the policy of offering meetings to discuss special measures does not happen except in certain sensitive case types.⁴² The CPS policy was written in 2009 and no longer accurately sets out the current position. The CPS is currently reviewing this policy and guidance, but the CPS has told us that it is likely any review of its policy will result in special measures meetings only being offered in the most serious cases.

As we have said above, current CPS policy states that the police should offer victims a meeting with the CPS to discuss special measures. However, the [College of Policing guidance on working with victims and witnesses](#) does not cover this aspect, and nor do either the referenced Ministry of Justice guidance on [Achieving Best Evidence in Criminal Proceedings](#) or the [victims' code](#).

So, it seems that the CPS guidance is not repeated in any guidance available to the police. As a result, it is likely that few police officers know about this.

In 49 of the 96 charged cases that we examined, the victims should have been entitled to a special measures assessment and could have been entitled to an application for special measures at court. In these cases, the police could have offered victims a meeting with the CPS.

However, it was not clear to us that this happened in any of the relevant cases. We believe that a lack of guidance is a significant contributory factor to this failing.

Any review of current policy and guidance must include an assessment of the wider benefits of this approach, and clearly set out the rationale for when these meetings should be offered and held.

⁴² These are rape and serious sexual assault; child abuse; human trafficking; female genital mutilation; hate crime; domestic violence; stalking; and bereaved families.

Cause of concern

Some vulnerable and intimidated witnesses may not always be provided with sufficient reassurance and confidence to provide evidence in court. This is because:

- the current CPS guidance on special measures is out of date and sets out a position that contradicts current practice in relation to special measures meetings; and
- there is no clear guidance for the police on special measures meetings.

Recommendation

Within six months, the CPS should review its guidance about special measures. The CPS should also work with the College of Policing and the NPCC, so that special measures meetings are offered to victims and witnesses when appropriate.

As well as the problems with special measures meetings, we have previously found errors and omissions in the way that the police and CPS deal with other aspects of special measures.⁴³ We are disappointed that this is a continuing problem in this important aspect of victim care.

In 10 of the 92 cases that we examined, the CPS should have considered offering a meeting.⁴⁴ In six of these ten cases, we found that there was no record of any consideration by the CPS of a meeting and no record of any meeting taking place. As we have said above, we found examples of cases where a registered intermediary should have been used to help the victim to communicate with the police and the CPS. This did not happen as often as it should have done. Registered intermediaries can ask for special measures meetings on behalf of the victims. The lack of registered intermediaries to help victims is another barrier to vulnerable and intimidated victims being treated according to their needs.

⁴³ [Living in fear – the police and CPS response to harassment and stalking](#), HMIC and HMCPSI, 2017. [Witness for the prosecution: Identifying victim and witness vulnerability in criminal case files](#), HMIC, 2015.

⁴⁴ There are certain types of cases for which CPS policies state special measures meetings should be considered. These are rape and serious sexual assault; child abuse; human trafficking; female genital mutilation; hate crime; domestic violence; stalking; and bereaved families.

In this report, we have made several recommendations to the police and CPS about special measures. If implemented, we hope that these will improve the way that all victims are treated so that all victims are given the best opportunity to give their best evidence.

Instructions to prosecutors

When a charge has been authorised by a lawyer, it is then important to ensure that appropriate instructions are given to the court prosecutor. Such instructions should cover applications – for example, for special measures – observations concerning bail and any apparent aggravating features that should be brought to the attention of the court when sentencing.

We found that in only 46 out of the 88 relevant cases had all appropriate instructions been given regarding the case. We found either missing or incomplete instructions regarding special measures and applications for restraining orders. This could result in such important applications being missed at the first hearing.

We also found it was very rare to see instructions to the court prosecutor to bring to the court's attention the fact that the case involved a crime against an older person, and that this factor could be an aggravating feature when the court came to consider sentencing – for example, when the victim was targeted because they were perceived to be vulnerable because of their age.

Because some defendants plead guilty at the first hearing, it is even more important that all these facts are available. However, we found that this was not always the case.

Area for improvement

Within six months, the CPS should assure itself that prosecutors consistently include all relevant information about the victim as an older person in the instructions to court prosecutors.

As stated previously, we hope that the changes to the way reviews are recorded by prosecutors will result in improvements in the quality of instructions to the court advocate.

Decision making when a victim does not want to proceed with a case

Sometimes, after an allegation has been made, victims don't want to proceed with a case. The police and the CPS must then decide whether it is in the public interest to continue with the prosecution without the victim giving direct evidence. This is sometimes called 'victimless' or 'evidence-led' prosecution.

We found that, when it was clear that the victim would not give evidence, this was usually dealt with appropriately, with a victimless prosecution being considered in most relevant cases (33 out of 38 cases).

Case study

The victim, a woman aged 67, was assaulted by her adult son, resulting in her receiving a head wound requiring eight stitches. The victim refused to support a prosecution or provide evidence to the police. The police built a case using evidence from the 999 call, comments made by the defendant to paramedics who attended, and photographs of the scene and the victim's injuries. Because of the strength of the evidence collected, the defendant pleaded guilty.

Leadership, governance and training

National leadership for crimes against older people

Chris Long, who is the chief crown prosecutor for East of England, is the CPS national lead for hate crime. The CPS produces data on crimes against older people in its [hate crime report](#) – although crimes against older people are not hate crimes in themselves.

There is a lack of clarity as to the relationship between the CPS portfolios of crimes against older people and hate crime. We believe it would benefit both prosecutors and external interested parties (including victims groups) if the CPS clarified that responsibility at a national level for crimes against older people also sits with the national hate crime lead.

Area for improvement

Within three months, the CPS should clarify that the lead for hate crime includes responsibility for crimes against older people.

Within the CPS policy unit, there is also a policy lead for crimes against older people who is also responsible for the relevant legal guidance.

The NPCC lead for adults at risk is Ian Pilling, Deputy Chief Constable of Greater Manchester Police. This is a large portfolio covering other important areas, such as homelessness, and some aspects of the police response to mental health. In some circumstances, such as safeguarding, older people are considered to fall within this wider group.

