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Post Office Ltd
Security Operations Team

Compliance

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

Offender reports & Discipline reports

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The purpose of the Suspect Offender report is to provide a storyboard of the events and evidence of an investigation to the relevant Stakeholders and Post Office Ltd Legal & Compliance Team to enable a decision to be made as to the future conduct of a case.

This guide is produced for all Security Operations Managers, irrespective of location, so those in Scotland and Northern Ireland will need to interpret some of the content accordingly, e.g. for Scottish cases read 'Exhibits' as 'Productions'.

The general principle is that the description of investigation activities should read in the sequence they occurred so it may be necessary to re-order the paragraphs or elements within them. The following is only a guide to the preparation of an offender report and accordingly relevant additional information should be included as appropriate.

A single report is required in cases where more than one suspect offender is identified and interviewed as being involved in the same offence, however a separate preamble must be included for each individual.

The text element of the Suspect Offender report should commence immediately underneath the preamble/s. The Header/Footer on the report should read 'POST OFFICE® LTD CONFIDENTIAL - INVESTIGATION, LEGAL'.

Where reference is made to evidence or property in the body of the report, the item reference number (i.e. AA/1) should follow the description. If documents referred to in the report are paged into the body of the file, or are associated at an appendix, reference must be made to their location.

Use:

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Font size: point 12
Spacing: single

The aim of this document is to give guidance to Security Operations Managers and Team Leaders on the current compliance

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standards for the preparation of red label case offender reports and discipline reports.

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- 2.1 Header and footer
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- 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.

1. Offender report:

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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 (s) of offence - i.e. Theft, False Accounting, Money Laundering...)

Name:

Rank: Identification Code: (Numbers 1 to 7 only)

Office: Branch Code

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: Post Office Ltd / Crown Prosecutor

Designated Prosecution Authority: Dave Pardoe, Senior Security Manager

Discipline Manager: (Managers name)

1.3 Correct heading

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To addressee, this is currently "Post Office Ltd Legal & Compliance 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.

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 Legal & Compliance Team.

1.5 Inquiries conducted reported.

Details of the inquiry undertaken by the Security Manager, 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 Security Manager.

1.6 Planning & Operation

Reference must be made regarding applications for testing/surveillance operations, with signed copies of testing/RIPA applications, Planned operation Risk Assessments (PORA) forms, associated at appendix 'B'. Forms and outputs for other criminal checks should also be associated at appendix 'C'.

NB: 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'.

NB: PORA must be completed in all cases that do not involve same day apprehension/searches/interviews. Where immediate enquiries are made, verbal risk assessment activities must be undertaken (by Security Manager or a colleague) as a minimum and results/details recorded in note book.

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Offender Interview Details.

1.7 Offender approach reported.

This should contain detail of the Security Manager'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 POL001 side A and POL005 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

1.8 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, 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.

1.9 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) POL001 (not Scotland) and the POL003. 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, Security 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 POL001 (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'.

NB: Searches are mandatory for all losses. There are two main reasons for this; 1) to identify, record and recover assets, 2) to secure any further evidence that may assist the criminal investigation. Any decisions not to conduct

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searches must be authorised by Team Leaders and such decisions recorded (in report and/or notebook). Where a risk materialises that warrants safety concerns (e.g. number of individuals on the premises) police involvement should be sought.

1.10 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.

1.11 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 Security Manager is not submitting a supporting tape transcription or tape summary.

1.12 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. A Financial Evaluation Sheet (FES) must also be completed as fully as possible and submitted to the Financial Security Manager within 72 hours of interview. Evidence of assets and financial documentation are of paramount importance in relation to asset recovery.

1.13 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.

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 Security Manager'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.

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Recommend prosecution or, alternatively, give an explanation why prosecution is not advised.

NB: Where appropriate, reference should be made to evidence of Money laundering offences. Where Money Laundering is evident, this enables Financial Security Managers to utilise investigative powers within the Proceeds of Crime Act (POCA) 2002.

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 Security Manager's assessment as to reliability of any relevant witness or witness statement in the case.

1.18 Outstanding inquires reported.

Reference should be made to any necessary inquires yet to be made, along with a reasonable assessment as to there 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.

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 (POL045). Reference must also be included as to whether the papers have been referred to a Post Office Ltd Financial Investigation Manager, who should be engaged throughout the end to end process of the investigation.

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'.

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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 Security Manager 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**.

The 'Procedural Failings' form (within the 'All In One Case Raise' spreadsheet) should also be completed within 48 hours of interview and circulated to relevant Stakeholders. One of the Stakeholders is Crime Risk, who are responsible for capturing emerging crime trends and/or prevalent failings that contribute to fraud within the business.

1.25 Reason for File Submission

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 below)

POLTD/0405/

Name:

Rank:

Office:

Branch Code:

Age:

Date of
Birth:

Service:

Date Service
Commenced:

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Home Address:

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

Discipline Manager: (Managers name)

2.3 Correct heading. "Discipline Manager"

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 Legal & Compliance 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 Security Manager, 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 (Security 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 Security Manager is not submitting a supporting tape transcription or tape summary.

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2.8 All allegations in report substantiated and facts only supported

It is for the Security Manager 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.

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 Security Manager 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 inquires confirmed.

Reference should be made to any necessary inquires 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 Security Manager would not wish immediately relayed to the suspect offender; examples would include fresh lines of enquiry that the Security Manager 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 Security Manager concludes that there are no failures a statement to this effect should be made and **highlighted in bold**.

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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 Team Leader.

2.17 Reason for File Submission

Include here the reason for submitting the discipline report.