

WILTSHIRE POLICE



XXXXXXX
By email

**Force Disclosure Unit
Police Headquarters**
London Road
DEVIZES
Wiltshire
SN10 2DN

Date 22nd October 2026

Our Ref FOI 2026-920

Dear XXXXX,

I write in connection with your request for information dated 30th September 2026, concerning communications offences guidance.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Following receipt of your request, research was conducted by the Force Policy Officer and Crime Justice Unit at Wiltshire Police.

Your request for information has now been considered and I am able to respond as follows.

You wrote and our response:

I am writing to request the following information relating to communications offences

- A copy of any guidance or similar issued by your force to officers about investigating communications offences (specifically Section 179 Online Safety Act, Section 1 Malicious Communications Act and Section 127 Communications Act)

No information held - we have not issued any guidance specifically for investigating communications offences.

- A copy of any policy or guidance issued by your force to officers about when to make arrests in relation to those offences, or when to use alternative methods (such as invitation to voluntary interview)

No information held - we do not have a specific policy nor have we issued any guidance specifically relating to arrests and using alternative methods for communications offences.

We have a Voluntary Attenders for Interview Procedure which covers when an arrest can be made under Section 24 PACE (i.e. arrest without warrant) and when consideration should and should not be given to invite to voluntary interview. This applies to all crime investigations, which would include communications offences.

Keeping Wiltshire Safe

The Voluntary Attenders for Interview Procedure is suitable for public release and a copy of this has been included at the end of this letter for reference. Please note, there was one email address that is not public facing therefore this has been redacted from the Procedure.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

FDU Decision Maker



Voluntary Attenders for Interview Procedure

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PROCEDURE OVERVIEW.

This procedural document is intended to provide guidance for all staff who interview suspects either at Police stations or other locations where the suspect has not been placed under arrest.

PACE makes clear that suspects interviewed outside of custody should be treated with the same safeguards, rights and entitlements as arrested persons and this document provides clarity on how this is to be achieved.

This procedure should be read in conjunction with the [Voluntary Interview NPCC Guidance.](#)

GLOSSARY OF TERMS.

Term	Meaning
PACE	Police and Criminal Evidence Act 1984
PNC	Police National Computer
ACRO	ACPO Criminal Records Office
AA	Appropriate Adult
YOT	Youth Offending Team
BWV	Body Worn Video
NPCC	National Police Chiefs Council
PCR	Postal Charge and Requisition
NRPSI	National Register of Public Service Interpreters

PROCEDURE

1. Introduction.

The purpose of this document is to formalise the voluntary attendance and interview procedure across all areas of business within Wiltshire Police. This guidance will ensure that interviews are conducted in a consistent manner, follow legislative requirements, and minimise risk to suspects, officers and Wiltshire Police.

With the advent of the new bail legislation in 2017, and the requirements of Code G PACE, voluntary interviews have increased significantly across Wiltshire Police. This has also led to an increase in the number of offenders being charged through the use of a Postal Charge and Requisition (PCR).

This procedure details what is required of police officers and police staff if suspects are interviewed within a police building, or at another location (including their home address), on a voluntary basis, i.e. not under arrest. It provides a flexible route to interview and in turn reduces demand on the interviewing officer or staff member and on custody.

This document includes good practice from the [Authorised Professional Practice \(APP\) for Detention and Custody](#) produced by the College of Policing.

PACE makes clear that [Code C](#), [Code E](#) and [Code F](#) apply as much to voluntary attendees as to those under arrest. This includes risk assessments, appropriate adult provision and the use of interpreter services. There should also be a route for referring those interviewed to Liaison and Diversion services as currently exists for those in custody.

As well as the interview itself there is a requirement to obtain biometrics, i.e. fingerprints, photographs and DNA, from a person interviewed following a positive disposal decision or where a person has been informed they are to be prosecuted. Currently the process concerning obtaining biometric data is ad-hoc which provides a risk to Wiltshire Police, as outlined below:

- Questions over the lawful taking of samples,
- Missed opportunities to speculatively search individuals against unsolved crimes due to samples not being taken and loaded onto the relevant databases,
- Missed opportunities where samples are taken inappropriately or not processed in a timely manner in accordance with the Protection of Freedoms Act deadlines for retention and destruction,
- Incorrect information on PNC where there has been a positive disposal decision.

