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MANAGEMENT REVIEW OF STAFFORDSHIRE
POLICE SENSITIVE POLICING UNIT

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MANAGEMENT REVIEW OF STAFFORDSHIRE POLICE SENSITIVE POLICING UNIT

INTRODUCTION

1. On 1 November 2006 Supt [REDACTED] and CI [REDACTED] were requested by ACC Davenport to conduct a Management Review of the Staffordshire Police Sensitive Policing Unit.
- 1.1 The request emanated from an informal meeting D.Insp [REDACTED] had with Supt Sawyers, Head of Professional Standards, where [REDACTED] sought advice in relation to how to manage specific incidents involving officers in the Sensitive Policing Unit, for which [REDACTED] is the Unit Head.
- 1.2 As a consequence of their meeting Supt Sawyers liaised with the Force Executive who commissioned a management review of the Sensitive Policing Unit.
- 1.3 From the outset, it was made clear from the information available at that time no discipline offences had been disclosed and therefore the review was not a discipline investigation. However, the review team were informed that if they identified any discipline offences, they should refer the matter back to the Head of Professional Standards and ACC Davenport.

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1.4 The following terms of reference were agreed for the conduct of the review.

Terms of Reference

- Confirm the precise detail of the issues that were of concern to DI [REDACTED] which resulted in [REDACTED] seeking advice from Supt Sawyers, Head of the Professional Standards Department.
- Where appropriate investigate and establish the facts in relation to the issues raised by DI [REDACTED] in order that they can be addressed and satisfactorily resolved.
- Review the structure, function and performance of the Sensitive Policing Unit and where appropriate make recommendations.
- Determine whether the ethics and integrity of the Unit are intact.

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METHODOLOGY

2. In the course of the review every current member of the Sensitive Policing Unit, the majority without invitation, requested to meet with the review team. At the commencement of each interview it was made clear to the officers that the interviews would be conducted on a purely voluntary basis and that they were not subject at that stage of any form of misconduct investigation.
- 2.1 It was explained to the officers that notes would be taken during interviews and where appropriate; some of their comments and views would be included and attributed to them in the final report. Despite this caveat none of the officers were deterred, which may be an indication of the strength of feeling and frustration within the unit.
- 2.2 During these meetings all the officers expressed their personal and professional views in a forthright and uninhibited manner, which necessitated the majority of the meetings lasting several hours in order to capture all the information the officers wished to impart. They all stressed that they wanted the review to establish the facts, furthermore they expressed the desire to identify all the issues in order that significant changes could be made to the current structure and operating practices which they believed were inefficient resulting in extremely low morale and in some cases hostile and uncomfortable working relationships.
- 2.3 In addition to the officers, D.Supt [REDACTED] has also met with the review team and [REDACTED] response is included within the report.

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- 2.4 The review team have investigated the issues raised by DI [REDACTED], however they could not deal with each issue in isolation as many of them are inter related and symptomatic of deficiencies within the structure, operating practices and management regime within the Sensitive Policing Unit.
- 2.5 As a consequence the review team have examined the background of the Unit and expended a great deal of time interviewing current and previous post holders. Through necessity, they have also concentrated in particular on the Sensitive Policing Unit's involvement in the NUNES investigation, which was the main reason why DI [REDACTED] decided to approach Supt Sawyers, Head of Professional Standards.
- 2.6 In accordance with the terms of reference the review team have made a number of recommendations in relation to the future structure and function of the Sensitive Policing Unit. However, it is recognised and acknowledged that many of the recommendations had already been identified by DI [REDACTED] prior to the commencement of this management review. D.Supt [REDACTED] has commissioned work to progress a number of areas identified for development, which feature as recommendations.
- 2.7 Recommendations have also been made in relation to the individual conduct and performance of certain officers within the unit and are detailed in later sections of this report.

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NUNES INVESTIGATION

3. The NUNES investigation is an ongoing investigation in to the murder of Kevin NUNES, which occurred on 19 September 2002. He was the victim of a gangland execution. It is the prosecution case that he was handed over by his own gang to a rival gang, taken out of Wolverhampton into a rural part of Staffordshire and shot. Five defendants now stand charged with his murder. The trial was scheduled to commence at Leicester Crown Court on 16 January 2007 but was adjourned on 17 January 2007. A new date and venue have yet to be fixed.

3.1 [REDACTED] is believed to be an eye witness to this murder and has provided a witness statement and intimated [REDACTED] willingness to give evidence.

3.2 The defendants are [REDACTED] from the West Midlands, which has necessitated an arduous and painstaking investigation dealing predominantly with reluctant, frightened and often intimidated witnesses from the criminal fraternity who do not want to co-operate with the police. Without the evidence of [REDACTED] there is a high probability that the case against the defendants will fail.

3.3 [REDACTED]

3.4



3.5 Staffordshire Police has previous experience of dealing with protected witnesses, in several high profile and successful trials. To date there has been no criticism whatsoever in the way Staffordshire Police have managed protected witnesses. As a result, the practices that have previously been utilised have continued to be adopted. However, when DI [REDACTED] took up [REDACTED] post as head of the Sensitive Policing Unit in September 2005, [REDACTED] identified areas in need of development and introduced new practices for protected witnesses but these have not yet been fully evaluated or embraced as force policy.

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GUIDANCE AND LEGISLATION IN RELATION TO THE
MANAGEMENT OF PROTECTED WITNESSES

4. The Serious and Organised Crime and Police Act 2005 (SOCAP) now legislates for witness protection. The legislation which became effective on 1 April 2006 requires law enforcement agencies to review all current 'protected persons' and assess their suitability for adoption against the criteria under Section 82(4) (SOCAP). For consistency 'protected persons' will be referred to as protected witnesses throughout this report.
- 4.1 Assessments are required for each individual prior to them being adopted as protected witnesses. In relation to those already 'adopted', they must have been reassessed against the new criteria by September 2006.
- 4.2 In June 2006, in accordance with the provisions of the SOCAP legislation, DS [REDACTED] completed assessments on the suitability of [REDACTED]
[REDACTED]
- 4.3 DS [REDACTED] concluded that [REDACTED] met the criteria and recommended that [REDACTED] should be adopted as a protected witness. This was subsequently endorsed by DS Supt [REDACTED] and agreed by the Force Executive.
- 4.4 Having undertaken an assessment of [REDACTED], DS [REDACTED] concluded that [REDACTED] failed to meet the criteria detailed in Section 82(4) of the Act because of [REDACTED] inability to adjust to the change in circumstances required to ensure [REDACTED] continued safety. This conclusion was based on the experience the Sensitive Policing Unit

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had in managing [REDACTED]. There are a number of well documented incidents where [REDACTED] demonstrated [REDACTED] inability to adjust to life on the existing Witness Protection Scheme.

4.5 The decision was made based on the evidence that [REDACTED] should not be formally adopted as a protected witness. However, as a result of [REDACTED] providing a statement of evidence there was a real threat to [REDACTED] safety. The provision of discretionary protected measures in cases such as this are specifically catered for within the SOCAP Act.

4.6 In accordance with Section 82(7) of the Act and in recognition of duty of care issues the police may continue to provide protection outside the Act. The level of support should be commensurate with the threat and at the discretion of the Chief Constable.

