

<b>CASEWORK MANAGEMENT</b>	
<b>1.</b>	<p><b>PURPOSE</b></p> <p>The aim of this policy is to ensure that adequate controls are in place to maintain standards throughout investigation processes.</p>
<b>2.</b>	<p><b>LINK TO ACCOUNTABILITIES</b></p> <p>Security Managers</p>
<b>3.</b>	<p><b>POLICY</b></p>
<b>3.1</b>	<p><b>REPORTING STANDARDS</b></p> <ul style="list-style-type: none"> <li>Industrial Tribunals have criticised the practice of refusing to disclose investigation reports to interviewees on the grounds of privilege. As a consequence, it is now business policy to release investigation reports to the subjects of those investigations during the disciplinary process. It is therefore essential that consistent standards are applied by all staff in the Security Community when compiling investigation reports to comply with business requirements whilst avoiding unauthorised disclosure of sensitive material.</li> <li>Investigation reports should detail the facts of the case, including admissions and denials, and only contain allegations against an individual that can be supported by the evidence collected during the course of the enquiry. Care should be taken not to express unsubstantiated personal opinions which might unfairly influence subsequent disciplinary action.</li> <li>A copy of the investigation report and summary or transcript of the interview will be submitted to the relevant discipline manager who will release a copy of the report to the individual concerned during the conduct procedure in accordance with the business conduct code. To preserve the integrity of the decision making process, reports should be sent directly to the decision making manager concerned as far as this is practicable.</li> <li>In the majority of investigation cases, the investigation report alone will adequately meet the requirements of both the prosecution and conduct processes. In some cases, however, it is necessary to protect sensitive information which, if disclosed, could damage either ongoing enquiries, the anonymity of informants or the reputation of Consignia.</li> <li>For cases in England &amp; Wales, sensitive information should be detailed in a separate report clearly marked with the level of sensitivity (In Confidence/In Strictest Confidence etc.) and placed in a sealed envelope enclosed in the case papers sent to Legal Services, Criminal Law Division and must be listed on form CS006D and if necessary CS006E as sensitive information *. The information contained in the confidential report is strictly for Legal Services' use and must not be circulated with copies of the investigation report used for disciplinary purposes. The confidential report will be retained by Legal Services. (Procedures for reporting sensitive information for cases in Scotland and Northern Ireland are under separate consideration by Legal Services).</li> </ul> <p>* See Post Office Code of Practice under the Criminal Procedure and Investigations Act 1996.</p> <ul style="list-style-type: none"> <li>Sensitive information includes:- <ul style="list-style-type: none"> <li>* Personal details of informants</li> <li>* CRO Numbers</li> <li>* Accusations, suspicions or opinions which are unsubstantiated but nevertheless need to be considered by Legal Services</li> <li>* Allegations or suspicions directed against individuals not yet questioned</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>* Information or opinions concerning the reliability of witnesses</li> <li>* Disciplinary findings against witnesses.</li> </ul> <ul style="list-style-type: none"> <li>• Heads of Security should ensure that all investigation reports are vetted for content before copies are supplied for disciplinary purposes.</li> <li>• In England and Wales, Legal Services will decide what information will be disclosed to the Defence in compliance with the Criminal Procedure and Investigations Act 1996.</li> <li>• If, during the course of an enquiry, failures in security or operational procedures are identified which may or may not be directly connected with the offence/s under investigation, a separate report should be made to the relevant function or line manager in order that remedial action should be taken. In the interests of maintaining good industrial relations and to maintain confidentiality, it is important that individuals are not named in this report and that recommendations are made in general terms. The separate report to the relevant manager will also need to be listed on the form CS006D and possibly on the form CS006E. Legal Services will then decide whether such a report should be disclosed to the Defence under the Criminal Procedure and Investigations Act 1996.</li> <li>• The issue of dealing with information concerning procedural failures is a difficult one. Some major procedural weaknesses if they become public knowledge have the potential to assist others to commit offences against the Post Office, or to undermine the Prosecution case, or to bring Consignia into disrepute, or to harm relations with major customers such as the DSS or Girobank. Unless the Offender states that he is aware that accounting weaknesses exist and that he took advantage of them, it is important not to volunteer that option to the Offender during interview. The usual duties of disclosure under the Criminal Procedure and Investigations Act 1996 still apply.