In addition, Richard Lewis, Chief Constable of Cleveland Police, is the NPCC lead for age-related matters. At the time of our inspection, Chief Constable Lewis had only recently taken up his role and had yet to develop his strategy. The NPCC age-related matters portfolio is aligned to the diversity, equality and inclusion area of work, and we were told it traditionally has been focused on the needs of older police officers and staff. It is not clear how the two NPCC portfolios of adults at risk and age-related matters work together in the best interests of older people.

The adults at risk portfolio is aligned to the NPCC vulnerability strategy, and work to bring together and co-ordinate improvements to the police response to vulnerability is led by the NPCC and the College of Policing. The College has identified [13 strands of public protection](#) and the NPCC has created a [vulnerability action plan](#).

Older people are not specifically identified within the College's strands of public protection. Although some crimes that particularly affect older victims (such as

those who have been the subject of domestic abuse) are identified strands, others (such as hate crime) are not.

Therefore, while older people as a demographic group are generally considered to be more vulnerable than other adults because of their particular circumstances, they don't feature as a distinct group within either the public protection strands or the vulnerability action plan. We therefore considered whether to recommend a separate public protection strand for older people.

However, the broad approach of the police service and the College of Policing is to move away from creating further sub-groups of victims. Rather, the police should seek to identify vulnerability and its causes, but not 'pigeonhole' people into different groups. The purpose of this approach is to recognise that people may be vulnerable in different ways and in different circumstances, and that everyone should be treated according to their individual needs.

We agree with this, but it is important that the findings from this report about the measures most likely to ensure that older victims of crime receive an effective service are not lost because this group are not one of the 13 strands. There is an obvious danger that there will be a lack of focus and so opportunity to improve because older people as a group fall within several different police portfolios and areas of work.

Given this, we believe that the police need to do more to recognise the problems faced by older people, and that with an ageing population increased focus is required to make sure that these problems are addressed. We would like to see the NPCC consider this in more detail with other interested parties, and will be discussing our findings in this area with them over the coming months.

We believe it would be a good first step if the police developed a strategy that sets out what the problems are for older people, and what actions are required to respond to them. This could complement similar strategies in place in some government departments, and many other public sector organisations have strategies for dealing with older people.

While responsibility for implementing the actions in such a strategy may be split across several strands of public protection and NPCC portfolios, we hope that by developing such an approach the interdependencies between other areas of policing practice, such as domestic abuse, can be more easily joined up.

We think that a more defined focus on older people would also allow forces to better understand the demand for services from this increasing section of society, and respond to them more effectively.

Cause of concern

Older people are not sufficiently recognised as a group of vulnerable people by the police, and so there is little co-ordination of activity to make sure that older people are given the best service.

Recommendation

Within six months, the NPCC leads for adults at risk, age-related matters and the vulnerable people portfolio should develop a strategy for how the police service should respond to the problems faced by older people, and agree who should be responsible for it.

[FMSs](#) are completed by forces as part of their annual [PEEL assessment](#). FMSs help forces to understand the demand for their services, and to plan and prepare for future demand.

None of the FMSs of the six forces that we inspected had effectively mapped out how the current challenges faced in providing services to older people may evolve, and how the police would have to change in response.

It is likely that there will be variations in the proportions of older people living in different force areas, and within different parts of those force areas.

As older people may present different and varied demands for service on the police, we believe it would be a good idea for forces to assess these demands and ensure that they are considered in any planning decisions. This should include predictions of how this demand may change over time, and whether (and how) the work of other organisations – such as local authorities – may affect the police.

An increased focus on older people brought about by a change to national arrangements, such as we have discussed above, would also help forces to understand the interdependencies that exist between crimes against older people and other areas of vulnerability.

Area for improvement

Within six months, chief constables should find good ways to assess the current demands on the police made by older people. These assessments should include a prediction of future changes in demand, account for the work of other organisations, and be incorporated into FMSs.

Police training

There is no specific police training for dealing with crimes against older people. Some aspects will be dealt with in the initial police training given to new officers or staff. Subsequently, most officers and staff are likely to receive relevant training as part of vulnerability inputs given by individual forces, and/or when officers receive enhanced training for specialist roles.

We were concerned that only some, not all, of the forces we inspected were in the process of giving vulnerability training to all officers and relevant staff. One of the forces we visited did not even have a regular training day for control room staff.

The College of Policing vulnerability training product emphasises the need to identify vulnerability that leads to harm or risk of harm, whatever its causes. We have noted above that this training seems to help officers to identify and respond to vulnerability in the first instance.

We have described above under 'Police safeguarding guidance and training' how there is no College of Policing approved training for officers involved in adult safeguarding arrangements.

There is no CPS training specifically dealing with crimes against older people, although some aspects will be covered in other training, such as that for domestic abuse.

Police and CPS quality assurance of crimes against older people

As police forces don't generally recognise crimes against older people as a category of offending, routine and specific checking of these crimes is unlikely to take place.

It is possible that some crimes will also fall into other types of offending, such as domestic abuse and hate crime. In these cases, most forces will have some form of quality assurance system to prevent errors and omissions.

The CPS also does not engage in any specific monitoring, or quality assurance, of the cases it defines as crimes against older people.

We were told that CPS area hate crime co-ordinators were required to check all cases with the 'older people' flag every week. This was to check whether the case involved a disability hate crime and, if so, whether those aspects of the case were being dealt with properly. This also offered an opportunity to check that the case was in order more generally.

We were told that it was expected that the reviewing prosecutor would be told about any other issues identified that required action. However, we were told that any such

review would not necessarily be recorded. In our case file reviews, we found little evidence that this had added any value to the cases themselves.

In the absence of more formal organisational arrangements, responsibility for making sure cases are dealt with properly falls to police and CPS supervisors.

We have shown above under both ‘Police investigations’ and ‘The police provision of information to the CPS’ that police supervision is frequently not effective.

We did not specifically assess the quality of CPS supervision. However, we were told that legal managers use the internal quality assurance (IQA) process for checking their lawyers’ work. Given the small number of cases involving older people, it would be unlikely that many of these would be included in this process.