4.7 A comprehensive threat and risk assessment was conducted and a package of support, which included [REDACTED] conduct and supervision of [REDACTED] by dedicated officers from the Sensitive Policing Unit, was prepared for consideration by the Chief Constable. On 28 August 2006 the Chief Constable approved the provision of protective support for [REDACTED] to ensure [REDACTED] continued safety. [REDACTED]
[REDACTED]

- 4.8 Prior to this legislation there was no legal framework which covered protected witnesses or as they are now referred to as 'protected persons.' There were ACPO guidelines, which are still relevant and a Witness Protection Good Practice Database, which is a practitioner's guide that compliments the ACPO Guidance.
- 4.9 The Serious and Organised Crime and Police Act 2005 (SOCAP) contains provisions which place on a statutory footing existing arrangements for the protection of witnesses where the risk to their safety is so serious and life threatening that [REDACTED] or even a [REDACTED] is necessary.
- 4.10 The SOCAP legislation clarifies issues such as the criteria for adoption, disclosure and provision of information. However, there is no tradecraft contained within the legislation, ACPO Guidelines or the Best Practice Database.
- 4.11 The ACPO Guidelines and Best Practice Database are very helpful but they have not been developed to a stage where National Centre for Policing Excellence (NCPE) guidelines has even been considered. It is acknowledged nationally that there are many ways of dealing with protected witnesses and each police force or agency adopts their own policies, procedures and ultimately tradecraft.
- 4.12 Staffordshire Police does not currently have a force policy or any Standard Operating Procedures in respect of the management of protected witnesses. The absence of such can result in the individual interpretation of guidance and legislation.

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4.13 Whilst Staffordshire Police has to date experienced 'success' in relation to the management of protected witnesses, this has in the main been attributed to individual officers gaining operational exposure and utilising their experience and where available best practice.

4.14 The Sensitive Policing Unit has been subject to critical examination by the Office of Surveillance Commissioners (OSC) since 2003 and where recommendations have been made they have been actioned to the complete satisfaction of the OSC.

Recommendation

Staffordshire Police develop and produce force policy and operational guidance in relation of the management of protected witnesses.

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BACKGROUND OF THE SENSITIVE POLICING UNIT

5. In 1999 the dedicated Level 2 Source Handling Unit was formed and comprised of one Detective Inspector, one Detective Sergeant and four Detective Constables.
- 5.1 The Detective Inspector in post at the time was DI [REDACTED], who has since been promoted to Detective Chief Inspector and posted to the Professional Standards Unit. DS [REDACTED] who has also since transferred to the Professional Standards Unit was the Detective Sergeant. The Detective Constables were DC [REDACTED], DC [REDACTED], DC [REDACTED] and DC [REDACTED]. Three of the officers are still currently posted to the unit, these being DC's [REDACTED], [REDACTED] and [REDACTED]. However, between 1999 and 2002 DC [REDACTED] and DC [REDACTED] were seconded to the [REDACTED] murder enquiry.
- 5.2 In 2003, the unit, under the direction of DCC [REDACTED], provided a [REDACTED] intelligence gathering facility for national football policing. In 2004 Staffordshire Police was chosen as the lead force for the [REDACTED] policing operation for Euro 2004 in Portugal named Operation EPCOT [REDACTED].
- 5.3 Since the European Cup Operation EPCOT has continued to support the National Criminal Intelligence Service Football Unit and was fully involved in the World Cup in 2006. In addition to the involvement of senior management from Staffordshire Police, which included D.Supt [REDACTED], DCI [REDACTED] and DS [REDACTED], DC [REDACTED] was also heavily involved as a [REDACTED] working in Germany during the World Cup 2006. Independent reports suggest DC

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██████████ worked well and made a very valuable contribution, which greatly assisted in the overall policing operation.

5.4 At the conclusion of the World Cup, Operation EPCOT was transferred to Greater Manchester Police and Staffordshire Police involvement was significantly reduced.

5.5 In July 2005 DCI ██████████ and DS ██████████ transferred to the Professional Standards Unit, although they maintained their involvement in Operation EPCOT until the conclusion of the World Cup in 2006.

5.6 In July 2005 D.S ██████████ replaced DS ██████████ in the Sensitive Policing Unit and in September 2005 DI ██████████ took up the vacant Detective Inspectors post in the Unit.

5.7 DS ██████████ will say that on arrival in post ██████████ was apprehensive that ██████████ had made the right move as DI ██████████ and DS ██████████ were experienced officers in this area of policing and ██████████ had limited operational knowledge of the Regulation of Investigatory Powers Act (RIPA) and the use of the Police Informant Management System (PIMS). ██████████ also had limited knowledge or experience of working with protected witnesses. However, ██████████ soon researched the necessary legislation and guidance and ██████████ is now confident ██████████ has a good knowledge of the relevant legislation and procedures.

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5.8 Initially, DS [REDACTED] had responsibility for Detective Constables: [REDACTED], [REDACTED], [REDACTED] and [REDACTED], who were responsible for dealing with protected witnesses and Level 2 sources. DS [REDACTED] highlighted that even at that time morale was not good as there was friction between members of staff due to "different work ethics." DS [REDACTED] had meetings with members of staff and believed [REDACTED] resolved the issues.

5.9 At that particular time the Sensitive Policing Unit were busy dealing with protected witnesses involved in the NUNES investigation but DS [REDACTED] states the unit were also productive in handling Level 2 Covert Human Intelligence Sources (CHIS).

5.10 DS [REDACTED] recalls that shortly after the arrival of DI [REDACTED] [REDACTED] quickly formed the opinion that there was an agenda between DI [REDACTED] and DC [REDACTED] and that DI [REDACTED] did not think DC [REDACTED] could be trusted. Soon after the arrival of DI [REDACTED], DS [REDACTED] went on a course for two weeks and during that time [REDACTED] states [REDACTED] had numerous calls from members of staff complaining about DI [REDACTED] intrusive management style.

5.11 In December 2005 DI [REDACTED] instructed that DC [REDACTED] and DC [REDACTED] should be released from their witness protection responsibilities for [REDACTED] [REDACTED] and [REDACTED] and be replaced by DC [REDACTED] and DC [REDACTED] who had just transferred to the Unit. DC [REDACTED] and DC [REDACTED] were given CHIS handling responsibility. This was not regarded as a popular decision particularly

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by the protected witnesses and DC [REDACTED] and DC [REDACTED], who had apparently formed a good working relationship with the witnesses.

5.12 The management of [REDACTED] and [REDACTED] was and is an extremely difficult task that requires the skills and knowledge of experienced officers who understand the boundaries associated to their role. There was no staged transition and therefore this period was not trouble free. The relationship and trust between [REDACTED] and [REDACTED] with the police was damaged and ultimately resulted in a complaint against the police directed at DI [REDACTED].

5.13 DI [REDACTED] says that shortly after [REDACTED] posting to the Sensitive Policing Unit [REDACTED], together with DS [REDACTED], raised concerns with D.Supt [REDACTED] in respect of DC [REDACTED] behaviour and disruptive influence within the Sensitive Policing Unit. This culminated in DC [REDACTED] being removed from the Sensitive Policing Unit in March 2006 and [REDACTED] was seconded to the Sensitive Intelligence Development Unit, managed by DS [REDACTED] at Headquarters. During [REDACTED] secondment [REDACTED] work was of a high standard and DS [REDACTED] considered DC [REDACTED] to be a valuable asset.

5.14 In June 2006 DC [REDACTED] was seconded to Operation EPCOT, undertaking [REDACTED] duties during the World Cup 2006.

5.15 During this period DS [REDACTED] experienced significant problems managing [REDACTED] and in light of this and the decision made by the Force Executive to provide specific arrangements for [REDACTED], [REDACTED] requested that on [REDACTED] return

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from Operation EPCOT DC [REDACTED], together with DC [REDACTED] resume protected witness duties with [REDACTED] and [REDACTED]. In addition, to provide resilience DC [REDACTED] was seconded from the Major Investigation Department to the Sensitive Policing Unit to assist in witness protection duties.

5.16 It is well documented that DI [REDACTED] was not in favour of the arrangements made to support [REDACTED], albeit [REDACTED] says [REDACTED] fully accepted the Chief Constables decision on the matter. [REDACTED] was also not in favour of DC [REDACTED] returning to the Unit to perform witness protection duties, particularly as [REDACTED] fought hard to have [REDACTED] removed from the role, a position that [REDACTED] did not think [REDACTED] was best suited to.

5.17 Within the report submitted by DS [REDACTED] in relation to the management of [REDACTED] it was recommended that [REDACTED] reported direct to D.Supt [REDACTED] which was agreed. This decision compounded the already fractured working relationship between DI [REDACTED] and DS [REDACTED]

5.18 DS [REDACTED] believed that DI [REDACTED] management style and behaviour had a 'grinding effect' and that none of the staff thought they were treated as if they could be trusted, having previously been given autonomy. [REDACTED] stated that DI [REDACTED], "Trusts no one and challenges everything." DS [REDACTED] states, "DI [REDACTED] is a round peg in a square hole and does not have the detective skills required for the job."

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5.19 Having interviewed all the officers within the Sensitive Policing Unit it is clear that they have certain allegiances. However what has become abundantly clear is that despite in some cases having long friendships and genuine loyalty towards their colleagues they are all agreed on their views in relation to DI [REDACTED] and DC [REDACTED], albeit they express them in different ways. Significantly, no officer within the unit supports DC [REDACTED], due to [REDACTED] conduct or DI [REDACTED] due to [REDACTED] management style.

5.20 The following observations are those of members of the Sensitive Policing Unit in relation to DC [REDACTED]:

"[REDACTED] is out of control in relation to expenses, overtime and unconventional working practices. [REDACTED] has lost the support of the rest of the office and as a result flits from job to job as it suits [REDACTED] in relation to being able to claim overtime and expenses."

"DC [REDACTED] has been a tremendous officer but is now de-motivated and needs to move on."

"[REDACTED] has become disruptive and negative but this maybe because [REDACTED] is being dealt with differently by DI [REDACTED]"

"[REDACTED] is on a pedestal and [REDACTED] is taking [REDACTED] on. [REDACTED] did the job and [REDACTED] did the graft."

"[REDACTED] overtime is unacceptable; some overnight stays are not warranted."

"[REDACTED] is not an asset."

"[REDACTED] is disruptive."

"[REDACTED] is egotistical."

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5.21 There is no Detective Constable who thinks DC [REDACTED] should remain on the Sensitive Policing Unit.

5.22 The below are views expressed by officers on the unit in respect of DI [REDACTED]:
"We were used to being 'more or less' supervised and then DI [REDACTED] arrived and the new culture is of 'total supervision.' There was no consultation and some of the practices [REDACTED] introduced were very restrictive. [REDACTED] is not suited by [REDACTED] nature for the roles of witness protection or source handling".
"[REDACTED] is suitable for the role but it is [REDACTED] style and manner. It is a grey world because we are dealing with humans."
"[REDACTED] management style is obnoxious."
"[REDACTED] ignored me for three months."
"[REDACTED] management style was immature."
"[REDACTED] was at war with [REDACTED] and everyone got swept up in the war."
"[REDACTED] is very autocratic, ignores your experience and knowledge."
"[REDACTED] is black and white, a walking text book."
"[REDACTED] does not trust anyone and is a slave to PIMS."
"[REDACTED] smothers you."
"[REDACTED] is too rigid."

5.23 In January 2006 DS [REDACTED] said [REDACTED] had a conversation with D.Supt [REDACTED] and gave [REDACTED] opinion that it was a mistake to appoint DI [REDACTED] to the Sensitive Policing Unit as [REDACTED] "Was not a people person."

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5.24 Following this meeting DS [REDACTED] says [REDACTED] did not consult with DI [REDACTED] over any issues and [REDACTED] started to make notes of any conversations they had to 'cover [REDACTED] back.'

5.25 The relationship between DI [REDACTED] and DS [REDACTED] has continued to deteriorate and on the 20 December 2006 they had a very heated exchange in front of other officers, which is subject of a report by D.Supt [REDACTED] (DOC 4).

GENERAL CONCERNS RAISED BY D.I. [REDACTED]

6. On Monday 6 November 2006 and again on Thursday, 9 November 2006 Supt [REDACTED] and CI [REDACTED] met with DI [REDACTED] to confirm and elaborate on the concerns [REDACTED] had initially expressed to Supt Sawyers in relation to the management, working practices and structure of the Sensitive Policing Unit.
- 6.1 In addition, the review team wished to determine whether the ethics and integrity of the Sensitive Policing Unit were intact and identify how DI [REDACTED] believed the matters of concern to [REDACTED] should be addressed.
- 6.2 A synopsis of the interview with DI [REDACTED] was prepared and DI [REDACTED] has signed the original, confirming the accuracy of its content (DOC B).
- 6.3 During the two meetings DI [REDACTED] outlined [REDACTED] general concerns about the working practices of the Sensitive Policing Unit and highlighted [REDACTED] more specific concerns regarding the management of the protected witnesses in relation to the NUNES investigation, Covert Human Intelligence Source (CHIS) handling generally and what [REDACTED] considered to be the unacceptable practices employed by some officers when claiming expenses.
- 6.4 DI [REDACTED] was appointed Head of the Sensitive Policing Unit in September 2005 and within a few weeks of being in post [REDACTED] was firmly of the view that there was insufficient control over how the witnesses were managed and how money was spent on their general living and accommodation expenses.

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6.5 In December 2005 DI [REDACTED] decided that changes were necessary to improve working practices and procedures and states [REDACTED] verbally outlined [REDACTED] concerns and proposed recommendations to D.Supt [REDACTED]. The recommendations which D.Supt [REDACTED] accepted included more intrusive supervision, rotation of staff who managed the protected witnesses and effective audit of expenses.

6.6 On implementing some of the recommendations, which included removing DC [REDACTED] and DC [REDACTED] from having responsibility for the protected witnesses in the NUNES enquiry and giving primary responsibility for their protection to DC [REDACTED] and DC [REDACTED], there was open resentment from some members of staff, particularly DC [REDACTED]. It is significant that following the change of staff assigned to the protected witnesses in the NUNES investigation, two of the protected witnesses [REDACTED] and [REDACTED] made complaints in relation to the conduct of DI [REDACTED] stating [REDACTED] conduct was racially motivated.

6.7 Following legal advice an executive decision was made to pend the complaint against DI [REDACTED] as the case involving the protected witnesses was Sub Judice. In view of this D.Supt [REDACTED] decided that DI [REDACTED] should have no further direct contact with the protected witness [REDACTED] and [REDACTED]. DS [REDACTED] was given responsibility for being the 'public face' of Staffordshire Police when dealing with the protected witnesses. This significantly marginalised the influence of DI [REDACTED] in relation to dealing with the NUNES protected witnesses.