2. Legislative Requirements.

Before a lawful arrest can be made under [section 24 PACE](#), a constable must, in their own mind, have reasonable grounds for believing that the arrest is necessary for at least one of the reasons in section 24(5). PACE [Code G 1.3](#) requires that an officer should always consider if the necessary objectives can be met by other, less obtrusive, means. It is for the arresting officer to make the operational decision as to whether or not it is necessary to arrest a suspect.

There is no longer a power for Police Staff to arrest a suspect who is already at a Police Station, in such cases a Warranted Officer will need to make the arrest.

Where an arrest is not deemed necessary, the suspect may be interviewed outside of custody. Suspects do however need to be made aware of the significance of the voluntary attendance interview and that it is just as serious and important as being interviewed after being arrested. Voluntary attendance is covered in [section 29 PACE 1984](#), which states:

“Where for the purpose of assisting with an investigation a person attends voluntarily at a police station or at any other place where a constable is present or accompanies a constable to a police station or any such other place without having been arrested he shall be entitled to leave at will unless he is placed under arrest; or he shall be informed at once that he is under arrest if a decision is taken by a constable to prevent him from leaving at will.”

Code C 3.21 states that if the person attends voluntarily to assist with an investigation, they may leave at will if not arrested. If arrest is not necessary but they are cautioned, the person who gives the caution and describes the nature and circumstances of the offence must inform them they are not under arrest and are free to leave the station or other location. The rights, entitlements and safeguards that apply to the conduct and recording of interviews with suspects are not diminished simply because the interview is arranged on a voluntary basis. The requirement to determine if the person requires an appropriate adult is the responsibility of the interviewing officer.

Code C 3.21A states the interviewer must inform the suspect that the purpose of the voluntary interview is to question them to obtain evidence. The suspect should be informed of their rights to the following.

- a. Information about the offence.
- b. Their right to free legal advice.
- c. Their right to have an appropriate adult present if determined necessary.
- d. The right of the appropriate adult to ask for a solicitor to be present.
- e. Their right to an interpreter if determined necessary.
- f. That the interview is arranged at a suitable time and location
- g. That they agree to the interview being recorded.

Code C 3.22 mentions that if the ‘other location’ is any place or premises for which the interviewer requires the person’s informed consent to remain, for example, the person’s home, then the references that the person is ‘not obliged to remain’ and that they ‘may leave at will’ mean that the person may also withdraw their consent and require the interviewer to leave.

PACE says that a copy of the notice explaining the arrangements for obtaining legal advice must be given to the person. This notice should include the right to speak with a solicitor on the telephone. If advice is requested then the interviewer is responsible for securing its provision by calling the Duty Solicitor Call Centre.

Vulnerable suspects who require an appropriate adult. These are people described in the Codes as those who, because of a mental health condition or disorder, have difficulty in communicating

effectively or understanding the implications regarding their detention, interview and rights. This applies to suspects whether under arrest or attending for a voluntary interview.

'Reasonable enquiries' need to be made to ascertain relevant information and a note of these enquiries made. These enquiries are to be made available to solicitors, HCPs and appropriate adults etc.

Relevant information available may include:

- *the behaviour of the adult or juvenile*
- *the mental health and capacity of the adult or juvenile*
- *what the adult or juvenile says about themselves*
- *information from relatives and friends of the adult or juvenile*
- *information from police officers and staff and from police records*
- *information from health and social care (including liaison and diversion services) and other professionals*

When a person attends the police station voluntarily to be interviewed by arrangement, their arrest on arrival at the station prior to interview would only be justified if new information has come to light after the arrangements were made. This would indicate that voluntary attendance has ceased to be a practical alternative, their arrest is necessary and it was not reasonably practicable for the person to be arrested before they attended at the station.

As with persons under arrest, a pre-interview disclosure briefing should be provided to any legal representative prior to interview. The content of the briefing remains a matter for the interviewing officer or staff member to be decided on a case-by-case basis. Pre-interview briefings should not be provided to unrepresented suspects at any time, including when making arrangements with suspects for voluntary interviews.

3. Taking and Retention of Biometrics.

Fingerprints and DNA are to be taken once a person has been charged, cautioned or reported for a recordable offence. Offenders must be informed of this and an appointment made for them to attend a suitable location where these samples can be taken.

The requirement to attend a police station to have biometrics taken must give the person at least 7 days within which to attend and the officer may direct them to attend at a specified time and day. If there is an urgent need to obtain the samples for the purposes of the investigation, then this period may be shortened on the authorisation of an Inspector. This power must be exercised within 6 months of the day on which the person was charged or informed they would be reported. If the request is made post-conviction then this must be exercised within two years of the day on which they were convicted or cautioned.

The [Protection of Freedoms Act 2012](#) states that all DNA samples have to be destroyed within 6 months of being taken; this allows for sufficient time for the sample to be analysed and a DNA profile to be produced for use on the NDNAD database. The only exception to this is if the sample is required for use as evidence in court, in which case it may be retained for the duration of the proceedings, under the [Criminal Procedure and Investigations Act 1988](#).

If the case is marked NFA then the DNA & fingerprints may be deleted after 14 days but this will depend on the suspect's previous arrest and conviction history (see [Retention of Biometrics Procedure](#)).

Fingerprints and DNA, if required evidentially, may be taken in connection with the investigation of an offence only with the person's consent. If the person is at a police station, consent must be in writing.

Both fingerprints and DNA may be taken without consent where a person not detained has been charged with a recordable offence or informed that they will be reported for such an offence, as long as they have not had their samples taken in the course of the investigation or have had them taken and they have proved inadequate for analysis.

Before fingerprints or DNA are taken from a person without their consent, the person must be informed of the reason for taking the samples, the power by virtue of which they are taken and they must also be told that the samples may be the subject of a speculative search against those obtained at crime scenes.

There is a power of arrest, without warrant, if a person fails to comply with the requirement. There is no "necessity" criterion for the exercise of this power of arrest. As long as a requirement has been given to the person to attend a police station for the purposes of taking their fingerprints and/or a non-intimate sample and they have failed to attend then they can be arrested to ensure these samples are taken.

An Inspector's authority is required before a suspect's fingerprints and DNA can be taken after they have been convicted or cautioned for a recordable offence and they have not had them taken since the conviction or caution, or they have been taken but are inadequate for analysis.

Fingerprints taken at Gablecross and Melksham are to be taken using Livescan in the custody unit and Detention Officers will assist in the process - this will not constitute the person as being in 'police detention'.

If the suspect is known to police and PNC shows 'DNA confirmed' and the retention date is 'indefinite' then the OIC is not required to obtain another DNA sample.

Taking of Photographs: [Code D](#) states that where there are reasonable grounds for suspecting a person, who is at a police station voluntarily, of a criminal offence, they can be photographed but force may not be used. The photograph must be destroyed unless the person is charged, informed they will be prosecuted, is prosecuted or cautioned for a recordable offence in accordance with the [Crime and Disorder Act 1998](#).

There is no power to require a person to have their photo taken if they have attended voluntarily, although every effort should be taken to try and ensure it is taken whilst at the police station. If consent is not given, the photograph can be taken covertly.

There is no power to arrest a person convicted of a recordable offence solely to take their photo.

Where the voluntary attender is a child, subsequently identified as being under 10, no photos or biometrics should be taken unless there are safeguarding concerns. Any photos or biometrics taken under PACE powers should be deleted as a child U10 is under the age of criminality and therefore, unable to commit an offence or be prosecuted. If there are any safeguarding concerns, an image should be taken using Common Law powers and whilst the child and appropriate adult is still present and any other images of the child deleted.

4. Considerations.

Interviewing a suspect is a main line of enquiry and normally necessary for all investigations. Nothing in Code G reduces the significance of a suspect's interview as part of a prompt and

effective investigation, but the necessity to interview and the necessity to arrest need to be considered separately. The key question for the officer is to ask, 'is arrest necessary in order to carry out an interview?' On many occasions a voluntary interview may be the most appropriate course of action especially when dealing with minor offences where the suspect will not be able to influence the outcome of the investigation by being at liberty.

There are a number of factors which the National Police Chiefs Council (NPCC) have identified that officers should consider when deciding if a suspect should be arrested and interviewed or attends voluntarily; these are outlined in [Appendix B](#).

Based on these considerations, the officer should be able to justify why the arrest is practical, sensible and a proportionate option based on the circumstances at the time the decision is made. Equally, the officer should be able to justify why arrest was not required and that a voluntary suspect interview was the appropriate option.

Nature of offence: Officers should always consider voluntary attendance although this should never be the route taken if it will have a negative impact on the investigation. Voluntary attendance is an option, but in determining whether this is suitable, then consideration should be given to the nature of the offence. Where it is likely that property searches, forensic capture or bail conditions are required, then voluntary attendance should not be used. It should also not be an option when the identity of the person is not confirmed.