The CPS also conducts ‘themed’ IQA processes for subjects such as domestic abuse and hate crime. However, this has not been done for crimes against older people although we were told that CPS Direct⁴⁵ was planning to conduct such an exercise soon.

Police and CPS learning from previous cases

As the police don’t generally regard crimes against older people as a separate category of offending, there are few formal mechanisms that specifically look at these crimes to highlight positive practice or to see whether things could have been dealt with better.

It is possible that the police learning from some crimes will be identified in other ways – for example, if the case involves domestic abuse or hate crime.

Local scrutiny panels offer a useful system for scrutiny and feedback on case handling. These are currently conducted by CPS areas in relation to some particularly important types of cases – for example, domestic abuse and hate crime. We were told that representatives of groups supporting older people were present on the panels in some, but not all, CPS areas.

Until recently, no crimes against older people had specifically been included in this process. However, we were told that the Wales CPS area had recently conducted a scrutiny panel involving four crimes against older people and that more such panels were planned. This is a positive step and we would like to see it adopted elsewhere.

⁴⁵ CPS Direct provides charging decisions to all police forces and other investigators in England and Wales.

Area for improvement

Within three months, the CPS should consider whether crimes against older people should routinely be incorporated into local scrutiny panels.

Police and CPS partnership working

In addition to the statutory partnerships we discuss under ‘Safeguarding arrangements’, all the police areas that we visited had developed relationships with organisations that represented older people, most notably Age UK. The level of engagement varied and in some cases the relationships were quite new or did not take place routinely.

Good partnership arrangements can help victims to report crime, as this victim told us:

“I went to Age Concern, who are just down the road. I was so upset, I was crying. I know they help people with their benefits, so I thought they might be able to give me some advice, and they encouraged me to go to the police. So, I did.”

(Older victim of financial fraud, 67)

A [report by Age UK](#) concluded that partners could work together better to prevent older people becoming victims of fraud.

We found that all the forces had developed relationships with local trading standards teams and would sometimes work together on crime prevention initiatives.

The CPS engaged with several interested parties at a national level when updating its crimes against older people policy. The CPS held two national scrutiny panels, one in London and one in Cardiff, with a range of interested parties, as well as publishing a public consultation to ensure that all views were considered.

In the CPS, we found limited evidence of routine engagement with these organisations, with a few of the CPS areas not engaging in any work at all. However, we were told that in one area (East Midlands) the chief crown prosecutor had recently given a presentation to the National Pensioners Convention and had also talked to local groups supporting older people.

While the police and the CPS take different policy approaches to crimes against older people, we found no evidence in most places of the police and the CPS working together on this area.

In Wales, the police and CPS Area were working with the Older People's Commissioner for Wales. This led to the scrutiny panel dedicated to crimes against older people that we have described above.

The Herbert Protocol

While conducting this inspection, we were also told about the Herbert Protocol, a national scheme used by the police in partnership with other agencies. While not directly related to crimes against older people, we have included information about it so that other forces can consider using it.

George Herbert was a Second World War veteran who had dementia and often went missing from his care home. The police helped to develop a protocol to assist people with dementia who had gone missing to get back to a place of safety as quickly as possible. The protocol encourages carers to compile information that can be used in the event of a vulnerable person going missing.

All the forces that we inspected had introduced this protocol, although not all officers and staff that we spoke to had heard of it. Some officers and staff (including those who worked in control rooms) had little detailed knowledge of how the process worked. We found that neighbourhood officers were more aware of the protocol, because these officers and staff had more regular involvement with older people and the organisations that looked after them.

Conclusion

Older people are more likely to be vulnerable than some other groups, are more fearful of crime, and are likely to suffer in different ways from having been a victim. Some older victims have died after being victimised, and this may be because the crimes had different effects on them than on younger victims or those in better health.

But we don't know enough about the problem. This is partly because the police don't treat older people as a specific group, but also because some ways of gathering information don't include those who are older.

To bring more focus to the problem, and to help the police and the CPS work better together, the police and CPS should adopt a joint and simple definition of the most harmful form of offending against older people.

Nationally, we believe that the police can organise their response in better ways – for example, by developing a strategy that sets out the current problems faced by older people, and how the police can best respond to them. This should account for the predicted future increase in the number of older people.

This approach should improve and sharpen the focus on the response to vulnerable older people. We have seen this happen in other areas of vulnerability, such as child protection arrangements.

Although this report is about older people, we believe that all vulnerable people can benefit from the improvements we have recommended.

For example, if the police more often comply with the Code of Practice for Victims of Crime by promptly completing an assessment of victims' needs, it is more likely that victims will receive a better service, more tailored to their individual needs.

We have also returned to some themes from our previous reports that the police and CPS often don't get right. Some of these things, such as the need for early and detailed consideration of special measures, affect vulnerable victims most of all.

We would also like to see a smarter approach to crime allocation, so that the investigative response more closely matches the circumstances of the case. Too often, crimes are allocated based on the type of crime, rather than the needs of victims.

This means that, for vulnerable people, some investigative approaches, such as the need for a registered intermediary or the consideration of mental capacity, are not used as often as they should be.

There is inconsistency in the way that adult safeguarding arrangements are delivered. Some forces have good ways of working and have good partnerships with local authorities and other organisations. Others are still developing their approaches, and it is likely that many will not have broadly similar arrangements for children and adults.

Our report includes numerous examples of police work, sometimes with partner organisations, that we would like to see adopted more widely.

We have made several recommendations in this report. In other areas of work, such as stalking and harassment and custody provision, we have been impressed with the co-ordination of activity on our recommendations led by the respective NPCC leads.

This work has included the formation of national groups of interested parties (with sub-groups), and the creation of action plans to make sure that work is kept on track and people held to account. This is a good way of working and is more likely to lead to successful outcomes.

We will continue to monitor the police and CPS response to these recommendations, because we firmly believe that, if implemented, they will make victims of crime safer.

Definitions and interpretations

In this report, the words, phrases and expressions in the left-hand column have the meanings in the right-hand column assigned to them. Sometimes, there will be a fuller explanation after the definition, with references to sources and other material which may be helpful.