</li> <li>• When reporting the outcome of an enquiry, sufficient details should be provided for an offender record to be made in respect of persons:- <ul style="list-style-type: none"> <li>- who have admitted offences</li> <li>- who have been charged with an offence</li> <li>- against whom a summons or warrant for arrest has been issued</li> <li>- who resign to escape dismissal</li> <li>- who are debarred for criminal reasons</li> </ul> <p>The procedure for reporting criminal offences to Police is detailed at <b>Appendix 15</b></p> </li> <li>• Investigation reports should be marked 'STAFF IN CONFIDENCE' in cases where the honesty of a member of staff may be in question and an appropriate privacy marking should be used in all Children and Young Persons cases</li> <li>• The standard format for investigation reports is set out at <b>APPENDIX 6</b>.</li> </ul>
3.2	<b>PROSECUTION CASEWORK</b> <ul style="list-style-type: none"> <li>• Details of evidential requirements, casework preparation and submission timescales are set out in the <b>Prosecution Guidelines</b> issued to all investigators.</li> <li>• To maintain standards and ensure consistency, official forms should always be used in preference to locally produced forms and proformas.</li> <li>• Casework should always be presented in standard SIS-supplied file jackets, with 'Urgent Today' label CS104 attached.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Reports, including any preliminary incident reports, should be single sided and placed in the file in date order with each page numbered consecutively in pencil at the top right corner.</li> <li>• Typed tape summaries and statements should be paged in immediately following the main investigation report in the order in which the interviews are conducted.</li> <li>• Legal Services will not recommend prosecution in respect of offenders who have not been suspended from duty or dismissed therefore a copy of the disciplinary papers should be placed in the file or forwarded separately to Legal Services immediately they are available.</li> <li>• Enclosure envelopes should be used to enclose the following supporting documents:- <ul style="list-style-type: none"> <li>(a) Appendix A</li> </ul> </li> <li>• Original Statements and, where appropriate, copies of original exhibits * <ul style="list-style-type: none"> <li>(b) Appendices B, C etc.</li> </ul> </li> </ul> <p>           Personnel Printouts            Friend forms            Search records            Antecedents            NPA Forms            Disclosure forms            Confidential reports            Interview copy tape            Copy investigation reports - (3)            Copy Tape Summaries/NOI - (1)            Committal Bundles(if for Crown Court)            Copies of summons/indictments/Counsel's advice as appropriate         </p> <p>* Copies of any exhibits produced during the interview should be enclosed in the file.</p> <ul style="list-style-type: none"> <li>• An encompassing Privacy Marking should be applied to the file cover and relevant markings to any subsequent sensitive enclosures.</li> </ul>
3.3	<b>CASEWORK MANAGEMENT</b> <ul style="list-style-type: none"> <li>• In the interests of fairness and in compliance with the Attorney General's guidelines it is essential that every case where an employee is given into custody or suspended from duty must be dealt with urgently at all stages. This enables the separate questions of prosecution and dismissal/disciplinary action to be resolved with minimal delay.</li> <li>• To reduce the risk of files becoming lost/mislaid a central register of casework should be maintained which logs all movement of all papers. Each investigator should maintain an individual record of investigations for which he/she is responsible and regular supervisory checks should be made of this record to ensure accuracy.</li> <li>• Prosecution cases should be regularly monitored for compliance with timescales laid down in the <b>Prosecution Guidelines</b>.</li> <li>• A central record of offenders and action taken against them must be maintained by each S &amp; I unit.</li> </ul>

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	<ul style="list-style-type: none"> <li>All Consignia employees who are dismissed for criminal activity must be debarred from future PO employment and a copy of the debarment notice P2051X must be supplied to SIS Criminal Intelligence Office.</li> <li>To ensure compliance with the Data Protection Legislation investigation files should not be circulated for information purposes, accounting action etc. These matters should be dealt with by separate proformas.</li> <li>Casework managers should ensure all avenues of enquiry have been exhausted and all outstanding matters have been completed in each case before an investigation is closed and the papers filed.</li> <li>Any procedural failures in the investigation or prosecution processes should be thoroughly investigated and suitable action taken by reviewing working methods and the provision of additional training where required. Any failures considered to be due to weaknesses in existing S&amp;I Standards should be referred to the Investigation Policy Manager at SIS Corporate Security.