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12/01/2026

**FREEDOM OF INFORMATION REQUEST REFERENCE NUMBER: 2674/2025**

Thank you for your request for information regarding Child Death Investigation Guidance, which has now been considered.

**Applicant Question:**

Any board papers or meeting minutes which refer to the 'Practice Advice on Child Death Investigation' guidance issued in February 2025 (as attached) between 17<sup>th</sup> June 2025 and today's date (14th December 2025)

This should include any updates to the guidance following the successful passing of the amendment to the Crime and Policing Bill to decriminalise abortion (put forward by Tonia Antoniazzi MP), AS WELL AS any discussion of how the guidance may change in future in light of the amendment's passing.

**NPCC Response:**

The NPCC does hold recorded information captured by your request.

I have extracted the following information from the following sets of minutes and agenda of the NPCC which makes specific reference to the 'Practice Advice on Child Death Investigation' guidance issued in February 2025 **between 17<sup>th</sup> June 2025 and 13/12/2025.**

Some of the information has minor redaction by virtue of S40 Personal Information.

For further information relating to the legislation, please see Annex A.

**2025 06 Meeting Minutes of Quarterly Meeting of Sub-Group (incorrectly titled 20 March 2025 – typo, correct date 18/06/2025)**

**National Guidance Update**

*As many of you will be aware yesterday MPs voted to remove women from the criminal law in relation to ending their own pregnancies. This is a divisive issue and those on both sides of the debate have employed highly*

*emotional rhetoric to make their respective arguments. It is precisely because of the deeply held personal views that abortion evokes that MPs were allowed to vote with their conscience. Police officers are also entitled to your own views on the law relating to abortion and many of those views will have informed by your knowledge and experience of reports to the police about suspicions of illegal abortions.*

*Regardless of any individual's personal views the police are tasked with upholding the law as determined by Parliament and as the legislative framework changes we must ensure those tasked with investigating reports made to police in relation to concerns about abortion do so with fairness, integrity, diligence and impartiality, to the best of their skill and knowledge. Effectively communicating the forthcoming changes to the law is vital. There is a level of scrutiny around this area of policing which creates an unforgiving operating environment and there will be damage to confidence in policing if we get it wrong in the future.*

*I want to take a few minutes to update you about what has happened in the last month or so in relation to the NPCC guidance issued on this topic as part of our wider child death investigation practice advice, the subsequent work undertaken by the NPCC in response to the public scrutiny of that guidance, and the changes that will likely now arise from yesterday's vote in Parliament.*

**\*\*S40(2)\*\***

*We chose to include termination of pregnancy investigations within the wider child death guidance in response to the small increase in reports to police of concerns about illegal abortion. This has been a reactive, not proactive area of policing, largely driven by reporting by medical professionals. There had been an unmet need for clear and consistent advice for forces across the UK facing these difficult investigations.*

*It is fair to say that the guidance has been misrepresented in media reporting. The emotive rhetoric about the NPCC guidance formed part of campaigning to influence the public and politicians in pursuit of a change to the*

*law. The NPCC press office have worked hard to push back against misrepresentation with some limited success. When you take away some of the sensationalist and agenda based reporting another way the guidance could have been described was police given guidance on sensitively conducting investigations into offences in the criminal law using existing police powers in force since 1984 and 1991.*

*Fiona Bitters and I met privately with some senior figures from the Royal College of Obstetricians and Gynaecology to try and better understand what they felt was wrong with the guidance. It has long been the position of the RCOG that they do not believe that the police should investigate reports of suspected illegal abortions. Criticism of specific parts of the guidance was limited.*

*Representatives have publicly described the guidance as 'truly shocking to read', 'chilling' and '...would seem far fetched in dystopian fiction'. The actions of the police and partners have been characterised as being 'utterly contemptible' and the result of 'institutional misogyny' and a 'toxic culture at the heart of these institutions'. These characterisations were unhelpful and unfair but I understand why the guidance has been portrayed in this way to attempt to influence the public conversation.*

*There has also been considerable interest from the Home Office and Fiona Bitters and I, along with DCC Rob Griffin from Nottinghamshire as chair of the HWG, have provided various briefings including to special advisors to the Home Secretary. The NPCC position has been considered at the highest levels within the NPCC with Assistance Commissioner Louisa Rolfe being updated. A review of the guidance has been undertaken in light of the criticism and it was concluded that the NPCC had provided clear, balanced guidance to ensure an appropriate and sensitive police response to reports of suspected illegal abortions. The guidance did not provide inaccurate, misleading or incorrect guidance to police officers investigating.*

*The RCOG sought the withdrawal of the guidance ahead of the matter being considered by Parliament. The NPCC maintained the position that the guidance was sound, and that it would take no action that could be interpreted as comment upon the debate around abortion. Withdrawal or amendment would likely have been characterised as the police agreeing the guidance was wrong, which is not our view.*

**\*\*S40(2)\*\*** *Is there anything going into CPS nationally about this?*

**\*\*S40(2)\*\*** CPS have released some guidelines around this. There are ongoing discussions going around in relation to this matter.