Action Fraud	the UK's national fraud reporting service; it provides information and advice about fraud and cyber crime, and how to report it; Action Fraud reports go to the National Fraud Intelligence Bureau who assess, analyse and send them to police forces for investigation
adult at risk	a person aged 18 years or older who is considered to be at risk of harm; previously called a 'vulnerable adult'
ancillary order	a subordinate order a judge can impose as well as the sentence; some types, such as compensation orders, aim to redress the harm caused by an offender; others, such as criminal behaviour orders and exclusion orders, aim to prevent reoffending or repeat victimisation
authorised professional practice (APP)	official source of professional practice on policing, developed and approved by the College of Policing, to which police officers and staff are expected to have regard in the discharge of their duties
Braille	a tactile reading and writing system used by people who are blind or visually impaired and who can't use printed material
call-handler or call-operator	worker (usually a member of police staff and not an officer) who answers telephone calls from the public, determines the circumstances of any incident reported, decides the initial response to the incident and implements that response

Care Act 2014	Act of the Parliament of the UK that makes provision for reform to the law on care and support for adults and support for carers; it also makes provision for safeguarding adults from abuse or neglect, for care standards and for integrating care and support with health services; it established Health Education England and the Health Research Authority; it created a single, consistent route to establishing an entitlement to public care and support for all adults with needs for care and support
Code of Practice for Victims of Crime (victims' code)	statutory code of practice issued by the Secretary of State for Justice under section 32, Domestic Violence, Crime and Victims Act 2004; it establishes minimum standards on the rights, support and protection of victims of crime; its stated objective is to ensure the criminal justice system puts victims first, making the system more responsive to them and easier to navigate; it also aims to ensure that victims of crime are treated well and receive support to help them cope and recover, and to protect them from becoming victims again; it specifies the services which must be provided to victims of crime in England and Wales, and sets a minimum for the standard of those services; higher entitlements are set for victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims; the public sector bodies which are obliged to provide services to victims of crime are specified in the code, and include police forces and police and crime commissioners; the Victims' Commissioner has a statutory duty to review the code regularly
College of Policing	professional body for policing in England and Wales; it was established in 2012 to provide people working in policing with the skills and knowledge to prevent crime, protect the public, and secure public trust; it has three complementary functions: knowledge (ensuring that over time, policing practice and standards are based on knowledge rather than custom and convention), education (supporting individual development, setting educational requirements and facilitating the academic accreditation of members' expertise) and standards; its powers to set standards are conferred by the Police Act 1996, as amended by the Anti-social Behaviour, Crime and Policing Act 2014; examples of standards set by it include APP and peer review

common assault	an offence committed by a person who causes another person to apprehend immediate unlawful violence by the defendant; it was an offence under the common law of England, and has been held now to be a statutory offence in England and Wales; the penalty and mode of trial for this offence in England and Wales is now provided for in section 39 of the Criminal Justice Act 1988, and it has been held that the offence should be alleged as contrary to the statute because of this; section 39 of the Criminal Justice Act 1988 does not contain a definition of the expression 'common assault' that appears there, so what the offence consists of must be determined by reference to case law
control room	police control and communications room which manages emergency (999) and non-emergency (101) calls, and sending police officers to those calls
crime allocation policy	the process by which police forces decide who in the force is responsible for investigating a crime
crime-related incident	incident reported to the police which would amount to a notifiable crime, but is not recorded as a crime; this can be because the incident is reported by a third party (that is, not by or on behalf of the victim) and either (i) the victim, when traced, declines to confirm a crime occurred, (ii) the victim can't be traced and the police are satisfied that recording is neither appropriate nor necessary, (iii) the incident is being dealt with and recorded by another police force, or (iv) the National Crime Recording Standard or Home Office Counting Rules direct that a crime should not be recorded (for example, certain offences that occur in schools are required to be dealt with by the school and not recorded by the police)

Crime Survey for England and Wales (CSEW)	yearly face-to-face victim survey commissioned by the Office for National Statistics in which people resident in households in England and Wales are asked about their experiences of a range of offences in the previous 12 months; it measures crime, identifies those most at risk of crime (which is used in designing crime prevention programmes), examines people's attitudes to crime and the criminal justice system (including the police and the courts), and examines people's experiences of anti-social behaviour and how it has affected their quality of life; the principal findings from each annual survey are published in quarterly bulletins; formerly known as the British Crime Survey
Crown Prosecution Service (CPS)	principal prosecuting authority in England and Wales, established by section 1, Prosecution of Offences Act 1985; it is responsible for prosecuting criminal cases investigated by the police and other investigating bodies; in particular, it decides charges on cases for prosecution, reviews prosecutions so that the right people are prosecuted on the right charges before the right court, prepares cases for court, and presents cases in magistrates' courts, the Crown court and higher court
cyber-enabled crime	traditional crimes which can be increased in scale or reach by the use of computers, computer networks or other forms of Information and Communications Technology (ICT) (such as cyber-enabled fraud and data theft)
cyber-enabled flag	a notification on police IT systems which identifies where a crime has been committed in full or in part through a computer, computer network or computer-enabled device

DASH risk assessment	domestic abuse, stalking and honour-based violence risk identification and assessment checklist; it was introduced in March 2009 and is now used by all police services in England and Wales, and many agencies that work alongside the police to protect the public; it aims to save and change lives by identifying risk early, and intervention and prevention in areas like domestic abuse, stalking, so-called honour-based violence, child protection, adult safeguarding, sexual abuse, mental health and missing persons; it also aims to create a common language across agencies when cases are referred to risk management meetings such as multi-agency risk assessment conferences (MARACs)
external reference group	independent group of people convened to use their skills and experience to guide and advise on specialist areas of inspection; it provides the benchmarks needed to be able to compare and assess another group
flag (IT systems)	marker on an IT system to draw attention to certain characteristics or needs, and which helps police officers to identify and assess risks effectively
frontline officer	police officer who is in everyday contact with the public and who directly intervenes to keep people safe and to enforce the law
hate crime	a range of criminal behaviour motivated by or showing hostility towards a person's disability, race or ethnicity, religion or belief, sexual orientation or transgender identity

