

IN CONFIDENCE



Post Office Ltd

Investigation Team

Compliance

**Guide to the Preparation and Layout of
Investigation Red Label Case Files.**

Offender reports & Discipline reports

IN CONFIDENCE

IN CONFIDENCE

Prepared by Ged Harbinson, Compliance Manager

The aim of this document is to give guidance to Investigation Managers and Investigation Team Managers on the current compliance standards for the preparation of red label case offender reports and discipline reports.

Contents:

1. Offender report:

Preamble.

- 1.1 Header and footer.**
- 1.2 Preamble as policy template**
- 1.3 Correct heading.**

Investigation Background.

- 1.4 Investigation Background reported.**
- 1.5 Inquiries conducted reported.**

Offender Interview Details.

- 1.6 Offender approach reported.**
- 1.7 Reference to note book entry made.**
- 1.8 Details of suspect interview and searches as applicable.**
- 1.9 Preliminaries.**
- 1.10 Admissions/denials identified and reported.**
- 1.11 Details to identify and recover loss and assets.**
- 1.12 Interview concluded and tape details.**

Post Interview.

- 1.14 Period of offences identified.**
- 1.15 Assessment of evidence available to support charges.**
- 1.16 Details of domestic and financial details of offender/s.**
- 1.17 Reliability of witnesses.**
- 1.18 Outstanding inquiries confirmed.**
- 1.19 Loss to Post Office LTD. Reported.**
- 1.20 Accounting aspects status reported.**
- 1.21 Subsequent enquiries and actions to identify and recover loss and assets.**

IN CONFIDENCE

- 1.22 NPA forms and antecedents.**
- 1.23 Copy reports and tape summaries etc.**
- 1.24 Details of failures in security, supervision, procedures and product integrity.**
- 1.25 Concluding paragraph.**

2. Discipline report:

Preamble.

- 2.1 Header and footer**
- 2.2 Preamble as policy template**
- 2.3 Correct heading.**

Investigation Background.

- 2.4 Investigation Background reported.**
- 2.5 Inquiries conducted reported.**

Offender Interview Details.

- 2.6 Details of suspect interview**
- 2.7 Admissions/denials identified and reported.**
- 2.8 All allegations in report substantiated and facts only supported.**
- 2.9 Details to identify and recover loss and assets.**
- 2.10 No reference to files or documentation that are not associated**

Post Interview.

- 2.11 Period of offences identified.**
- 2.12 Outstanding inquiries confirmed.**
- 2.13 Loss to Post Office LTD. Reported and accounting aspects status reported.**
- 2.14 Details of failures in security, supervision, procedures and product integrity.**
- 2.15 Concluding paragraph.**

IN CONFIDENCE

1. Offender report:

Preamble

**1.1 Headers and Footer- “POST OFFICE LTD. CONFIDENTIAL
INVESTIGATION, LEGAL”**

1.2 Preamble as policy template (See below)

POLTD/0405/

OFFENCE

(Indicate here type of offence – i.e. theft, false accounting...)

Name:

Rank:

**Identification
Code:**

(Numbers 1 to 7
only)

Office:

FAD Code

IN CONFIDENCE

IN CONFIDENCE

Age: **Date of Birth:**

Service: **Date Service
Commenced:**

Personnel Printout: **At Appendix: C**

Nat Ins No:

Home Address:

**Suspended/Contract for
Services Suspended:** *(date)* on the authority of *(managers name)*
*(Delete either Suspended/Contract for Services
Suspended)*

Handed into custody: *(Date & name/rank of authorising officer)*
(Delete rows if not applicable)

At: *(Name of police station)*
(Delete rows if not applicable)

Charged: To appear at *(time)* on *(date)* at *(Court)*
(Delete rows if not applicable)

To be prosecuted by: Royal Mail Group (including Post Office Ltd)/Crown
Prosecutor

**Designated
Prosecution Authority:** Tony Utting, National Investigation Manager.

Discipline Manager: *(Managers name)*

1.3 Correct heading

To addressee, this is currently **“Corporate Security Criminal Law
Team”**

Investigation Background

1.4 Investigation background reported.

This should cover details of the office, or location, of the offence/s with details or information current or historical relating to the office or persons employed or residing there. Give a brief description of the office involved, e.g. urban/rural/small/large.

IN CONFIDENCE

IN CONFIDENCE

State details of sub postmaster and number of assistants employed.

Give particulars of the suspected offence/s and how it/they came to notice including items such as whom they concern or identify. State the loss to Post Office LTD. or other agency at the time of inaugural report. A copy of any reports/documents should be referred to and associated at the relative appendix.

An explanation of correct procedures should be given in cases where it is felt that information about the POLTD. process, may be of use to the Criminal Law Team.

