1.4 THE DEPUTY SENIOR INVESTIGATING OFFICER

In all but the most straightforward of investigations it is likely that a Deputy Senior Investigating Officer (D/SIO) will be appointed. The role of the D/SIO is not simply to mirror that of the SIO and to deputise in their absence. The D/SIO should be given specific responsibility for managing key areas of the investigation to enable the SIO to focus on strategic issues.

The exact role of the D/SIO will depend on the circumstances of each case, the type of resources that are being used and the investigative strategy being followed by the SIO. As a general rule the D/SIO should be responsible for:

- Deputising in the absence of the SIO;
- Assisting in developing the investigative strategy;
- Managing the logistics of the investigation;
- Implementing the investigative strategy.

Although it is appropriate to use the role of D/SIO as a way of developing future SIOs, the nature of the role means that the D/SIO will often be placed in positions where they must take full responsibility for the conduct of the investigation. They may also have to take significant decisions. SIOs should satisfy themselves that D/SIOs have sufficient training and experience before they are placed in such positions. Where SIOs are likely to be absent for substantial periods, for example, taking annual leave, they should ensure that the D/SIO has clear guidelines on the way the investigative strategy is to be pursued. They should also be given a point of contact with a more experienced SIO should they need support.

For further guidance on the role of the D/SIO, see *ACPO (2005) Guidance on Major Incident Room Standardised Administrative Procedures (MIRSAP),* Section 1.3 Deputy Senior Investigating Officer.

The Criminal Procedure and Investigations Act 1996 (CPIA)

All SIOs should be fully familiar with the requirements of CPIA 1996. The following are extracts which are particularly relevant to the role of the SIO.

Section 2.1 of the Code of Practice under Part II of the Criminal Procedure and Investigations Act 1996 (CPIA) provides a number of definitions that are relevant to understanding the role of an SIO.

Criminal investigation
A criminal investigation is an investigation conducted by police officers with a view to it being ascertained whether a person should be charged with an offence, or whether a person charged with an offence is guilty of it. This will include:

- Investigations into crimes that have been committed,
- Investigations whose purpose is to ascertain whether a crime has been committed, with a view to the possible institution of criminal proceedings, and

- Investigations which begin in the belief that a crime may be committed, for example, when police keep premises or individuals under observation for a period of time, with a view to the possible institution of criminal proceedings.

Charging a person with an offence includes prosecution by way of summons.

Investigator
An investigator is any police officer involved in the conduct of a criminal investigation. All investigators have a responsibility for carrying out the duties imposed on them under this code, including in particular recording information, and retaining records of information and other material.

Officer in charge of an investigation
The officer in charge of an investigation is the police officer responsible for directing a criminal investigation. He is also responsible for ensuring that proper procedures are in place for recording information, and retaining records of information and other material in the investigation.

Section 3 of the Code outlines some general responsibilities.

3.1 The functions of the investigator, the officer in charge of an investigation and the disclosure officer are separate. Whether they are undertaken by one, two or more persons will depend on the complexity of the case and the administrative arrangements within each police force. Where they are undertaken by more than one person, close consultation between them is essential to the effective performance of the duties imposed by this code.

3.2 The chief officer of police for each police force is responsible for putting in place arrangement to ensure that in every investigation the identity of the officer in charge of an investigation and the disclosure officers is recorded.

3.3 The officer in charge of an investigation may delegate tasks to another investigator or to civilians employed by the police force, but he remains responsible for ensuring that they have been carried out and for accounting for any general policies followed in the investigation. In particular, it is an essential part of his duties to ensure that all material which may be relevant to an investigation is retained and either made available to the disclosure officers or (in exceptional circumstances) revealed directly to the prosecutor.