</li> <li>The aspects to be covered in the final report on prosecution are detailed in <b>Appendix 4</b>.</li> <li>Cases should be securely retained as follows:- <ul style="list-style-type: none"> <li>1. Unresolved cases of major loss/incident 5 YEARS</li> <li>2. Cases where a member of Consignia staff has come under suspicion of dishonesty but guilt has not been proved " "</li> <li>3. A series of systematic offences against Consignia where the offender/suspected offender is an outsider. " "</li> <li>4. All other cases 3 YEARS</li> </ul> </li> <li>Cases containing important decisions on Law, Policy or Procedure should be submitted to the Head of Corporate Security for sight before being filed.</li> <li>Retention periods (England &amp; Wales) in respect of evidential material are given in <b>Section 3 of the Post Office Codes of Practice under the Criminal Procedure and Investigations Act 1996</b>.</li> </ul>
3.4	<b>POLICE (PROPERTY) ACT 1897</b> <ul style="list-style-type: none"> <li>Many inquiries relating to stolen Consignia property are undertaken by Police who are, of course, fully aware of the provisions of Sections 24 and 28 of the Theft Act 1968. Investigators should do what they can to ensure that the opportunity to recover official property in Police prosecution cases is not lost by default - e.g. through the absence of a Business applicant or through inadequate liaison arrangements with the Police force concerned.</li> <li>Applications for recovery of property obtained dishonestly where the property is in the hands of the Police, can be made under the Police (Property) Act 1897. It is important to remember that time is of the essence for making such applications because there is a six month time limitation period from the time that the matter of complaint became due for commencing proceedings in the Magistrates' Court under the 1897 Act. In addition, there is a separate six month time limitation period from the date of an order under the 1897 Act for a person to commence legal proceedings against any person in possession of property delivered by virtue of an order for recovery of the property under the 1897 Act.</li> </ul>

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3.5	<b>CRIMINAL BANKRUPTCY</b>  In cases involving large sums of money advice concerning criminal bankruptcy should be sought from Legal Services					
3.6	<b>SCOTTISH LAW</b>  <ul style="list-style-type: none"><li>• The Theft Act 1968 is not, at present, part of Scottish Law.</li><li>• In Scotland, even when it is admitted by an offender at the time of arrest or suspension from duty, or it can be proved, that certain property in his possession was purchased with money which he stole from the post, or stole, or fraudulently obtained, for Consignia, none of the property may be removed from the custody of the offender unless:-<ul style="list-style-type: none"><li>a) It is necessary to take possession of any specific item or items to provide evidence in Court in support of a specific charge; or</li><li>b) The offender himself, without any request or suggestion whatsoever on the part of the investigator, expresses a desire to surrender it to Consignia, which must be embodied in the offender's written statement, or in the notes of interview or tape, in the exact terms in which it is made.</li></ul></li></ul> <p>Whether or not an investigator takes possession of any such property he/she should</p> <p>prepare a list of it - which the offender should be asked, but not pressed, to sign - and should indicate its approximate value. This is list must be enclosed with the investigator's report</p> <ul style="list-style-type: none"><li>• Any such property taken possession of under 7.2(a) and not subsequently retained by the Court, must be returned to the offender against receipt immediately after the trial.</li><li>• Any such property taken possession of under 7.2(b) must be retained (unless perishable) for 6 months and then disposed of in the usual manner.</li></ul>					
4.	<b>Links to other reference material (policies, processes and procedures, etc.)</b>					
	<b>Title</b>	<b>Author</b>	<b>Located</b>	<b>Version</b>	<b>Type</b>	<b>Policy No.</b>
4.1	Criminal Procedure & Investigations PO Code of Practice	HMSO		1996	Act	3.1/3.3
4.2	PO Prosecution				Guidelines	3.2/3
5.	<b>Document details</b>					
5.1	Author :	<b>Head of Corporate Security Security Community Programme Manager, Law &amp; Legislation, Corporate Security, 4<sup>th</sup> Floor, Impact House, 2 Edridge Road, CROYDON, CR9 1PJ</b>				
5.2	Owner :					
5.3	Audience:					
5.4	Enquiry point :					
5.5	Effective from :	<b>March 2000</b>				
5.6	Review date :	<b>January 2001</b>				
5.7	Last updated :	<b>March 2000</b>				
6.	<b>Assurance Details</b>					
6.1	Name:					
6.2	Business Unit:					
6.3	Assurance Date:					

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7.	<b>Final Review</b>		
7.1	Approved by		
7.2	Documented (Hard Copy)	<b>YES/NO</b>	Location:
7.3	“ (Electronic)	<b>YES/NO</b>	Location: