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An inspection of Lincolnshire Police regarding Intelligence and Witness Protection.

28-29 January 2010

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**1. INTRODUCTION**

1.1 In the matter of the inquests into the deaths of John Stirland and Joan Stirland, the Lincolnshire Deputy Assistant Coroner Karon Monahan QC has requested a report from DCC Nicholas Gargan (her appointed independent expert ACPO witness) regarding the management of Intelligence and Witness Protection provision within Nottinghamshire and Lincolnshire Police.

1.2 The terms of reference for the report by DCC Gargan, as set by the Deputy Assistant Coroner, contained a series of questions. Having received the questions DCC Gargan received clarification from the Coroner's office that he was to have no contact with either Nottinghamshire or Lincolnshire Police Forces. This had the consequence of reducing the amount that he was able to contribute in relations to two questions:

**Intelligence**

- Have changes been made by the Nottinghamshire and Lincolnshire Police and, if so, having regard to those changes, have the risks of similar mistakes (as those seen in the Stirland case) been adequately managed?

**Witness Protection**

- Have changes been made by the Nottinghamshire and Lincolnshire Police and, if so, having regard to those changes, have the risks of such occurring again been adequately managed?

1.3 Her Majesty's Inspectorate of Constabulary (HMIC) has the duty and authority to inspect police forces in the public interest. HMIC decided that it would assess whether Nottinghamshire Police and Lincolnshire Police now offer the appropriate levels of protection to the public; specifically in respect of intelligence sharing and witness protection. This is likely to be a matter of significant public interest during the inquest and subsequent to the delivery of the verdict.

**2. TERMS OF REFERENCE**

2.1 The terms of reference for the inspection are:

- To inspect Nottinghamshire and Lincolnshire Police to ascertain whether necessary changes have been made by the force and that risks are now adequately managed.
- To inspect the force responses to the recent inspection of major crime and serious and organised crime capability and capacity.

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- To alert the Chief Constable of either force of any issue that may impact upon the conduct of a live investigation.
- To deliver a report to HMI Zoe Billingham covering these issues. The report may be shared with DCC Nicholas Gargan so that he might provide additional independent expert evidence to the Deputy Assistant Coroner.
- To deliver a report for the attention of Her Majesty's Chief Inspector of Constabulary.

**3. INSPECTION METHODOLOGY**

- 3.1 HMIC focused upon the relevant processes and procedures of major crime and serious and organised crime investigations, drawing upon ACPO standards and the criteria used by HMIC in its inspection of these aspects of policing in 2008. It is not within the remit of HMIC to comment on investigations, operations or lines of enquiry.
- 3.2 The methodology for the inspection included analysis of written documents supplied by both forces; interviews with key staff and police authority members and focus groups with police officers and police staff members.
- 3.3 The inspection team comprised current subject matter experts and HMIC staff officers. The on-site inspection activity was conducted from 25 to 27 January 2010 in Nottinghamshire Police and 28 to 29 January 2010 in Lincolnshire Police. It therefore provides an up to date assessment of the effectiveness of the current arrangements in each force. This report has been shared with both forces and their comments on factual accuracy have been incorporated.
- 3.4 The findings of HMIC's inspection for each force are set out under the headings; Intelligence, Witness Protection, Threats to Life and Critical Incidents.
- 3.5 To acknowledge the different terminology used, Witness Protection includes any local reference to Protected Persons, Vulnerable Witnesses and Witness Management.

**4. INTELLIGENCE**

- 4.1 Since 2006 Lincolnshire Police have conducted three internal reviews of intelligence and also commissioned a review by the NPIA. The resultant action plans are the responsibility of the Detective Chief Superintendent, Head of Crime Support. Progress was last reviewed in September 2009 by the Chief Constable to ensure a corporate and consistent approach.
- 4.2 The force ensures that actionable intelligence is followed up in fast-time and progressed under the auspices of 'Operation Rapid'. This means that

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information received by the force has to be actioned within 24 hours; for example the execution of search warrants or the arrest of offenders. The force is developing a performance framework to support this initiative. HMIC considered this good practice. Daily force-wide tasking and co-ordination, an increased analytical capability and the posting of intelligence officers to the Force Control Room are further measures introduced by the force. Staff feedback about these improvements was extremely positive.