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- 6.8 The decision that DI [REDACTED] should have no direct contact with the protected witnesses in the NUNES investigation compounded the unrest within the Unit and was the reason why DI [REDACTED] eventually sought advice from Supt Sawyers. As a consequence, the review team have examined this particular area in far greater detail and have proposed a number of recommendations, which are outlined later in this report.
- 6.9 DI [REDACTED] states that over the course of the last twelve months [REDACTED] has had a number of meetings with D.Supt [REDACTED] about the conduct of some officers on the Unit, particularly DC [REDACTED], but the problems have never been resolved.
- 6.10 In addition DI [REDACTED] has provided the review team with anecdotal accounts concerning DC [REDACTED] general conduct, for example:
- DC [REDACTED] accompanying [REDACTED] to licensed premises where [REDACTED] engaged in what DI [REDACTED] considered to be the inappropriate consumption of alcohol.
 - DC [REDACTED] staying at the same hotel as [REDACTED].
 - DC [REDACTED] picking up discarded receipts from premises in order to claim expenses.
 - DC [REDACTED] making many private phone calls to a [REDACTED] officer DC [REDACTED] during duty time.
 - DC [REDACTED] staying at hotels with DC [REDACTED], which were paid for by Staffordshire Police while [REDACTED] was undertaking protected witness duties involving [REDACTED].

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6.11 DI [REDACTED] did not produce or identify the existence of any evidence to support the above other than the availability of potential telephone data.

6.12 DI [REDACTED] also identified the following specific issues relating to the conduct of members of the Sensitive Policing Unit and produced documentation which [REDACTED] believed supported [REDACTED] concerns:

- (i) Failure to accurately document circumstances where [REDACTED] had received a £320.05 cash refund from a hotel.
- (ii) Unauthorised expenses claimed by officers whilst conducting witness protection duties.
- (iii) DI [REDACTED] also raised a significant issue that DC [REDACTED] allegedly had unauthorised contact with a Covert Human Intelligence Source.

6.13 The specific details relating to these three issues are dealt with in detail later in this report, together with several additional matters DI [REDACTED] brought to the attention of the review team.

6.14 During [REDACTED] initial meeting with the review team, DI [REDACTED] explained that [REDACTED] had an untenable working relationship with DS [REDACTED] and that they do not communicate effectively and have had several heated exchanges. DI [REDACTED] explained that [REDACTED] has no direct line management responsibility for the staff responsible for witness protection in relation to [REDACTED], which presented difficulties for [REDACTED] when managing the officers. DI [REDACTED] believed that the decision that DS [REDACTED] reported directly to D.Supt [REDACTED] exacerbated poor

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working relationships within the office. [REDACTED] also believed that DS [REDACTED] was keeping information from [REDACTED] and that [REDACTED] authority was being consistently undermined.

6.15 DI [REDACTED] stated that DC [REDACTED] consistently bragged that [REDACTED] had a close relationship with both, DC Supt [REDACTED] and D.Supt [REDACTED] and as a result [REDACTED] was, "cast iron."

6.16 DI [REDACTED] related conversations that DC [REDACTED] was said to have said in the office to the effect that, "[REDACTED] must go and [REDACTED] will get rid of [REDACTED]"

6.17 The matters raised by DI [REDACTED] not only highlighted potential deficiencies in some individuals but exposed failings in the structure, procedures, working practices, culture and management of the unit.

6.18 Effective documented working practices, combined with strong ethical professional standards are essential when managing such an important unit as failings could have a significant negative impact on the reputation of individuals and Staffordshire Police.

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SPECIFIC AREAS OF CONCERN RAISED BY DI [REDACTED]

**DOCUMENTATION RELATING TO THE REFUND FROM A HOTEL
FOR ACCOMMODATION**

7. The allegation that members of the Sensitive Policing Unit failed to accurately record events relating to the conduct of [REDACTED] was raised by DI [REDACTED]. [REDACTED] believed it provided evidence that the integrity of the Sensitive Policing Unit and individuals within it may have been compromised.
- 7.1 On 31 August 2006 [REDACTED] was booked into a hotel in [REDACTED] by DC's [REDACTED] and [REDACTED]. DC [REDACTED] attempted to pay the bill for five days [REDACTED]
[REDACTED]
[REDACTED] DC [REDACTED] therefore paid the £395.00 in cash, which included a £30.00 refundable deposit.
- 7.2 The hotel records show that at 1040 Hours on 1 September 2006 [REDACTED] booked out of the hotel and was refunded £320.05p in cash, which included the £30 refundable deposit.
- 7.3 DI [REDACTED] became aware of this several days later having overheard a conversation in the office but [REDACTED] was not officially informed by a member of the Sensitive Policing Unit about what had taken place. DI [REDACTED] confirmed the facts with the hotel and checked the [REDACTED] 'book' officers used to record dealings involving [REDACTED] and found no reference to this taking place.

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7.4 As the [REDACTED] book', which is referred to as a policy file, forms part of the disclosure bundle for the forthcoming trial, DI [REDACTED] states [REDACTED] had concerns over the integrity of the disclosure material as the entry had been deliberately omitted and therefore the book failed to accurately reflect events that had taken place.

7.5 DI [REDACTED] states that [REDACTED] believed DS [REDACTED] was aware that [REDACTED] had booked out of the hotel and kept the money and that [REDACTED] told DC's [REDACTED] and [REDACTED] not to inform DI [REDACTED].

7.6 On 5 September 2006 there is an entry in the [REDACTED] book' that the £30.00 cash deposit from the hotel had been returned. DI [REDACTED] believes that the officers repaid the money themselves to conceal the fact that [REDACTED] had taken the money. [REDACTED] believes that the actions of DS [REDACTED], DC [REDACTED], DC [REDACTED] and DC [REDACTED] amounts to unprofessional conduct.

7.7 The review team have spoken to all the officers involved in the incident. DC's [REDACTED] and DC [REDACTED] explain that after booking [REDACTED] into the hotel on 31 August 2006 they met [REDACTED] in the [REDACTED] area on 1st, 2nd, 3rd September 2006 and believed [REDACTED] was still staying at the hotel. For security reasons they did not meet [REDACTED] at the hotel where [REDACTED] was staying. DC [REDACTED] and DC [REDACTED] explained that on the 5 September 2006 they [REDACTED]

[REDACTED]

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- 7.8 However, after waiting [REDACTED] they saw [REDACTED] approach and enter the lobby of the hotel. They say they became suspicious, enquired at the hotel and established [REDACTED] had booked out of the hotel on 1 September 2006.
- 7.9 They challenged [REDACTED] who explained that [REDACTED] had been stopping at a [REDACTED] had met and had used the money on general living expenses. DC [REDACTED] was due to give [REDACTED] £40.00 for two days living expenses but instead retained £30.00, which [REDACTED] explained to [REDACTED] that [REDACTED] was going to use as the refundable deposit for the hotel. There is documentation which shows this money was returned to Staffordshire Police and is properly accounted for.
- 7.10 DC [REDACTED] states that [REDACTED] had not informed DI [REDACTED] because [REDACTED] had concerns about the decision that would be made; [REDACTED] therefore contacted DS [REDACTED], who was off duty. DC [REDACTED] and DC [REDACTED] met with DS [REDACTED] the following day and DS [REDACTED] says [REDACTED] fully appraised D.Supt [REDACTED] of the circumstances, which is not disputed.
- 7.11 From examining the [REDACTED] book' it is clear that DC [REDACTED] has taken responsibility for making the majority of the entries. When asked why [REDACTED] did not make a relevant entry in relation to this incident [REDACTED] stated it was a complete oversight, as [REDACTED] was heavily involved in disclosure issues at the time. DC [REDACTED] explained that it was an honest mistake that the details were not recorded. Both officers are adamant that they were not instructed by DS [REDACTED] not to inform DI [REDACTED] or omit from making an entry in the [REDACTED] book.'

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7.12 It is significant that DI [REDACTED] did not confront any of the officers in relation to this matter but brought this and other matters to the attention of the head of the Professional Standards Department, Supt Sawyers. It is also significant that DC [REDACTED] made a conscious decision not to inform DI [REDACTED] as [REDACTED] was concerned as to the decision [REDACTED] would make in relation to the matter.