### **2025 09 Meeting Minutes if Quarterly Meeting of Sub-Group (24/09/2025)**

*Considerations to approach the experts which particular questions when approaching experts in overlay cases. Do we need to consider to change/adjust our guidance to support investigators around our overlay cases due to the law and ongoing difficulties securing overlay charges.*

*Update National Guidance to support investigators around Overlay and Neglect.*

Do we therefore need experts if we are going for neglect rather than overlay?

### **June 2025 Agenda for Quarterly Meeting of Sub-Group**

10:50 National Guidance Update – Media Interest (20 mins)

Abortion Potential Change to Law **\*\*S40(2)\*\*** will lead discussion

### **23 July 2025 Homicide Working Group Minutes**

The first is the conversations about changes in the abortion laws. Fiona has done an awful lot of work in this space recently and we met recently with the Home Office to provide feedback from UK policing in a balanced way that made sure the voice of the HWG all heard but in a way that could not be perceived as us trying to influence legislative change.

**ABORTION** – There has been national interest around the child death guidance which saw a very negative response to investigating unlawful termination of pregnancy. There was a wave of media interest preceding a parliamentary open vote to change the abortion law so that women could not be prosecuted for late termination. The vote was in favour of decriminalising women, and we are in a holding position until they make the relevant amendments to the law. We will then consider what, if any, changes need to be made to the guidance. We have responded to all of the media and FOI requests. If any individual forces get anything directly, they need to redirect it to NPCC Comms or their own FOI teams please.

Moving forward, this is going to be problematic, the technicalities of termination when it is suspected that a breath was taken would make it a child death not a termination, so we may find ourselves getting referrals from Health (often ambulance) and then being in a position where we are having post-mortem to determine if a breath was taken....

### **23 October 2025 Homicide Working Group Minutes**

**Prepare:**

Summary of guidance amendments

3. Minor amendments for the .....Not captured , Unlawful Termination offences following the media interest in the guidance and future change to law for abortion act.

Yours sincerely  
Freedom of Information Officer & Decision Maker

[www.npcc.police.uk](http://www.npcc.police.uk)

## COMPLAINT RIGHTS

### Internal Review

Any request for an internal review will be acknowledged and responded to, based on the specific wording of your initial request only.

**We ask that any rationale to request an internal review, does not include any requests for new information and ask that these be submitted by separate email. We will acknowledge as a new request and may aggregate to your initial request in compliance with the legislation.**

If you are dissatisfied with the response you have been provided with in compliance with the Freedom of Information legislation, you can lodge a complaint with NPCC to have the decision reviewed within 40 working days of the date of this response.

The handling of your request will be looked at by someone independent of the original decision and a fresh response provided.

It would be helpful, if requesting a review, for you to articulate in detail the reasons you are not satisfied with this reply.

If you would like to request a review, please write or send an email to NPCC Freedom of Information, c/o PO Box 481, Fareham, Hampshire, PO14 9FS.

## Annex A

Section 17 of the Freedom of Information Act 2000 requires the NPCC, when refusing to provide information by way of exemption in question and (c) states why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a refusal notice to those aspects of your request.

### **The legislation: Section 40 Personal Information**

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

**(2) Any information to which a request for information relates is also exempt information if**

**(a) it constitutes personal data which does not fall within subsection (1), and**

**(b) the first, second or third condition below is satisfied.**

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

Any information to which a request for information relates is also exempt information if it constitutes personal data which do not fall within subsection (1), and either the first or the second condition is satisfied.

S40(2) applies to third party personal data. Any release would breach the data protection principles contained within the Data Protection Act 2018. S40(2) has been engaged by virtue of S40(3)(a)(i). Any disclosure of withheld information would breach the first data protection principle of fair and lawful processing.

This is an absolute exemption and there is no requirement to apply the public interest test.