

**ICL Pathway**

**Evidential Information - Production  
Certification and Retention (PACE)**

Ref: RS/PRO/030  
Version: 0.1  
Date: 04/08/98

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**Document Title:** Evidential Information - Production, Certification & Retention (PACE).

**Document Type:** Process

**Abstract:** A description of the process required to demonstrate the integrity of a PACE certificate and the associated declaration.

**Status:** Initial draft

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## 0 Document control

### 0.1 Document history

Version	Date	Reason
0.1	4/08/98	Initial draft for comment

### 0.2 Approval authorities

Name	Position	Signature	Date
Martyn Bennett	Director, Quality & Risk		

### 0.3 Associated documents

Reference	Vers	Date	Title	Source
DW/REQ/0017	1.6	??	FCMS System Requirements Specification	Pathway
PACE		1984	Police & Criminal Evidence Act	HMSO

### 0.4 Abbreviations

CAPS	Customer Accounting & Payment Service
OPS	Office Platform Service
PACE	Police and Criminal Evidence Act
FCMS	Fraud Case Management System

### 0.5 Changes in this version

None

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## 1. Introduction

Prima facie evidence to be presented for benefit payment fraud prosecutions is obtained solely from the ICL Pathway Fraud Case Management System (FCMS). This computer output is only admissible in evidence where special conditions are satisfied. These conditions are described in detail in Section 69 of the Police and Criminal Evidence Act (PACE) 1984 and require ICL Pathway to provide 'honest' certification of such computer-generated evidence.

## 2. Scope

This process describes the PACE certification of computer evidence originating within the ICL Pathway Fraud Case Management System (FCMS) to support benefit payment fraud prosecutions.

This process also identifies secondary evidence which must be produced to demonstrate the integrity of the PACE certificate if the court or the defence so desires.

## 3. Production and Retention of Computer Evidence

The method by which the ICL Pathway Fraud Case Management System data is populated, and the steps taken to ensure its secure retention are described in [1].

***[DN - Need to check the accuracy of this statement]***

## 4. Certification

Irrespective of the number of fraud prosecutions that the ICL Pathway FCMS supports, a PACE certificate must be provided for each individual prosecution.

Section 69 of PACE provides that:

"In any proceedings, a statement in a document produced by a computer shall not be admissible as evidence of any fact therein unless it is shown-

a) that there are no reasonable grounds for believing that the statement is inaccurate because of improper use of the computer and;

- b) that at all material times the computer was operating properly or, if not, that any respect in which it was not operating properly or was out of operation was not such as to affect the production of the document or the accuracy of its contents.”

It is therefore vitally important that whoever signs the PACE declaration on behalf of ICL Pathway can be assured that (b) above is true for “all material times”.

Traditionally, PACE certificates are signed by a senior member of the Computer Operations staff responsible for managing the computer installation and its associated networks. ICL Outsourcing performs this role as a managed service for ICL Pathway, and it is assumed that the information required for their assurance is already available to them in day-to-day operational documentation and as management information.

#### **4.1. Certification Process**

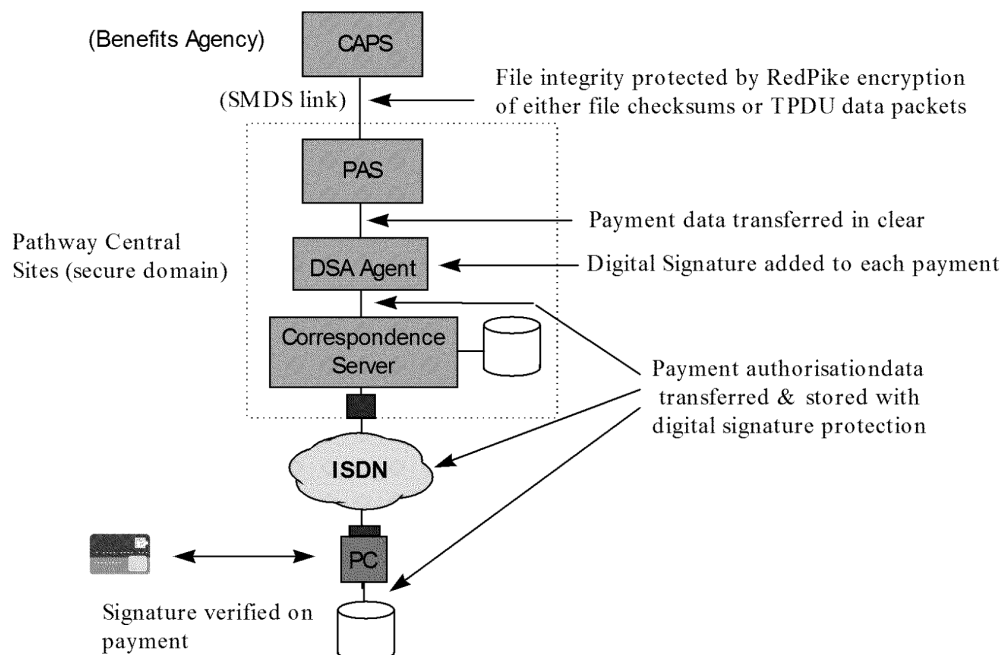
The manager of the ICL Pathway Fraud Risk Management team, or his deputy, will advise a nominated member of ICL Outsourcing of the relevant dates and times for which a PACE certificate is required.