7.13 This incident is an example of the total breakdown of trust and working relationships between DI [REDACTED] and certain members of [REDACTED] staff.

7.14 The reality is that in accordance with a report submitted by DS [REDACTED] on 18 July 2006 [REDACTED] direct line manager was D.Supt [REDACTED] and therefore there was no necessity for [REDACTED] to engage with DI [REDACTED]. However, DI [REDACTED] still maintained responsibility for the management of expenses and as a result [REDACTED] frequently challenged the expenses incurred or those proposed to be incurred in the protection of [REDACTED]. This caused significant problems for both [REDACTED] and members of the Sensitive Policing Unit who were managing [REDACTED].

7.15 DI [REDACTED] line manager, during this period was DCI [REDACTED] but as DS [REDACTED] reported direct to D.Supt [REDACTED], DCI [REDACTED] was not involved with the general supervision or management of the office. However, within a short time of commencing the management review, the review team highlighted the friction caused over the authorisation of expenses in respect of the NUNES investigation, both for officers and witnesses. As a result DCI [REDACTED] was given direct

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responsibility for authorising payments and expenses, which has led to slightly more harmonious working practices and relationships.

7.16 The [REDACTED] books' referred to in the report are used to [REDACTED] [REDACTED] and [REDACTED] but Staffordshire Police have not provided any guidance or policy in relation to their existence or use. The information that is recorded in the books is currently down to the discretion of the individual officer therefore they are not in breach of policy or guidance by omitting to record details of this particular incident involving [REDACTED] [REDACTED]

7.17 There is no evidence that DS [REDACTED] instructed the officers not to record the fact that [REDACTED] had booked out of the hotel and had a cash refund, which [REDACTED] retained.

7.18 Having examined the content of the [REDACTED] books' the review team note that other incidents that highlighted the poor behaviour of [REDACTED] have been recorded. The incident once again highlights [REDACTED] poor behaviour and for consistency the incident should have been recorded in the [REDACTED] book.'

7.19 The requirement for the existence of policy files and the validity of the [REDACTED] books' is explored in greater detail later in the report.

**EXPENSES AND OVERTIME CLAIMED BY
OFFICERS ENGAGED ON WITNESS PROTECTION DUTIES**

8. When DI [REDACTED] took up post in the Sensitive Policing Unit [REDACTED] identified that the practice for managing expenses to support witness protection were in need of greater scrutiny and audit.
- 8.1 The existing practice was that officers obtained money from imprest, often several hundreds of pounds at one time and submitted receipts for payments incurred. An expense form 9 was submitted to account for expenditure, with all relevant receipts attached. The review team could not identify any evidence of independent scrutiny of the Sensitive Policing Unit or audit having taken place involving line management.
- 8.2 DI [REDACTED] has since introduced a system whereby each officer has been issued with an individual expenditure book in which all monies received and details of expenditure are recorded. These are audited against receipts by DI [REDACTED]. The staff are of the opinion that this process is bureaucratic and not necessary.
- 8.3 When the review team met with DI [REDACTED] [REDACTED] handed to them a number of receipts, which through [REDACTED] own audit [REDACTED] believed revealed evidence of the inappropriate claims for expenses incurred.

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Receipt No.1

William Morrison Supermarket – [REDACTED] - Dated 13/10/2006
Customer Café - Time 0904 Hours
Big Breakfast/Meat Free Breakfast/
Scrambled Egg/Large Fizzy Drink/Large Milk - Total = £9.43

8.4 On 13 October 2006 DS [REDACTED], DC [REDACTED] and DC [REDACTED] all booked on duty at 0800 hours and it is suggested by DI [REDACTED] that all three met at Morrisons Supermarket Café, [REDACTED] where they had breakfast. DI [REDACTED] inferred that as DS [REDACTED] resides in the [REDACTED] [REDACTED] had not been to [REDACTED] office at Stafford but may have met the officers directly from [REDACTED] home and claimed for a meal within one hour of being on duty.

8.5 The review team established that it was infact DC [REDACTED] and DC [REDACTED] who claimed for the meal and that DS [REDACTED] was in [REDACTED] office at Stafford at the time. The circumstances were that DC [REDACTED] and DC [REDACTED] had arranged to meet one of the protected witnesses, [REDACTED] but whilst on route in the [REDACTED] area [REDACTED] telephoned informing them that [REDACTED] would be delayed for several hours. As the officers were due to be away from home for several days on witness protection duties and on that day they were due to travel extensively, they made best use of their time and took the opportunity to take refreshments. The review team consider the claim for expenses to be justified and in accordance with Police Regulations.

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Receipt No. 2

[REDACTED] - Dated 13/10/2006
Road Chef - Time 1310 Hours
M1 [REDACTED]
Chilli-con-Carne
Scampi/Pot of Tea - Total = £15.28

8.6 DI [REDACTED] believed the above were claimed by DC [REDACTED] and DC [REDACTED]

Receipt No. 3

Old Post office [REDACTED] - Date 13/10/2006
1 Carlsberg Lager/1 Banks Beer - Time 1844 Hours
1 Sirloin Steak/1 Sirloin Steak
1 Fosters Lager/1 Banks Beer - Total = £25.50

8.7 DI [REDACTED] believed that these expenses were also claimed by DC [REDACTED] and DC [REDACTED]. [REDACTED] informed the review team that DC [REDACTED] booked off duty at 2200 hours on 13 October 2006 and DC [REDACTED] at 1600 hours the same date. [REDACTED] believed that the officers claimed for three meals on the same day, including the purchase of alcohol when on duty. Overall, DI [REDACTED] was of the opinion that the claims were excessive.

8.8 The review team established that it was infact DC [REDACTED] and DC [REDACTED] who had a meal at [REDACTED] Services and in the evening travelled to [REDACTED] where they had a further meal. They met the protected witnesses in [REDACTED]

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where they stopped overnight. DC [REDACTED] stressed to the review team that the following day [REDACTED] only claimed 75p for refreshments, although still working away from home and outside the force.

Receipt No. 4

Welcome Break Group Ltd	-	Date	3/9/2006
[REDACTED] Services	-	Time	1320 Hours
1 Chicken Sandwich			
1 Mozzarella Sandwich			
Mints/2 Packets of Crisps			
3 Red Bull Drinks	-	Total =	£10.62p

8.9 On Sunday 3 September 2006 DC [REDACTED] and DC [REDACTED] worked from 1200 hours to 1700 hours. At 1320 hours they purchased the above refreshments.

8.10 DI [REDACTED] is of the opinion that the officers could not justify claiming expenses for refreshments within 1 hour 20 minutes of booking on duty.

8.11 The review team note DI [REDACTED] observations but conclude that the officers were entitled to claim for the refreshments in accordance with Police Regulations.

8.12 There is no evidence available from the limited number of claims examined by the review team that identifies any criminal or disciplinary offences associated with the claiming of expenses or overtime.

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- 8.13 Although there is no evidence to support the inappropriate claiming of expenses and overtime, due to the very nature of the work a greater degree of trust and responsibility is placed upon the officers posted to the Sensitive Policing Unit. The general view expressed by the vast majority of staff on the Sensitive Policing Unit is that DC [REDACTED] abused this trust. In this area of work there is always the opportunity to manipulate opportunities for personal financial gain.
- 8.14 Attached to the file is a breakdown of the overtime and allowances claimed by members of the Sensitive Policing Unit in the financial year 2005/2006 (DOC C). Also attached is a breakdown of the overtime and allowances claimed by members of the Sensitive Policing Unit between April 2006 and November 2006 (DOC D).
- 8.15 During all 2005/2006 DC [REDACTED] claimed £17,751.65 and DC [REDACTED] claimed £15,999.72. The other officers in the Unit claimed between £7,000 and £11,000. During the period April 2006 to November 2006, DC [REDACTED] claimed £15,310 and DC [REDACTED] claimed £8,231. The remainder of the staff claimed between £4,000 and £6,000. The fact that DC [REDACTED] was working on Operation Epcot during 2006 may account for the majority of [REDACTED] overtime and allowances.
- 8.16 DC [REDACTED] and DC [REDACTED] always volunteered and engaged in challenging duties that incurred the working of overtime and the payment of additional expenses, which could be an explanation for the high sums recorded.