- 4.3 The force has also introduced technological solutions to enhance its intelligence capability: Niche (the corporate intelligence database) and Genie (an IT solution to search across databases).

**5. WITNESS PROTECTION**

- 5.1 Lincolnshire has a dedicated Witness Protection Unit. The unit operates in accordance within current ACPO guidelines and benefits from the services of the Force Solicitor. It is forward thinking and outward looking. The unit proactively utilises and prepares briefings and training packs for relevant staff. The size of the unit, capacity and skill levels of its staff exceeds current demand and risk. There are some forces of similar size with similar risks that do not have their own witness protection capability.

- 5.2 The unit benefits from a dedicated and secure database which reinforces force protocols and guides Witness Protection staff through the process from first enquiry through to management of persons within the scheme.

- 5.3 The unit has written and circulated advice on the preparation of Threat Assessment documents for the benefit of the force. The force is reviewing this documentation in light of the forthcoming introduction of regional procedures.

- 5.4 The unit does not have a documented policy supporting its Witness Protection procedures. It is waiting to adopt regional policy following its ratification by Chief Constables.

- 5.5 The force intranet should be used to raise the profile of the Witness Protection unit and educate staff on the criteria for entry to the force Witness Protection scheme.

- 5.6 Within Lincolnshire the average cost invested per client under the Witness Protection scheme is almost four times higher than the national average. The force recognises this, and sees the regional collaboration process as an opportunity to improve value for money.

**6. THREATS TO LIFE**

- 6.1 The Threat to Life Policy and Procedure, whilst brief, is accessible and utilised by the force to guide staff when faced with cases such as Honour Based Violence.

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- 6.2 Witness Protection Unit staff have delivered awareness training on Threats to Life issues to officer recruits, trainee detectives and managers on promotion. These initiatives have been well received.
- 6.3 The force and Police Authority Risk Management registers contain evidence of a strategic approach to managing organisational and operational risks.

**7. CRITICAL INCIDENTS**

- 7.1 A Critical Incident Policy and supporting procedural instructions are accessible through the force intranet. The policy (dated July 2005) was last reviewed in 2006 and is compatible with current NPIA Guidance in the management of Critical Incidents (2007).
- 7.2 Within the force Control Room there is a designated major incident room. A HOLMES (Major Incident Database) mobilisation plan exists. The force provided an example of how the mobilisation plan has been successfully operationalised.
- 7.3 The force has recently provided dedicated staff to supplement and support critical incidents, major incidents and investigations forcewide. The force has supplied evidence of its successful deployment of these assets.
- 7.4 Critical Incident awareness is included in the force's initial training for control room staff. The force has developed scenario based Critical Incident training for Sergeants.
- 7.5 A number of drop-down menus exist to support staff in the management of incidents in the control room. This facility was not available in relation to Critical Incidents.
- 7.6 Interviews with managers revealed an awareness of Critical Incident management however none of those spoken to had received Critical Incident management training. Providing this training to managers and promoting greater staff awareness is an opportunity for Lincolnshire Police.

**CONCLUSION**

- 8.
- 8.1 Lincolnshire Police have made changes and improvements to the force's intelligence and witness protection arrangements through targeted reviews, learning lessons from significant incidents.
- 8.2 Lincolnshire Police comply with the current ACPO guidance on witness protection.
- 8.3 Real changes have been made. The force has responded positively to HMIC inspections of major, serious and organised crime. It has taken steps to increase analytical capability and has provided evidence that systems, processes and training exist to ensure that risks in respect of managing

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Intelligence, Critical Incidents, Threats to Life and Witness Protection are identified, addressed and managed.

- 8.4 The regional arrangements and procedures currently in draft form and awaiting ratification must provide absolute clarity to the levels of responsibility in relation to the management of Threats to Life of individuals.