Home Office Counting Rules (HOCR)	rules in accordance with which crime data – required to be submitted to the Home Secretary under section 44, Police Act 1996 – must be collected and recorded by police forces in England and Wales to comply with the National Crime Recording Standard (NCRS); the idea for the rules is “That all police forces in England and Wales have the best crime recording system in the world: one that is consistently applied; delivers accurate statistics that are trusted by the public and puts the needs of victims at its core”; the rules set out whether and when a crime should be recorded, how crimes must be classified according to crime type and categories, how many crimes should be recorded for a single incident or victim, the regimen for the reclassification of crimes as no-crimes and when crime records should be closed; they specify all crime categories for each crime type, including the main ones of homicide, violence, sexual offences, robbery, burglary, vehicle offences, theft, arson and criminal damage, drug offences, possession of weapons, public order offences, miscellaneous crimes against society, and fraud
incident report	report made by the police of an incident observed or discovered by an officer or reported by a member of the public; it may later be translated into a crime record if it meets the requirements; if an incident turns out not to be a crime it must still be logged on the force’s incident-recording system
incident-recording system	computer system on which the police record incidents
multi-agency risk assessment conference (MARAC)	locally held meeting of statutory and voluntary agency representatives to share information about people at high risk of domestic abuse; any agency can refer an adult or child they believe is at high risk of harm; the aim of the meeting is to produce a co-ordinated action plan to increase the person’s safety, health and wellbeing; agencies that attend vary, but are likely to include the police and probation, children’s, health and housing services – there are more than 250 across England and Wales

National Police Chiefs' Council (NPCC)	organisation bringing together 43 operationally independent and locally accountable chief constables and their chief officer teams to co-ordinate national operational policing; it works closely with the College of Policing, which is responsible for developing professional standards, to develop national approaches on issues such as finance, technology and human resources; replaced the Association of Chief Police Officers on 1 April 2015
National Trading Standards	organisation set up in 2012 by the UK Government to protect consumers; it co-ordinates and leads investigations into trading standards offences; the National Trading Standards Scams Team helps tackle mass marketing scams and disrupts the operations of perpetrators behind mail scams
neighbourhood police officers	police officers with enhanced local knowledge who work as part of a team in a geographic area
partnership organisations	relating to a police force, a public, private or voluntary sector entity, such as one concerned with health, education, housing, social care or managing offenders; from time to time these organisations work with the force to attain their common or complementary objectives
partnership	co-operative arrangement between two or more organisations, from any sector, who share responsibility and undertake to use their respective powers and resources to try to achieve a specified common or complementary objective
perpetrator	someone who has committed a crime
police and crime commissioner (PCC)	publicly elected person responsible under section 1, Police Reform and Social Responsibility Act 2011 for holding a particular force and its chief constable to account; specific responsibilities include appointing the chief constable and (if necessary) dismissing them, setting the police and crime objectives for the area in question through a Police and Crime Plan, setting the force budget and determining the precept and bringing together community safety and criminal justice partners; every force area is represented by a PCC except Greater Manchester and London, where PCC responsibilities lie with the Mayor

pre-charge advice form	the form an investigator uses to place certain information before the prosecutor so that they can make charging decisions; also referred to as an MG3
prosecutor's pledge	standards that set out what expectations a victim of crime can have of the CPS and other prosecutors; they include keeping the victim informed of decisions that are made and seeking victims' views on certain decisions; they were introduced in 2006
public order offence	criminal offence involving disorderly behaviour, usually in a public place; the principal offences are contained in Part I, Public Order Act 1986 and include riot, affray and violent disorder
registered intermediary	a communications specialist who helps vulnerable witnesses and complainants to give evidence to the police and to the court in criminal trials; someone might need help because of their age, or a learning, mental or physical disability or disorder; registered intermediaries are provided through the Ministry of Justice Witness Intermediary Scheme, which typically helps around 500 people every month
restraining order	an order made by a criminal court to stop a person from continuing to pursue a course of conduct towards another; it aims to protect a victim of crime from the defendant; an order can be for any length of time, or indefinite
risk assessment	process to help decide what levels of intervention are suitable based on expected or forecast levels of harm to individuals, the public, offenders, or property
safeguarding	the protection of an individual's health, wellbeing and human rights, enabling them to live free from harm, abuse and neglect
special measures	a series of provisions a court can order to help vulnerable and intimidated witnesses give their best evidence in court and help to relieve some of the stress associated with giving evidence; they apply to prosecution and defence witnesses but not to the defendant, and are subject to the discretion of the court; the Youth Justice and Criminal Evidence Act 1999 made provision for these measures

threat, harm and risk	factors assessed by the police at the second stage of the national decision model, after information and intelligence has been gathered in stage one; police officers are expected to judge the threat of risk and harm to the public during spontaneous incidents or planned operations and develop a working strategy to guide subsequent stages
THRIVE	structured assessment based on the levels of threat, harm, risk and vulnerability faced by the victim, (rather than simply the type of incident or crime being reported) to help staff determine the right level of response to a call
victim personal statement	statement which victims may choose to make while giving a witness statement in which they describe the wider effects of the crime on them, express their concerns and say whether or not they require any support; provisions relating to the making of a statement and its use in criminal proceedings are included in the Code of Practice for Victims of Crime, which was published on 29 October 2013 and came into force on 10 December 2013
victim needs assessment	assessment completed by police forces or support services on forces' behalf to decide what, if any, needs a victim has to meet the requirements of the Code of Practice for Victims of Crime 2015
victim satisfaction	measurement of how content a victim of crime is with the contact he has had with the police and the action the police have taken; the figures concerning victim satisfaction specify the percentage of victims who are satisfied with the service provided by the police
victim support	services which enable and support victims of crime to participate in the criminal justice system; includes information, advice and care and can be provided by several organisations, including the police and voluntary organisations
vulnerability	condition of a person who needs special care, support or protection because of age, disability or risk of abuse or neglect

vulnerable victim	victim of crime eligible for enhanced support under the Victim's Code; defined as someone who was under the age of 18 at the time of the offence, or whose quality of evidence is likely to be affected because of a mental disorder, another 'significant impairment of intelligence and social functioning', or who has a physical disability or disorder
vulnerable adult	person who is 18 years old or over who needs special care, support, or protection because of age, disability, or risk of abuse or neglect, or is a ward of court
witness care unit (WCU)	single point of contact for victims and witnesses giving support and information from the point of charge to the end of the case; support and information should meet the needs of the victim or witness; WCUs across England and Wales are jointly run by police and Crown Prosecution Service (CPS) staff

Annex A – Methodology

1. Introduction

The population of England and Wales is ageing. While research shows that those in this age group are less at risk of crime overall than other groups, some crime types – such as those linked to physical, mental, or financial abuse – disproportionately affect older people.