1.5 Inquiries conducted reported.

Details of the inquiry undertaken by the investigator, to include items such as evidence gathering, analysis, observations, tests and witness evidence gained pre “offender interview”. The outcome of enquiries should be explained, together with the conclusions reached by the investigator.

Reference must be made regarding applications for testing/surveillance operations, with signed copies of testing/RIPA applications, IIMARC forms, associated at appendix ‘B’. Forms and outputs for other criminal checks should also be associated at appendix ‘C’.

*The exception to this is where a positive result has been obtained in relation to a PNC check. In these circumstances the conviction details **must** be placed within a sealed envelope, marked ‘In Confidence’ and be associated at appendix ‘C’.*

Offender Interview Details.

1.6 Offender approach reported.

This should contain detail of the investigator’s first approach to any suspect/s and cover the date, time, location, introduction, explanation, caution, request to attend voluntary tape-recorded interview and completion of the CS001 side A and CS005 if done at this stage. There are of course many variations and additions to this for example if the police are involved or if the suspect/s make any admissions or significant statements. All need to be reported at this stage in the offender report

1.7 Reference to note book entry made.

PACE advises that note-book entries must be made for each suspect offender interview. Any such entry must detail date, time, place, subject and duration of interview along with master tape number. In addition, note-book entries must be made to account for conversations,

IN CONFIDENCE

IN CONFIDENCE

observations and factual details not captured by audio tape (or prior to commencing interview) and in particular to cover prolonged periods between engaging suspect offender and eventual interview.

1.8 Details of suspect interview and searches as applicable

This should contain details of the date, start time, location, attendance (investigation managers, suspect, legal representation Post Office friend and any other) CS001 (not Scotland) and the CS003. Reference should be made to any tape transcription or summary if produced and the page numbers attributed to either. For example:

At 0900 hours on 23 January 2005, I interviewed (name) at Leeds Branch Office. Present throughout the interview were Mr Alan Smith, Investigation Manager and Mr James Lawyer, Solicitor. The interview was tape-recorded and a tape summary has since been prepared, a copy of which is now at pages to

Copies of the working tapes are enclosed at appendix "B". I have retained the Master tapes.

A copy of the form CS001 (item no. AA/1) is associated at appendix 'B'.

Reference should also be made in this section to the outcome of searches conducted during the interview process. Copies of search forms are to be associated at appendix 'B'.

1.9 Preliminaries.

This should contain brief, relevant, preliminary details asked at the start of the interview and could include, career histories, employment, training, responsibilities, security awareness and procedural questioning.

1.10 Admissions/denials identified / reported and points to prove covered.

This should contain admissions and denials made during interview and in particular those relating to the offences listed in the preamble to the report (to include amounts and offence dates of any admission). The section should be more detailed if the investigator is not submitting a supporting tape transcription or tape summary.

1.11 Details to identify and recover loss and assets.

This should contain details resulting from any questions and answers asked during interview, which relate to or have an impact on identifying and recovering loss and assets.

1.12 Interview concluded and tape details or custody record.

This should contain the time the interview concluded and where the tapes are now stored. Reference should be made here to any custody records if applicable.

IN CONFIDENCE

IN CONFIDENCE

Post Interview.

1.14 Period of offences identified.

State the start and end date of offence/s detailed in preamble to report.

1.15 Assessment of evidence available to support charges.

This should contain the investigator's assessment of the evidence available to support the offences detailed in the preamble to the report it should identify conflicting evidence statements or admissions and include comment on demeanour of offender, an assessment of their response to questioning, whether full scope of offence has been admitted to and suggested reason as to why crime committed (i.e. greed, gambling). It may contain opinion and any other matters not listed above which are substantial and relevant. Recommend prosecution or, alternatively, give an explanation why prosecution is not advised.

If relevant, comment should also be made here to any recommendation that the matter may be disposed of by way of a caution.

1.16 Details of domestic and financial details of offender/s.

This should contain any domestic, health and financial details including any mitigating circumstances of offender/s gathered, at or post interview, which are not readily found in any personal printout associated and which may have an impact on prosecution and or financial recovery considerations.

1.17 Reliability of witnesses.

This should contain the investigator's assessment as to reliability of any relevant witness or witness statement in the case.

1.18 Outstanding inquiries reported.

Reference should be made to any necessary inquiries yet to be made, along with a reasonable assessment as to their progress and or completion.

1.19 Loss to Post Office LTD. Reported.

State the overall loss to the business (after allowing for any recovery) caused by the offender's wrongdoing. Also state the actual loss to the business if different. Comment on any restitution received from offender, its disposal or location and the 'without prejudice' receipt.

1.20 Accounting aspects status reported.

State any accounting aspects dealt with or to be dealt with.