Vulnerability of the suspect: Any suspect under the age of 18 should be considered as a child and dealt with as vulnerable by virtue of their age and an appropriate adult **must** be present during the interview. Voluntary attendance should always be considered for vulnerable people unless there are good reasons to arrest as outlined in [Code G](#).

If any person under 18 or other vulnerable person is interviewed under invite, a PPD 1 report must be created, as would be the case if they were arrested.

Where a person is under the influence of drink or drugs, or suspected of such, they should not be invited to attend the police station for a voluntary interview. Where an officer has any concerns regarding the mental vulnerability of the person or any concerns around mental health and wellbeing then the interview should not take place without the presence of an appropriate adult and consideration should be given to contacting mental health professionals prior to the interview.

Health and Safety: Before a person attends a police station for a voluntary interview full background checks must be carried out in order to make a risk assessment of that person, and put any necessary control measures in place. A post interview risk assessment will also be completed. Certain allegations are likely to carry additional risk following release especially where sexual offences are being investigated. The interviewing officer or police staff member should consider any words used or actions exhibited during the interview which may show an intent to self-harm, commit suicide or increase any risk posed. The officer or police staff member should document any actions taken to mitigate risk on the [Pre-Release Assessment](#) and ensure appropriate referral to diversionary support agencies.

5. Domestic Abuse.

There is an expectation that **positive action will be taken in all domestic abuse cases**. Positive action means arrest where appropriate. See [Domestic Abuse Policy and Procedure](#).

Arrest must ALWAYS be the first consideration with a domestic abuse report. Where the decision is made NOT to arrest and instead deal with the suspect via voluntary attendee interview, this **MUST** be authorised by an Inspector.

Voluntary Attendance **may be** considered **only** where arrest necessity cannot be justified, and:

- There is low risk to the victim.
- The suspect is cooperative and unlikely to abscond.
- There are no immediate safeguarding concerns.
- The investigation can proceed effectively without arrest powers.

Important Safeguards:

- A thorough risk assessment (e.g. DARA) must support this decision
- There must be clear rationale recorded on why arrest is not necessary.
- An Inspector review the case and provide their authority for a VA to take place.
- Safeguarding measures must still be in place.

Limitations of VA:

- No immediate powers to:
- Impose bail conditions
- Conduct certain searches
- Prevent suspect contact with the victim
- Increased reliance on suspect compliance.
- Potential for delay in securing evidence.

6. Voluntary Attender Process.

6.1 Location:

A voluntary interview may be carried out at a police station or any other location. Ideally, voluntary interviews should be conducted at a police building outside of custody.

Legislation does say that a voluntary interview can take place at 'any other location'; this itself is not currently a practical solution as all interviews should be recorded, either through audio or video. If this is not possible then notes should be taken and signed as correct by the suspect. With the introduction of body worn video (BWV) and tablet devices there are now tools available for officers to make recordings. Although PACE does allow recording using these mobile devices, they are not approved for use by Wiltshire Police officers and staff.

6.2. Rights:

When a suspect has attended a police station, or other location, voluntarily then they should be cautioned and they should be advised that:

- a. They are not under arrest,
- b. They are not obliged to remain at the police station or location,
- c. If they remain, they may obtain free and independent legal advice either on the telephone or in person.

Best practice is to record this advice as part of the audio recording of the interview.

It must also be determined whether they require an appropriate adult or an interpreter. All of these matters should be discussed with the suspect at the time of arranging the interview so the necessary arrangements can be made.

If an interpreter is required, the officer or police staff member should contact one. This could either be in person, via loudspeaker through a mobile phone or via video link where available. If required

in person, they should be booked through the National Register of Public Service Interpreters (NRPSI) (found on SharePoint under applications). If required on the telephone, this can be done through Language Line.

6.3. Legal Advice:

The Defence Solicitor Call Centre can be contacted up to 48 hours in advance in order to arrange for a solicitor to be present. Alternatively if the suspect nominates a solicitor they should be asked to attend at the agreed time. If the suspect decides at the time of arrival or at/during the interview that they want legal advice or a solicitor present, then the officer must contact the relevant solicitor or duty solicitor and the interview delayed. Officers arranging and conducting the interview should be aware of the [NPCC and Law Society guidance](#) on detainees using mobiles phones, computers and other electronic communication and recording devices belonging to solicitors and other third parties.