[Research](#) has shown startling differences in the experiences of domestic abuse for those people over the age of 60. For example, the perpetrator will be an adult family member in 44 percent of victims of domestic abuse over the age of 60. This figure is 6 percent in those victims under the age of 60.

Older people are also over-represented as victims of frauds, including pension and investment scams, postal scams, doorstep scams and telephone scams. [The average age of victims of scam mail, for example, has recently been put at 74 years.](#)

Some older people are especially at risk, either because perpetrators target them or because their circumstances make them vulnerable, for example if they are bereaved, lonely or living with dementia. The financial and health impacts can be devastating. In addition, older people are frequently socially isolated and without established support mechanisms to help them recover if they become victims.

There are also obvious links between crimes against vulnerable older people and those crimes which are deemed to be disability hate crimes. In this respect, this inspection continues the programme of inspection work related to the police and CPS response to hate crime.

For the purposes of this inspection, we will use the College of Policing (CoP) definition of vulnerability:

A person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation.

However, when considering safeguarding issues, we will also use the definition of a vulnerable adult contained within the [Care Act 2014](#). When considering the needs of vulnerable victims in the criminal justice system, we will use the definition contained in the [Victims' Code of Practice](#).

For the above important reasons, this inspection was included in the [Consultation on Criminal Justice Joint Inspection Programme for 2018/19](#).

The inspection will be led by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and supported by Her Majesty's Crown Prosecution Inspectorate (HMCPSI). It will assess, for the first time, the police and Crown Prosecution Service (CPS) responses to crimes affecting older people. For the purposes of this inspection, 'older people' are those over the age of 60.⁴⁶

2. Inspection scope

The question that this inspection seeks to answer is:

How effective are police forces at investigating, and the Crown Prosecution Service at prosecuting, crimes committed against older people?

The inspection will specifically focus on:

- the identification and management of the vulnerability and risk associated with older people who are victims of crime;
- the effectiveness of police adult safeguarding arrangements for older victims;
- the effectiveness of the police and the CPS in ensuring that vulnerable older people are effectively supported through the criminal justice system; and
- the identification of good practice.

3. Force selection process

To ensure a consistent approach, which allows for a range of victim experiences to be represented, fieldwork will be carried out in six forces (and the corresponding CPS Areas) using a combination of the following criteria:

- one larger metropolitan force;
- one Welsh force;
- a mix of smaller and medium sized forces; and
- one rural force.

In addition, we have considered information from interested parties that indicates where promising practice is taking place.

⁴⁶ This is in line with CPS policy which stipulates that such cases should be flagged on the case management system when certain additional factors are present. However, on 10 September 2018 the CPS launched a public consultation on its CAOP policy. Within the consultation document it indicates that the CPS are minded to raise the age for cases to match statutory minimum pension age, i.e. 68 years old for cases with crimes against older people.

The proposed schedule for inspection fieldwork will coincide with the HMICFRS integrated peel assessment (IPA) inspection programme. We have taken this into account when selecting forces for the fieldwork for this inspection, to reduce the potential inspection impact on those forces.

Using a combination of all the above factors, the forces and CPS Areas that have been selected for inspection are shown in Table 1 below.

Table 1: Inspected forces and CPS Areas

Force	CPS Area
Greater Manchester Police	North West
North Wales Police	Wales
Dorset Police	Wessex
Humberside Police	Yorkshire and Humberside
Cambridgeshire Constabulary	East of England
Gloucester Constabulary	South West

4. Inspection process

The inspection will be carried out in three phases. More detail regarding the relevant milestones can be found in Table 2 below.

4.1 Phase one

The first phase will consist of assessments of cases that have been prosecuted by the CPS. Inspectors from both HMICFRS and HMCPSI will select and review sixteen cases from each CPS Area and respective force area (therefore 96 cases in total). Therefore, this assessment process will examine cases from both a policing and a CPS perspective. Inspectors will form one joint judgment about the effectiveness of the police and CPS response to the case.

Cases will be selected by HMCPSI from those recently finalised on the CPS case management system and involving a crime against an older person and may include cases that have not been flagged in accordance with CPS guidance.

Phase one will be completed in quarter three of 2018/19.

4.2 Phase two

The second phase will comprise fieldwork of three days in each of the six identified force areas carried out by HMICFRS inspectors. This will take place in quarter four of 2018/19.

In this inspection, in one force (Dorset Police) HMICFRS will pilot fieldwork taking place at the same time as PEEL IPA. This will establish whether there are benefits in having ‘deep-dive’ inspection activity taking place while the PEEL IPA team are conducting inspection fieldwork. At the same time, this approach reduces the impact on the force by combining fieldwork into one period.

The fieldwork will include:

(a) Pre-inspection activity

Document and information review, for example, an examination of force policies on the force’s approach to dealing with crimes against older people. Documents will be used from PEEL IPA document submissions and Force Management Statements where practicable to reduce the impact on forces and the potential for asking for the same information twice.

(b) In-force inspection arrangements

Inspectors will spend three days in force and undertake the following:

- interview with force strategic lead;
- interview with force operational lead;
- interview with chair of adult safeguarding board;⁴⁷
- interview with multi-agency safeguarding hub (MASH) (or relevant information sharing function) lead;⁴⁸
- interview with force crime registrar;
- focus group with frontline officers;
- focus group with frontline supervisors;
- focus group with third sector agencies and partners;
- interviews with independent domestic abuse advocates;⁴⁹ and
- focus group of public protection officers/investigators including those working within a MASH or information-sharing function.

⁴⁷ By phone if appropriate.

⁴⁸ By phone if appropriate.

⁴⁹ By phone if appropriate.