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- 8.17 The very nature of the work undertaken by officers on the Sensitive Policing Unit requires officers to exhibit flexibility, commitment and the willingness to work long hours at short notice, often to the detriment of their domestic life. This should be acknowledged and accepted that the officers are entitled to be compensated in accordance with Police Regulations. Staffordshire Police as an employer also have a duty of care to the officers to ensure they do not consistently work excessive hours.
- 8.18 In certain circumstances such as the NUNES investigation Staffordshire Police requires officers to display a greater degree of flexibility, resilience and professional judgement in how they manage problematic protected witnesses. In these circumstances police regulations may be a little restrictive and therefore guidance needs to be provided for officers to follow.
- 8.19 An example of this is the consumption of alcohol by officers who are undertaking protected witness duties where they have to spend a considerable amount of time with them, as is the case with [REDACTED] In the course of their duties officers have visited licensed premises and consumed alcohol and also visited restaurants where they have consumed alcohol with a meal. Police Regulations allow the consumption of alcohol whilst on duty with appropriate authority and if it is necessary for the proper discharge of their duty. There does not appear to be a strong case that the consumption of alcohol is necessary in these circumstances.

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8.20 A defence lawyer may also think it inappropriate and it could lead to undue inference being made as to the integrity and closeness of the relationship of the witness with the police.

8.21 This is just one example where the lack of formal documented procedures could have a negative impact on an investigation and could also result in an officer being in breach of police regulations.

8.22 [REDACTED] have recently introduced working guidance on officer and witnesses expenses, together with a formal written staff agreement. DI [REDACTED] has obtained a copy of the report and supports the implementation of such a formal procedure.

Recommendation

To include within force policy and operational procedures on the management of protected witnesses that no alcohol purchased can be claimed as part of subsistence or a refreshment claim, unless it is necessary for the proper discharge of duties and has been authorised by a supervisory officer.

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FINANCIAL MATTERS

9. The accurate accountability of all public funds expended on witness protection is essential. The costs incurred can be substantial and the force must demonstrate that the expenditure incurred is proportionate and justified. This will negate accusations that witnesses have been afforded special treatment, incentives or inducements to give evidence. All the records are potentially subject to disclosure and close scrutiny.
- 9.1 The review team have been informed of many instances where there has been disagreement between DI [REDACTED] and officers on the unit, particularly DC's [REDACTED] and [REDACTED] in relation to the amount of expenses that should be incurred in protecting [REDACTED]
- 9.2 Although DS [REDACTED] had line management responsibility, authorisation of payment was referred to DI [REDACTED], who often challenged the officers recommendations and rationale. Unfortunately, this caused conflict and a breakdown in relationships, not only between the officers on the Sensitive Policing Unit but also [REDACTED] and [REDACTED]
- 9.3 The areas that caused regular disagreement focused on issues relating to the amount that should be incurred in relation to the witnesses daily living allowance, the purchase of [REDACTED] clothing and furniture and the amount that should be incurred on hotel accommodation.

Recommendation

To include within force policy and operational guidance in respect of the management of protective witnesses the factors that justify expenditure and the awards that should be considered in relation to living expenses for protected witnesses. The guidance should include the authority level for the approval of such expenses.

10.

Finance

Having reviewed the financial arrangement in place on appointment to the Sensitive Policing Unit DI [REDACTED] made alterations which [REDACTED] believes are more transparent in terms of accountability. The officers within the unit consider the new procedures to be unnecessary and bureaucratic. The review team acknowledge the efforts of DI [REDACTED] in introducing a new system but are not convinced the system introduced is the correct one, as it requires DI [REDACTED] to spend a great deal of time personally auditing all the records. There has been no formal independent audit taken place by Operational Support Finance or Senior Management, which the review team believe is necessary to provide independence and rigour to the process.

10.1

Recognised best practice is to implement a [REDACTED] structure, which could include witness protection staff having individual [REDACTED]. This would reduce the bureaucracy incurred with the current systems but would not totally eliminate the need for some cash transactions. The issue of [REDACTED] financing has been previously raised but not progressed to a satisfactory conclusion.

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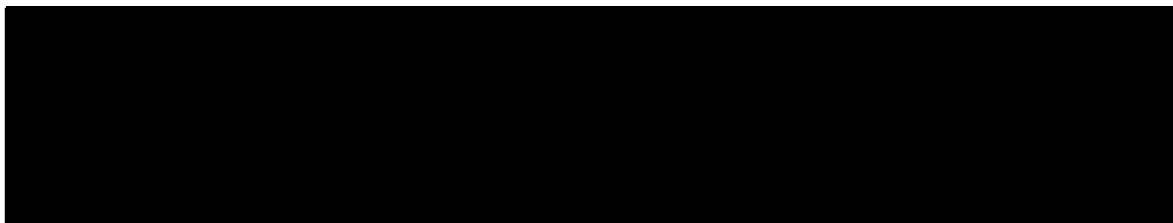
Recommendation

Develop and implement [REDACTED] finance and auditing arrangements for the management of protected witnesses.

↓ [REDACTED] finance

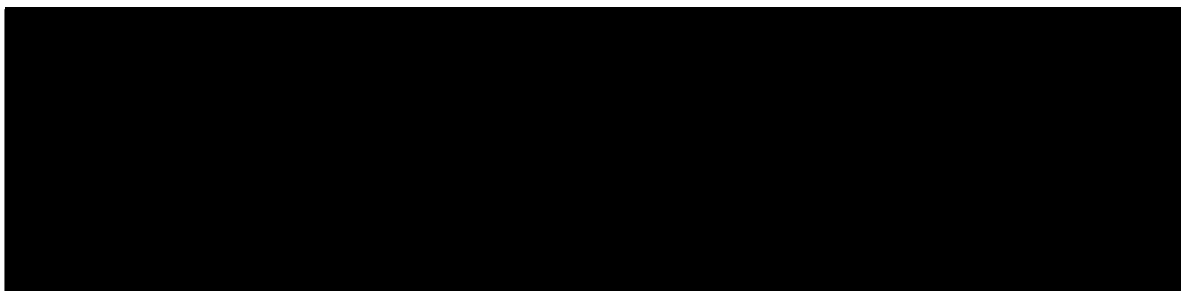
UNAUTHORISED CONTACT WITH COVERT
HUMAN INTELLIGENCE SOURCE (CHIS)

11.



11.1 Soon after DI [REDACTED] took up [REDACTED] post in the Sensitive Policing Unit [REDACTED] formed the opinion, based on [REDACTED] own research and observations, that DC [REDACTED] was exploiting the relationship [REDACTED] had with [REDACTED] CHIS to gain financial advantage in terms of rest day working and overtime.

