

Appendix 15

Safeguarding Adults Consultation and referral Protocol between Social Services and the Police

Guiding principles

Safeguarding Adults is a multi-agency responsibility. Social Services has the lead co-ordinating role in investigating allegations of abuse and has a 'Duty of Care' to act in the 'Best Interests' of Adults at Risk. Consultation with other agencies that may be able to contribute information or offer advice regarding the alleged abuse is part of this 'Duty of Care'.

When to Consult the Police

The Police lead on any investigation where there is evidence that a criminal offence has occurred. To this end the Police must be involved when:

- There has been an allegation from an adult to another person of sexual abuse
- There is a suspicion that sexual abuse has occurred
- There has been an alleged or suspected case of physical injury that has caused harm to an adult constituting an assault, actual or grievous bodily harm
- An alleged or suspected case of cruelty. The offences include those whereby an adult is ill treated or neglected
- There are allegations or suspicions that involve unusual circumstances, e.g. organised or institutional abuse
- There is an alleged or suspected case of financial abuse.
- If a situation is a matter of **urgency** and an immediate response is needed the Police should be contacted by dialling **999**.

Non emergency crime allegations should be referred to the Community Safety Unit, which is based at Teddington Police Station. This Unit not only deals with hate crime but domestic violence and certain crimes committed against vulnerable adults.

If you need to discuss any concerns with the police you should call the

Community Safety Unit Telephone:	020 8247 5809
Community Safety Unit Fax:	020 8247 5821

The police working within the Community Safety Unit will respond to referrals within 2 working days.

It is imperative that early consultation with the police should take place if there is any suspicion whatsoever that a criminal offence has been or may have been committed; failure to do this may lead to a loss and/or contamination of vital evidence.

It is the responsibility of the Police to investigate allegations of crime by gathering and preserving evidence. Where a crime is identified, the Police will be the lead agency and will direct investigations in line with legal and other procedural protocols.

It may be necessary for the Police to involve and inform other agencies and individuals as appropriate and in such circumstances there may be a need for joint investigations to be undertaken. Usually a safeguarding strategy meeting will be convened and it will be determined at the meeting how the investigation is to proceed and what is expected of each represented. The local authority has no statutory function justifying investigation on behalf of the police and no statutory protection from ordinary civil suit for exceeding its remit in this regard.

The Police may also be involved in multi-disciplinary strategy meetings to consider any longer term issues raised. In any situation they should be able to offer valuable guidance over the phone as to whether any crime is apparent and what steps to take next.

The involvement of the police does not suspend or defer the ongoing statutory functions of the authority in relation to duties to meet eligible assessed needs, in a safe and appropriate matter, taking all relevant circumstances, such as perceived risk, given what is known or not known at this point, fully into account.

Evidence-Gathering

It will always be the responsibility of the Police to gather and preserve evidence when a criminal offence is suspected. However, everybody working with adults at risk can play a part in preventing evidence being lost or contaminated.

Sexual assault

In case of sexual assault swift collection and preservation of forensic evidence is vital to the success of a potential police investigation.

Forensic evidence may be found at the scene of the incident, on the clothing worn by the aggrieved, on bedding or other fabrics and surfaces. Where an alleged perpetrator is believed to have ejaculated or penetrated a victim, DNA evidence may be found in body orifices after differing periods of time. This DNA evidence can remain in the vagina for up to seven days, in the anus for up to three days and in the mouth for up to two days.

DNA can remain on fabrics even after they have been washed. Any clothing, bedding and other fabrics should be retained for forensic examination, with

each item kept separately and packaged to avoid cross contamination. If the use of Rohipnol ('date rape' drug) is suspected, this can be detected in the body for up to eight hours after ingestion.

A consensual medical examination should be carried out as soon as possible after an assault has taken place to obtain these evidential samples and identify any signs of trauma, including vaginal or anal tearing and bruising, which may have been caused during the alleged incident. Gentle persuasion may be needed to obtain the trust and understanding of the victim as to why this is necessary. If the client is incapacitated a best interest decision needs to be taken by the Police doctor concerned.

The Police will require their own forensic medical examiner (Police Doctor) to carry out these procedures so immediate referral to the Police will reduce any possible delays. You will also be advised as to how to support the alleged victim without contaminating evidence.

Physical abuse

Evidences of physical assault may be found through a medical examination for bruising, and in more serious cases, bone fractures. As bruising will fade each day please note the colour of the bruising time and date. Injuries may need to be noted by a forensic medical examiner or GP/Consultant and should be photographed with a ruler, or familiar object, next to the injury to indicate scale.

Financial abuse

Financial abuse may involve the falsifying of documents and their fraudulent use. These documents can be examined for fingerprints and handwriting analysis. All documentary evidence should be detained and carefully handled to avoid fingerprint contamination. It is important to keep a record of everybody who has had contact with the documents.