In addition, HMICFRS inspectors will conduct assessments of 16 cases of crimes against older people in each force (96 cases in total). These cases will have been finalised by the force and will not have resulted in a charge. The cases will be selected on the following basis:

- four cases that have been flagged as involving domestic abuse;
- four cases that involve crimes of violence;
- four cases that involve crimes of fraud;⁵⁰ and
- four cases that do not fall into the above categories but where the force has flagged the fact that the victim is vulnerable.

In order to examine the effectiveness of the police response to referrals of potential crimes against older people made by local authorities, HMICFRS inspectors will consider the mechanisms by which referrals are made and examine a small number of cases in each force to establish whether the referral mechanisms are effective.

Forces will be asked to make available one member of staff with knowledge of the IT systems to assist for the fieldwork period.

4.2 Phase three

The third phase of inspection activity will comprise of strategic and national interviews. Interviews will, where possible, be conducted jointly and will take place in quarter one of 2019/20.

For the police, joint national activity will consist of:

- interview with the NPCC lead;
- interview with College of Policing lead; and
- interview with appropriate representative from the Home Office and/or Ministry of Justice.

For the CPS, national activity will consist of:

- interview with Chief Crown Prosecutor national lead;
- interview with the CPS policy lead; and
- Interviews with relevant CPS Area leads.

⁵⁰ Fraud by false representation, by failure to disclose information, by abuse of position s.2, 3 and 4 Fraud Act 2007; forgery s.25 Identity Cards Act 2006 and Forgery and Counterfeiting Act 1981.

Table 2: Milestones for inspection activity – Crimes against older people

Date	Activity
July 2018	Define focus of inspection Agree methodology and scope of inspection Develop expert reference group membership
August 2018	Work with PEEL IPA team and other internal portfolios to identify six forces for inspection Agree activity and milestones with HMCPSI Develop criteria and question sets Scope victim engagement work Invitations to be sent to ERG members
September 2018	Finalise criteria, questions, and methodology
October 2018	Inaugural ERG meeting
November 2018	File review
February 2019	Fieldwork
March 2019	Fieldwork
April 2019	National interviews
May 2019	Analysis of file reviews Report writing
June 2019	Report writing Factual accuracy checks
July 2019	Report published

Annex B – Crimes against vulnerable older people criteria and indicators

1. There are effective strategies in place and strong leadership is demonstrated at local and national levels

1.1 There is effective strategic leadership at national level

1.1.1 The NPCC lead for vulnerable adults drives improvements in the way that vulnerable older people who are victims of crime are dealt with by the police.

1.1.2 The CPS national lead drives CPS performance in prosecuting cases where vulnerable older people are victims of crime.

1.2 Police and CPS guidance is available and fit for purpose

1.2.1 Police Authorised Professional Practice relating to crimes such as fraud and abuse in relation to vulnerable older people is available for forces and practitioners.

1.2.2 There is effective policy and guidance available within CPS.

1.2.3 National police policies and guidance provide clear and unambiguous direction to forces.

1.2.4 Local police guidance adequately deals with the issue of crimes against vulnerable older people and is easily accessible to officers.

1.3 The force/CPS Area has an effective lead for vulnerable older people

1.3.1 There is a named CPS/force lead who drives forward the work around vulnerable older people.

1.3.2 There are well recognised and embedded mechanisms for sharing information with other agencies.

1.3.3 The lead works closely with relevant partner agencies to drive forwards multi-agency responses.

1.4 There is an understanding at force/CPS Area level of the nature and extent of crimes against vulnerable older people

1.4.1 The CPS Area lead is aware of data relating to charges.

1.4.2 The force understands the vulnerability of older people in relation to offence types such as abuse and fraud.

1.4.3 The force understands the numbers of reports of vulnerable older people across the range of offence types together with trends.

1.4.4 The force/CPS Area lead understand the links between crimes against older people and hate crime.

1.5 The force has the capability to deal efficiently with crimes against vulnerable older people

1.5.1 The force has the capability to effectively manage and investigate reported crimes affecting vulnerable older people.

1.5.2 The force has sufficient resources and capability to respond appropriately to crimes affecting vulnerable older people.

1.6 The force/CPS Area has oversight and performance management arrangements in place for crimes affecting vulnerable older people

1.6.1 There are clear mechanisms to monitor performance, including partnership arrangements and safeguarding referrals for vulnerable older people.

1.6.2 There are clear processes and mechanisms to ensure that referrals for victim safeguarding are made.

1.6.3 The force/CPS Area maximises opportunities for learning, including the use of Scrutiny Panels.

1.7 Police and CPS provide training to officers and staff in dealing with crimes affecting vulnerable older people and ensure that all relevant staff have received this training

1.7.1 Appropriate training is available for all staff dealing with crimes such as abuse and fraud.

1.7.2 Leadership within force and CPS ensures that training is mandated at appropriate levels for all staff in dealing with crimes against vulnerable older victims.

1.8 The force has effective planning in place to identify and meet current and future demands in dealing with crimes against vulnerable older people

1.8.1 Through effective partnership working the force can influence the commissioning processes for support services for victims of crime.

1.8.2 There are plans in place to respond to current challenges and anticipated changes in reporting trends.

2. Police and CPS staff understand and recognise crimes against vulnerable older people

2.1 Police and CPS staff recognise reports of crimes against vulnerable older people

2.1.1 Police officers and staff are aware of legislation/force guidance and policy on crimes against vulnerable older people.

2.1.2 Police and CPS staff ensure that the vulnerability of older people is identified and flagged.

2.2 Police officers and staff understand the risks and likely impact for vulnerable older people in relation to abuse and to domestic abuse

2.2.1 Police officers and staff understand risk and vulnerability in relation to crimes against older people.

2.2.2 Police officers and staff are aware of the potential consequences of escalating behaviour on the part of the perpetrator.

3. The police and CPS assess and manage the risk to victims from offenders effectively

3.1 Police use risk assessment screening tools effectively to assess risk to victims and families

3.1.1 Risk assessment tools such as DASH are used by officers and staff dealing with crimes against vulnerable older people.