6.4. Appropriate Adult:

If an appropriate adult is required this should be arranged in advance using the persons specified in [PACE Code C 1.7](#).

For juveniles where no-one is available, YOT should be contacted during office hours and EDS at all other times.

For Vulnerable Adults, where no-one is available, those 'in care' will be represented by the Local Authority and those not 'in care' will be represented by the current external provider (details of which can be obtained via custody).

6.5. Other supporting agencies:

If concerns are identified or raised during the investigation process relating to mental health, learning disability, substance misuse or other vulnerabilities relating to the suspect, then there is a requirement that the officer refers the individual to an appropriate treatment or support service.

6.6. Documentation:

All scheduled interviews must be booked as an appointment on a Voluntary Attendance calendar and the suspect "booked in and out" on Niche RMS much like they are when booked into custody. This will be done by the officer arranging the interview via a video call on teams with one of the Custody Co-ordinators, or if they are not available, a member of custody staff.

PLEASE NOTE: If there are any interviews needed at short notice where there isn't time to book into the calendar, an email is to be sent to [REDACTED] to inform the Custody Co-Ordinators that there is someone coming in for interview. This inbox will be monitored by the Custody Co-Ordinators when on duty.

Full instructions on the booking in system and adding the calendar to your outlook can be found here: [Niche VA Interviewer Process](#).

6.7. Offence Disposal:

Various disposal options are available after a voluntary interview; these are no different from disposal available if the person was arrested. At no point is there a requirement for the person who attended for a voluntary interview to be taken into custody in order to be charged, cautioned, issued with a PND or where no further action is to be taken.

Whatever disposal outcome is decided, it is vital that Niche is updated both timely and accurately, firstly by recording that the suspect has been "Interviewed under caution" and then with the correct disposal outcome.

Any caution can be issued outside of custody if the caution is authorised by a Sergeant or above.

If the person is to be charged then this will be in the form of a Postal Charge and Requisition (PCR).

The PCR must be issued to the person either by hand or by sending it to an address where it can reasonably be known that they will receive it. The officer issuing this PCR must complete a statement regarding the service of the PCR. This will be required at court if a fail to appear warrant is to be issued.

There are groups of suspects where the PCR process may be more impactful, less well understood or more likely to result in non-appearance. These groups are:

- Vulnerable Adults
- Those who do not speak or read English
- Those requiring an interpreter
- Those being charged with a sexual offence

Suspects in the high risk groups should be served the PCR in person. It will be the responsibility of the Interviewing Officer to make this risk known to Case Managers so they can have the PCR sent to the OIC for delivery by hand and in person.

6.8. PNC, ACRO (ACPO Criminal Records Office), Home Office Command and Control Unit (CCU):

All those who are interviewed as a suspect in an investigation must be checked on PNC. All foreign nationals will have ACRO checks carried out. This is in order to obtain information about foreign convictions that the suspect may have.

If the International Criminal Conviction Exchange Teams in ACRO make an enquiry to another country in relation to a foreign national and receive back details of foreign criminal convictions that are the equivalent to a number of UK offences then it acts as a trigger and the rest of the conviction history may be updated to the PNC record. Only convictions for certain trigger offences as outlined in the Home Office Serious Offence List (HOSOL) will be recorded, e.g. murder, sexual offences, drugs, serious assaults, firearms offences etc. This function is completed by the ACRO team.

If ACRO checks are not completed, high risk foreign national offenders may be within the country unbeknown to the police, even though they may have been dealt with for low level offending. If their past was known about, then they could be referred for deportation.

ACRO checks are conducted by PNC Bureau after notification by the OIC; this can be by email or telephone when PNC staff are on duty. Best practice is to speak to the PNC Bureau in person either before the suspects attends for interview or whilst they are present as different countries require different family specific information in order for the check to be completed in the home country. PNC Bureau also have access to the most up to date list of countries where ACRO checks cannot be carried for reasons of National Security, etc.

If there is a positive result from ACRO, these convictions must be part of the case papers and the Crown Prosecution Service made aware. When overseas convictions are made available to the court, it may mean someone serves a longer sentence and even removal from the UK afterwards.

CCU checks are required on all Foreign Nationals and is a check of their Immigration Status. It must be completed on every Foreign National who is invited for interview but can be done anytime there is uncertainty over a person's immigration status.