The ICL Outsourcing nominee will consult proprietary operational records pertaining to computer and network operations on the dates and times advised, in order to satisfy himself that the certificate can be signed with confidence. The certificate (see example at Appendix A) contains a declaration including the statement “*I sign this certificate knowing that I shall be liable for prosecution if I have stated in it anything which I know to be false or do not believe to be true*”, it is therefore in his rational self-interest to ensure a) that the logs are adequately comprehensive and b) that they are investigated thoroughly.

A statement should accompany the certificate to the effect that additional (secondary) evidence to support the certificate can be produced if so desired. To offer all the evidence without it being requested would only serve to flood the courtroom with documentation.

## **5. Secondary Evidence**

In order to demonstrate the integrity of a Horizon PACE certificate for the Benefit Payment Service, it is necessary to describe the information flow from CAPS to OPS and from OPS to the FCMS and to illustrate where cryptographic and integrity protection are applied.

*End to End Payment Protection**Figure 1 - BPS Information Flow****[DN - Need to update this figure to show OPS to FCMS]***

Given the magnitude and complexity of the Horizon system, it is conceivable that the integrity of the PACE certificate will be challenged by a defendant's Solicitor in order to discredit a prosecution. If it is not possible to demonstrate the certificate's integrity to the Court's satisfaction, a very dangerous precedent will have been set and all subsequent prosecutions will be automatically jeopardised. However, the corollary is also true and a successful demonstration of honest certification will stand all subsequent prosecutions in good stead.

Comprehensive records pertaining to the site(s), services and individuals concerned can and should be produced for all material times. These records will serve to show that the relevant services were available at all material times, were operating properly and had not been used inappropriately.

This secondary evidence should include, but is not restricted to, the following:

- An external Auditor's certificate of data integrity;
- Logs of calls to the Horizon System Helpdesk and the Payment Card Helpline detailing incidents of error, inaccuracy or malfunction pertaining to the sites, equipment, services and individuals concerned;
- A log of ISDN 'ping' records which demonstrate the availability of network communications between the affected site(s) and the Data Centre;
- Operational logs and shift handover documentation to demonstrate consistent



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operation and availability of the service.

- Secure NT, Dynix and SecurID definitions;
- Testimony from expert witnesses stating that, in their experience this (incident) has never happened or, if it had, that it would be reflected in the relevant audit log.

## 6. Appendix A

### DECLARATION

- To the best of my knowledge and belief there are no reasonable grounds for believing that the information or statement in the document(s) identified above is inaccurate because of improper use of the computer system.
- At all material times the computer devices were operating properly, or if not, any aspect in which they were not operating properly, or were out of operation, was not such as to affect the integrity of the data processed, the production of the document(s) or the accuracy of its content.
- I occupy a responsible position in relation to the computer systems, namely: **Manager of System Services.**
- I sign this certificate knowing that I shall be liable to prosecution if I have stated in it anything which I know to be false or do not believe to be true.

Signed:.....  
Date:

**Signature witnessed by:.....Martyn Bennett**  
Date:

**Full name and address of employment:** ICL Pathway, Forest Road,  
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