3.2 Police can identify and highlight repeat victims and repeat offenders

3.2.1 Police officers and staff flag repeat victims and offenders.

3.2.2 Appropriate action is taken where flags are in place.

3.3 Police and CPS respond appropriately to manage risks from offenders to crimes against vulnerable older people victims

3.3.1 Call handlers ensure that appropriate resources are allocated.

3.3.2 Police officers and staff take appropriate steps to minimise risk.

3.3.3 Police use conditional bail where appropriate.

3.3.4 CPS manage risk to victims in prosecution cases effectively e.g. through the application of orders/management of bail.

3.4 Police ensure that appropriate safeguarding actions are taken and monitored

3.4.1 Alerts regarding safeguarding are made to the force Safeguarding Adult Coordinator.

3.4.2 Referrals to safeguarding mechanisms are made appropriately, taking into account risk and vulnerability.

3.4.3 The force ensures that safeguarding is driven and monitored through appropriate attendance at multi-agency forums.

4. Victims receive appropriate care and support and are referred appropriately to support agencies

4.1 Police ensure that appropriate referrals for victim support are made in timely way

4.1.1 Police have good links and mechanisms with appropriate support agencies in place to make referrals for support.

4.1.2 Police have good oversight of demand for referral pathways which feeds into commissioning decisions.

4.2 Police are responsive to the needs of victims

4.2.1 There is an effective initial response to crimes against vulnerable older people.

4.2.2 Safe, effective and proportionate prevention advice is given to victims.

4.2.3 Investigations consider the victim's needs, vulnerability and/or repeat victim status.

4.3 Victims receive the enhanced entitlements of the Victim's Code of Practice

4.3.1 A victim personal statement is obtained from the victim in timely way.

4.3.2 Recognise the status of a victim as requiring an enhanced service.

4.3.3 The CPS ensures that full consideration is given to the Victim's Code of Practice for victims.

4.3.4 Victim contacts and victim wishes are recorded clearly on police and CPS systems.

5. Police investigations are conducted effectively

5.1 Police investigations are timely and thorough

5.1.1 Named perpetrators/suspects are dealt with appropriately and in a timely fashion.

5.1.2 Interviews are conducted appropriately and consider the needs of victims.

5.2 Investigations are effectively supervised

5.2.1 Investigations are well supervised.

5.2.2 Crime papers are quality assured by supervisors/sergeants.

5.3 Decisions on disposal of cases are appropriate and taken at the right level (i.e. police/CPS) in accordance with guidance/protocols

5.3.1 Cases requiring CPS decisions are referred by the police accordingly.

5.3.2 Evidence-led prosecutions are considered and progressed where appropriate.

5.3.3 There is early and effective consultation/liaison between the police and CPS.

6. The CPS and police work together to progress crimes against vulnerable older people to court effectively

6.1 Police case files submitted to CPS contain all relevant needs information concerning the victim

6.1.1 The file contains relevant information to enable correct identification of the needs of older vulnerable victims.

6.1.2 There is sufficient and appropriate information about the needs of victims.

6.2 Prosecution decision-making is sound and meets the needs of the case

6.2.1 CPS decision-making is timely.

6.2.2 The selection of charges is appropriate.

6.2.3 All relevant CPS policies are applied in decision-making.

6.2.4 There is a proper case strategy.

6.3 Cases progress effectively and there is appropriate assurance

6.3.1 Case progression is effective and complies with CPS policies.

6.3.2 The CPS exercises sound judgment and grip.

6.4 The needs of victims and witnesses are met

6.4.1 The victims' code, prosecutor's pledge and any other policy guidance on the treatment of witnesses is applied and complied with (including special measures, victim personal statements and victims' code letters).

6.4.2 There is effective consultation with the victim at appropriate stages of the case.

6.4.3 The acceptance or rejection of any basis of plea is appropriate and based on the needs of victims or witnesses.

Annex C – External reference group

Objectives

In line with the [joint inspection methodology](#), we set up an external reference group for this inspection.

The objectives are to:

- represent the principal interested parties in the area of business under scrutiny;
- provide advice to the inspection team on strategic, technical and/or operational issues associated with the service under inspection;
- provide support where appropriate to both fieldwork and victim engagement research;
- facilitate direct links into the organisations or groups which the members represent for consultative purposes;
- comment on emerging findings and final recommendations; and
- encourage relevant organisations or bodies to accept ownership of recommended action and support implementation.

Membership

David Tucker	College of Policing
Dame Vera Baird	Association of Police and Crime Commissioners
Alison Plant	Crown Prosecution Service
Luke Hughes	Home Office
Ian Pilling	NPCC lead: adults at risk
Louisa Rolfe	NPCC lead: domestic abuse
Holly Simpson	Ministry of Justice
Melissa Dring	National Trading Standards Scams Team
Hannah Bows	Durham University
Sujata Ray	Age UK
Steve Bartley	Representing the Older People's Commissioner for Wales
Maria Dunmore-Gray	Action on Elder Abuse
Russell A'Court	Office of the Victims' Commissioner

We would like to place on record our thanks for the assistance afforded to us by our expert reference group members.

Annex D – About the data

The information presented in this report comes from a range of sources, including published data, case file reviews and inspection fieldwork.

Source	Notes about the data
Crime Survey for England and Wales (CSEW)	The Crime Survey for England and Wales (CSEW) is a survey of the victims of different crimes. The data in this report has been taken from the survey results from the year ending March 2018.
HMICFRS and HMCPSP case file reviews	HMICFRS examined 32 cases in each of the 6 police forces visited, comprising of 16 charged cases which were jointly assessed by HMCPSP, and 16 non-charged cases. We selected cases where the victim was aged 60 or over at the time of the offence. These cases were not selected in a completely random way, and the sample was not designed to be statistically representative of the total population. Therefore, these results cannot be used to draw statistically robust conclusions about all cases involving older victims. Compliance with the Code of Practice for Victims of Crime Only cases where the assessor identified significant failings were judged to have not complied with the Victims' Code of Practice, for example, if a victim's needs assessment was not completed.
National Crime Agency (NCA) – witness intermediary requests data	The NCA provided HMICFRS with data on the numbers of witness intermediary requests it received between September 2018 and February 2019.