IN CONFIDENCE

IN CONFIDENCE

1.21 Subsequent enquiries and actions to identify and recover loss and assets.

This should contain details resulting from any subsequent investigations, which relate to or have an impact on identifying and recovering loss and assets (CS045). Reference must also be included as to whether the papers have been referred to a Post Office Ltd Financial Investigation Manager.

1.22 NPA Forms/Antecedents:

Refer to completion of NPA and antecedent documentation and where appropriate the submission of them to CIO. Copy documents are to be associated at appendix 'C'.

1.23 Copy Reports/Tape Summaries, etc.:

State what has been submitted electronically to Casework and say where other relevant documents are to be found, or give their disposal.

1.24 Details of failures in security, supervision, procedures and product integrity.

This must be a comprehensive **list** of all identified failures in security, supervision, procedures and product integrity it **must be highlighted bold in the report**. Where the investigator concludes that there are no failures in security, supervision, procedures and product integrity a statement to this effect should be made **and highlighted in bold**.

1.25 Concluding paragraph.

Explanation as to reason for submission of case file.

2. Discipline report:

Preamble.

2.1 Header and footer "POST OFFICE LTD CONFIDENTIAL: INVESTIGATION, PERSONNEL"

2.2 Preamble as policy template. (See above)

2.3 Correct heading. "Discipline Manager"

IN CONFIDENCE

IN CONFIDENCE

Investigation Background.

2.4 Investigation Background reported.

This should cover details of the office, or location, of the offence/s with details or information current or historical relating to the office or persons employed or residing there. Care must be exercised when detailing information relating to how the suspected offences came to attention and in particular advice should be sought, from Criminal Law Team, prior to including any information that has not been divulged to the suspect offender as part of the enquiry proper. In particular, advice must be sought when dealing with the issue of Covert Human Intelligence Sources or Human Intelligence Source.

2.5 Inquiries conducted reported.

Details of the inquiry undertaken by the investigator, to include items such as evidence gathering, analysis, observations, tests and witness evidence gained pre "offender interview". However, this again must be restricted to those details which have been disclosed at interview and advice must be sought prior to including any investigative practices / techniques not previously disclosed to the suspect.

Offender Interview Details.

2.6 Details of suspect interview.

This should contain details of the date, start time, duration, location, attendance (Investigation Managers, suspect, legal representation Post Office friend and any other). Reference should be made to the number of tapes used, and as to whether interview tape transcription / précis is associated or, if not, where copies of the tapes can be obtained.

2.7 Admissions/denials identified and reported.

This should contain any admissions and denial made during interview. Reference should be made to amounts and dates of any admission. The section should be more detailed if the investigator is not submitting a supporting tape transcription or tape summary.

2.8 All allegations in report substantiated and facts only supported

It is for the investigator to ensure that any allegation in the report is substantiated by evidence or admissions made during the interview.

No supposition, inference or personal, unsubstantiated, comment should be included within the report.

2.9 Details to identify and recover loss and assets.

IN CONFIDENCE

This should contain details resulting from any questions and answers asked during interview, which relate to or have an impact on identifying and recovering loss and assets.

2.10 No reference to files or documentation that are not associated.

It is for the investigator to check the discipline report to ensure that all "opinion" has been removed along with references to files or documentation associated to the offender report, which are not necessarily associated or attached to the discipline report.

Post Interview.

2.11 Period of offences identified.

State the start and end date of offence/s detailed in preamble to report.

2.12 Outstanding inquiries confirmed.

Reference should be made to any necessary inquiries yet to be made, along with a reasonable assessment as to their progress and or completion. Again, care must be exercised in revealing here any information that the investigator would not wish immediately relayed to the suspect offender; examples would include fresh lines of enquiry that the investigator may wish to test and challenge by way of re-interview or actions relating to the use of POCA powers.

2.13 Loss to Post Office LTD. Reported and accounting aspects status reported.

State clearly any loss to Post Office LTD along with the status of any accounting aspect to be dealt with.

2.15 Details of failures in security, supervision, procedures and product integrity.

This must be a comprehensive **list** of all failures in security, supervision, procedures and product integrity it must be **highlighted bold in the report**. Where the investigator concludes that there are no failures a statement to this effect should be made and **highlighted in bold**.

Significant failures that may affect the successful likelihood of any criminal action and/or cause significant damage to the business must be confined, solely, to the confidential offender report. Care must be exercised when including failures within the Discipline Report as obviously this is disclosed to the suspect offender and may have ramifications on both the criminal elements of the enquiry, as well as being potentially damaging to the reputation or security of the business. If you are in any doubt as to the appropriateness of inclusion or exclusion you must discuss with your ITM. (See POLTD. Investigation Circular 2005/12-20 Sep 2005)

IN CONFIDENCE

IN CONFIDENCE

2.17 Concluding paragraph.

Include here the reason for submitting the discipline report.