Real time checks can be carried out 24/7 by contacting the CCU on 03000 134 999. Slow time requests can be done via e-mail using the [UKBA Police Investigation Proforma](#) and e-mailing this to: CommandandControlUnit@homeoffice.gsi.gov.uk.

6.9. Common Law Police Disclosure Scheme (CLPDS):

The CLPDS ensures that where there is a public protection risk, the police will pass relevant information to the employer or regulatory body to allow them to act swiftly to mitigate any danger. E.g. a teacher suspected of possession of indecent images of children, then disclosure should be sent direct to the school.

The scheme is not limited in scope and will address risk of harm regardless of the employer or regulatory body. There are no lists of specific occupations, regulatory bodies and licensing authorities but the threshold for disclosure is 'pressing social need'.

The 'pressing social need' threshold for making a disclosure under common law powers is considered to be the same as that required for the disclosure of 'non conviction information' by the Disclosure and Barring Service under Part V of the Police Act 1997 (as amended).

For further specific guidance on 'how and what' should be disclosed can be found in the '[Common Law Police Disclosure Scheme Procedure](#)'.

RELATED DOCUMENTS and Authorised Professional Practice.

[Domestic Abuse Policy and Procedure](#)

[Rights and Entitlement](#)

[Pre interview risk assessment](#)

[Pre release risk assessment](#)

[Voluntary Interview NPCC Guidance](#)

[NPCC and Law Society MOU - Mobile Telephones and Laptops being taken into Custody Suites by Solicitors](#)

APP > [Detention and Custody](#)

DATA PROTECTION AND FREEDOM OF INFORMATION.

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, UK General Data Protection Regulations and the [Data Protection Policy](#).

This document has been assessed as suitable for public release.

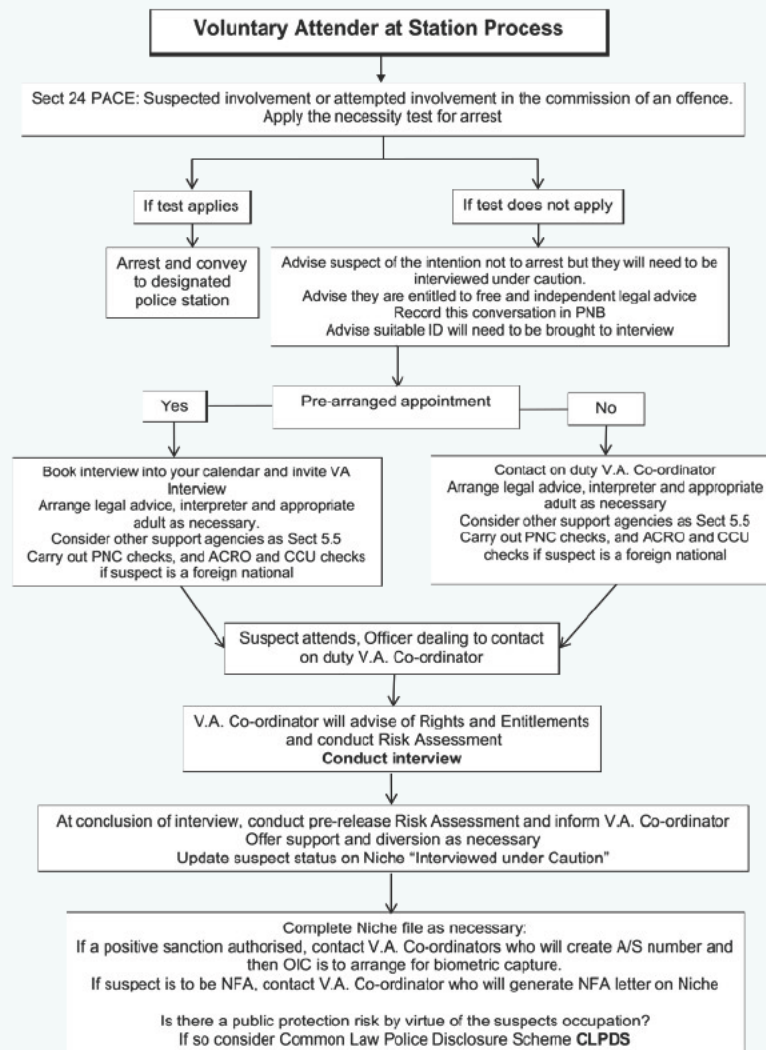
HUMAN RIGHTS AND EQUALITY IMPACT.