11.2



11.3 The procedure adopted to recruit [REDACTED] for the World Cup was that the handlers were all subject to an assessment as to their suitability to perform [REDACTED] duties in Germany. DI [REDACTED] was responsible for conducting the assessment on DC [REDACTED] and concluded that due to [REDACTED] [REDACTED] [REDACTED] was not suitable. DI [REDACTED] based this on the fact that DC [REDACTED] has a [REDACTED] [REDACTED] [REDACTED] However, DI [REDACTED] did not discuss the assessment with DC [REDACTED]

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11.4 When DC [REDACTED] discovered DI [REDACTED] recommendation [REDACTED] disputed the content of the report. D.Supt [REDACTED] requested that an independent assessment be conducted by DCI [REDACTED] which included an interview with DC [REDACTED]
[REDACTED]

11.5 The independent assessment concluded in favour of DC [REDACTED] and [REDACTED] performed [REDACTED] duties in Germany to a high standard.

11.6 Immediately prior to the World Cup and during the World Cup, DCI [REDACTED] performed the role of controller for football intelligence; although DI [REDACTED] was DC [REDACTED] line manager and was the controller for all the other CHIS's. This was a necessary operational arrangement but it did not assist in the relationship between DI [REDACTED] and DC [REDACTED]

11.7 At the conclusion of the World Cup DI [REDACTED] became DC [REDACTED] controller, including the [REDACTED]

11.8 [REDACTED]
[REDACTED] DC [REDACTED] was in direct contact with the Greater Manchester Police Senior Investigating Officer, without seeking authority from [REDACTED] controller DI [REDACTED] This was a direct breach of policy.

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11.9 DI [REDACTED] confronted DC [REDACTED] with the facts and as a result DC [REDACTED] was relieved of [REDACTED] duties as handler for [REDACTED] CHIS and relevant Personal Development Review and PIMS entries were made by DI [REDACTED] DC [REDACTED] appealed to D.Supt [REDACTED] but he supported DI [REDACTED] decision.

11.10 DI [REDACTED] informed the review team that despite being relieved of CHIS handler duties [REDACTED] believed DC [REDACTED] was still making unauthorised contact with [REDACTED] CHIS utilising a telephone of which the identity was not known.

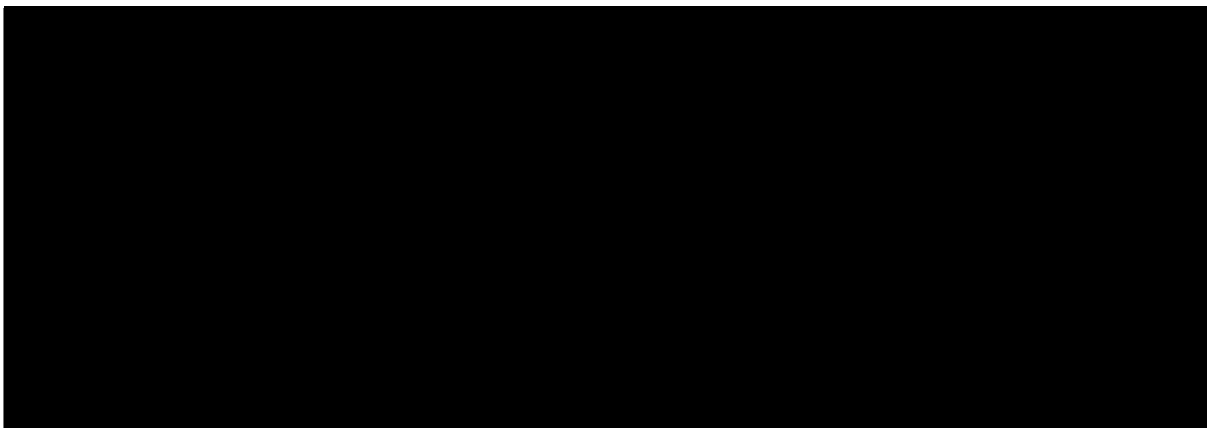
11.11 On 22 November 2006 the review team raised this issue with DC [REDACTED] who firstly stated that [REDACTED] thought [REDACTED] was being treated very unfairly by DI [REDACTED] [REDACTED] stated that [REDACTED] was aware that it was the intention of DI [REDACTED] to give the responsibility of handling [REDACTED] CHIS to DC [REDACTED] prior to the unauthorised contact taking place.

11.12

[REDACTED]

11.13 DC [REDACTED] admits that on the Saturday following DC [REDACTED] assuming CHIS handler responsibility, [REDACTED] did contact [REDACTED] CHIS [REDACTED] and without authority from DI [REDACTED] [REDACTED]

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11.14 DC [REDACTED] states that [REDACTED] conduct was neither corrupt nor malicious and [REDACTED] did it for what [REDACTED] believed were the right reasons.

11.15 At this stage there is no documentary evidence that DC [REDACTED] made contact with [REDACTED] CHIS and [REDACTED] admission is acknowledged.

Recommendation

DC [REDACTED] receives formal advice from a senior officer in respect of the unauthorised contact with [REDACTED] CHIS and the matter be recorded in the Divisional Discipline Book.

Recommendation

DC [REDACTED] should be excluded from undertaking CHIS handling duties.

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DC [REDACTED]

12. The review team have enquired into all the anecdotal accounts DI [REDACTED] raised with them in respect of DC [REDACTED]

12.1 The issues raised by DI [REDACTED] and the outcome of the review team investigation are summarised below:

DC [REDACTED] ACCOMPANYING [REDACTED] TO LICENSED PREMISES WHERE [REDACTED] ENGAGED IN THE INAPPROPRIATE CONSUMPTION OF ALCOHOL.

13. Both DC [REDACTED] and DC [REDACTED] have accompanied [REDACTED] to licensed premises where they have consumed alcohol, sometimes at their own expense. If it was ancillary to a meal the payment for the alcoholic drink would be subject of a refreshment or subsistence claim.

13.1 There is currently no policy or specific guidance relating to the consumption of alcohol with individuals who are being provided witness protection by Staffordshire Police. The review team have recommended that no refreshment subsistence claims should be made for the purchase of alcohol but it does not cater for individual circumstances where officers may purchase alcohol for witnesses at their own expense. Force policy relates predominately to the consumption of alcohol on duty however, due to the nature of the work particularly with the NUNES investigation, officers may have been booked off duty but still in the company of the protected witness. This is an area where the

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integrity and professionalism of officers could be questioned if defence council challenged why officers were 'socialising' with witnesses.

Recommendation

Included with the policy relating to the management of protected witnesses it should be made clear that officers should not consume alcohol with any person who has been adopted as a protected witness or is being supported by a Staffordshire Police Witness Protection Scheme without express permission from a supervising officer. The supervising officer must be satisfied that the consumption of alcohol is justified and necessary for the discharge of the officers duty.

DC [REDACTED] PICKING UP DISCARDED RECEIPTS FROM PREMISES IN ORDER TO CLAIM FURTHER EXPENSES.

14. The review team were made aware of the above allegations by several members of the Sensitive Policing Unit but no one has witnessed [REDACTED] doing this and there is no evidence whatsoever to support the allegation.

DC [REDACTED] STAYING IN THE SAME HOTEL AS [REDACTED]

15. DC [REDACTED] informed the review team that when [REDACTED] first undertook witness protection duties with [REDACTED] there were occasions when [REDACTED] stayed at the same hotel as [REDACTED]. There was no specific reason for this other than convenience. However, it was later realised that this was not good practice and

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could lead to the identity and whereabouts of the protected witnesses becoming known. The review team were informed that this practice no longer occurs.

DC [REDACTED] MAKING PRIVATE PHONE CALLS TO DC [REDACTED] DURING DUTY TIME

16.

[REDACTED] admitted that [REDACTED] had made private phone calls to DC [REDACTED] using [REDACTED] 'works' mobile phone but claimed that [REDACTED] paid for the private calls and that there were not many occasions when [REDACTED] made the calls whilst [REDACTED] was at work.