This procedure has been drafted to comply with the principles of the Human Rights Act 1998 and Equality Act 2010. Members of Wiltshire Police administering this procedure are responsible for ensuring that in its application, those to whom the procedure applies, shall not receive less

favourable treatment because of their age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

This procedure has been subject to an equality impact assessment. A copy of the impact assessment can be obtained by contacting the Equality, Diversity and Inclusion Team.

Appendix A:



Appendix B

Consideration for arrest.

Considerations for arrest, as opposed to a voluntary interview as taken from the NPCC Position Statement – Necessity to Arrest.

1. It is thought unlikely that the person would attend the police station voluntarily to be interviewed
2. It is necessary to interview the suspect about the outcome of other investigative action for which their arrest is necessary

3. Arrest would enable the anticipated delivery of special warnings which can only be given to persons under arrest and, therefore, cannot be used in a voluntary interview
4. The person has made false statements and/or presented false evidence
5. It is thought likely the person may steal or destroy evidence, collude or make contact with co-suspects or conspirators or may intimidate or threaten to make contact with witnesses
6. The complexity of the interview strategy, such as whether it involves only a single issue requiring interview (e.g. the lawful use of self-defence), or whether other investigative activity which could be influenced by the suspect if not in custody is to be conducted, e.g. checking alibis, comparing accounts with other material, and gathering supporting evidence of the provable lie for future challenge
7. Whether it is necessary to detain the suspect at the police station to conduct other enquiries either during or following the interview, e.g. checking alibis, comparing accounts with other material, and gathering supporting evidence for further interview
8. The likely length of the detention period required to conduct such interviews and enquiries (including whether this is likely to be over 24 hours for indictable offences)
9. Effective management of the interview process for multiple suspects without allowing them the opportunity to collude
10. The impact of the pre-interview disclosure briefing (PIB) to a legal representative and any tactics to be used such as phased or staged disclosure necessitating a series of interviews
11. Whether the suspect is already on bail for other offences which may trigger the necessity to arrest to prevent further offences or minimise the risk of harm to others
12. What considerations are required concerning disposal of the suspect e.g. necessity to remand in custody or impose bail conditions to prevent further offences, minimise the risk they present to others or secure their attendance at court
13. If the investigation requires Forensic analysis work to determine the outcome

Note: An arrest purely for the routine taking of fingerprints, samples and photographs is unlawful. Code G note 2H says: "The necessity criteria do not permit arrest solely to enable the routine taking, checking (speculative searching) and retention of fingerprints, samples, footwear impressions and photographs when there are no prior grounds to believe that checking and comparing the fingerprints etc. or taking a photograph would provide relevant evidence of the person's involvement in the offence concerned or would help to ascertain or verify their real identity."

This can only be a reason for arrest if the fingerprints or samples are required evidentially to prove or disprove the offence for which they have been arrested for – this would fit under a prompt and effective investigation.

Appendix C

NICHE Outstanding Suspects –updating Suspect's status on Niche

All suspects that are arrested and then subsequently interviewed in custody are automatically removed from the '**Outstanding Suspects**' list.

Niche does not however automatically show when suspects have been dealt with by way of '**Invite Interview**' or other disposals such as '**No Further Action**'. This causes the suspect to be still

showing as ‘**Outstanding**’ when searched on Niche providing a negative inaccurate reading of data.

The removal of suspects dealt with by way of invite interview (or other disposal i.e. ‘**No Further Action**’) will definitely impact upon Divisional and Sector figures and provide a more realistic picture of how many suspects are outstanding at any one time.

Therefore suspect status on NICHE should be updated to Invite interview once the Voluntary interview has been completed, further details on NICHE suspect status can be found here [Identifying Suspects and updating records in Niche RMS](#) [How to Guide Dec 2024.docx](#).

Revision History

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Version	Date	Summary of changes
3.0	24.07.2025	Paragraph 5.3 Legal Advice - reference and link added to the NPCC and Law Society guidance on detainees using mobiles phones, computers and other electronic communication and recording devices belonging to solicitors and other third parties.
3.0 / 070126	07.01.2026	Section 3 Paragraph 3.1 - reference to fingerprints or samples taken changed to biometrics taken. Appendix B - new point 13 added.
3.0 / 180226	18.02.2026	Section 3 new paragraph 3.10 added re: Where the voluntary attender is a child.
4.0 / 240626	24.06.2026	New section 5. Domestic Abuse added. Renumbered section 6 (previously s5) renamed Voluntary Attender Process.