16.1 Examination of [REDACTED] mobile phone records and enquiries with Crime and Operations Finance Department confirms that DC [REDACTED] did make a financial contribution to [REDACTED] mobile phone bill for private calls made. DC [REDACTED] was aware DI [REDACTED] monitored all officers mobile phone bills and as a consequence [REDACTED] generally made contact with DC [REDACTED] using [REDACTED] private mobile phone.

16.2 The review team do not consider any further action needs to be taken in relation to this particular matter.

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[REDACTED]

17.

[REDACTED]

17.1

[REDACTED]

17.2

[REDACTED]

17.3 DC [REDACTED] is the [REDACTED] on the NUNES investigation and had there been an admission or evidence that [REDACTED] had met [REDACTED] position as [REDACTED] would have been untenable. [REDACTED] actions could have also seriously undermined the integrity of the prosecution case.

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- 17.4 Having taken into consideration the importance and sensitivity of the prosecution case and the position these two officers held within the enquiry, their conduct can only be considered as totally unprofessional.
- 17.5 On 16 November 2006 following consultation with Supt Sawyers, DC [REDACTED] was dealt by receiving management advice from Supt [REDACTED] regarding [REDACTED] general conduct, as [REDACTED] behaviour on this occasion had the potential to bring discredit upon the police service.
- 17.6 During [REDACTED] meeting with the review team, DC [REDACTED] revealed that [REDACTED] was under a great deal of stress as a result of the review and [REDACTED] situation. [REDACTED] later met with DC. Supt [REDACTED] when [REDACTED] requested to come off the Sensitive Policing Unit. Following consultation with ACC Davenport, DC. Supt [REDACTED] arranged for DC [REDACTED] to be seconded to the Major Investigation Department, pending the outcome of this review.

Recommendation

DC [REDACTED] receive formal advice from a senior officer in relation to [REDACTED] general conduct insofar that the [REDACTED] whilst engaged on protected witness duties had the potential to bring discredit on the police service.

Recommendation

DC [REDACTED] should not be permitted to be employed in any capacity in the management of protected witnesses.

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POLICY FILE

18. In the case of the protected witnesses associated with the NUNES investigation and in all previous cases undertaken by the Sensitive Policing Unit a policy file has not been completed. There are a number of detailed reports and threat and risk assessments that relate to some strategic and tactical decisions but they are ad hoc in nature and address specific issues.
- 18.1 There is no legal requirement or best practice guidance that highlights the need for the completion of any form of policy file. However, it is the view of the review team that the completion of a policy file is essential when managing protected witnesses, due to the complexity of the issues involved.
- 18.2 The policy file should accurately reflect the important strategic and tactical decisions made by the senior officer responsible for managing the protected witnesses.
- 18.3 The importance of the document is likely to make it the subject of very close scrutiny by Courts or any other person given responsibility to review the case. If policy files are skilfully prepared they should serve as a critical record of the rationale associated with each decision made and the overall management of the protected witness.

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- 18.4 The policy file should be a bound book with a unique serial number and numbered pages. Each decision should be on a separate page and timed, dated and signed by the person making the decision or someone authorised on behalf of the decision maker.
- 18.5 As an alternative or to supplement a paper based policy file a secure computerised policy file could also be utilised. DI [REDACTED] is currently utilising the policy file section from the PIMS Computer system to record policy decisions for the more recent witnesses who have been adopted onto the scheme for which [REDACTED] deserves credit. [REDACTED] did submit a report to D.Supt [REDACTED] suggesting that all existing cases should also be transferred to PIMS but due to the close proximity of the NUNES trial, D.Supt [REDACTED] made the decision that the existing arrangements for the NUNES investigation should not be changed. The review team are of the view that this was a pragmatic decision in the circumstances.
- 18.6 Many Witness Protection Units use some form of software package to manage witness protection but there is no recognised market leader.
- 18.7 The adoption of the policy file section on the PIMS software is a move in the right direction but, PIMS was not developed for witness protection and as a consequence in its current format, it is not the long term solution.
- 18.8 The content of the policy file is ultimately a matter for the senior officer responsible for managing the witness but they must reflect national guidelines and best practice.

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- 18.9 Policy files should record strategic and important tactical decisions and the witness protection officers should be regularly briefed as to their content.
- 18.10 The officers engaged in the protection of the protected witnesses in the NUNES investigation generally refer to the [REDACTED] books', which they maintain in respect of each witness as the 'Policy File.' This is clearly not the case and having examined their content they are predominately used as a diary or record of contact and witness expenditures.
- 18.11 There are a number of incidents where the officers engaged in the protection of [REDACTED] and [REDACTED] have disagreed with decisions made by DI [REDACTED] and have used the [REDACTED] book' to make it clear that they did not agree with the decisions recorded and that they were 'management decisions.'
- 18.12 DC [REDACTED] freely admits adopting this practice as [REDACTED] honestly believed that some decisions were wrong and [REDACTED] did not want to be criticised at a later date if the decisions made resulted in serious repercussions.
- 18.13 Unfortunately, the decisions made by DI [REDACTED] or rationale were not recorded and in many cases we only have DC [REDACTED] version or interpretation of the decisions made which, are recorded in the [REDACTED] book.'

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18.14 An example of the above occurred on 27 October 2005 when DI [REDACTED] decided that [REDACTED] should stay overnight at [REDACTED]. The witness protection officers had already arranged for them to meet at a hotel, as they believed [REDACTED] safety could be compromised [REDACTED]. [REDACTED] They believed DI [REDACTED] made the decision to save on the expense of the hotel accommodation (DOC E).

18.15 In order to assist in the management of [REDACTED] professional advice was sought from a [REDACTED] which is recognised as best practice.

18.16 DC [REDACTED] and DC [REDACTED] informed the review team that following each visit the [REDACTED] recommended specific actions to be taken in respect of [REDACTED].

[REDACTED]

18.17 The above examples were provided by DC [REDACTED] and DC [REDACTED] but the accuracy of their accounts is challenged by DI [REDACTED]. Unfortunately, no documentation was prepared by the [REDACTED] and similarly no record was made by DI [REDACTED] as to why [REDACTED] made certain decisions relating to the welfare of the witnesses. The only documentation available is the account in the [REDACTED] book' completed by DC [REDACTED].

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18.18 On 23 December 2005 there is an entry in the [REDACTED] book" (DOC F) in which [REDACTED] is reported as saying that [REDACTED] feels the [REDACTED] suggestions relating to [REDACTED] welfare are not being actioned. [REDACTED]

[REDACTED] [REDACTED] also made reference to making a formal complaint about the matter. [REDACTED] did infact make a formal complaint regarding these and other issues, which are still pending investigation.

Recommendation

A policy file should be commenced for every witness protection case. The policy file should accurately reflect the important strategic and tactical decisions made by the senior officer in relation to all the protected witnesses involved in the case.

Recommendation

A written record must be obtained from medical experts or other professional witnesses who are requested by police to undertake an assessment or provide expert advice in relation to a protected witness.

Recommendation

On receipt of advice from any medical expert or professional witness in relation to a protected witness the senior officer should record in the policy file details of advice given and the action that is to be taken, if any, in respect of this advice.

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Recommendation

Research should be undertaken to identify the most appropriate computer software package to facilitate the overall management of witness protection, which should include the ability to record policy file decisions.

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PERFORMANCE OF THE SENSITIVE POLICING UNIT

19. In accordance with their terms of reference the review team have examined the performance of the Sensitive Policing Unit.
- 19.1 During the review, officers within the Sensitive Policing Unit and many others who have previous connections with the unit or who work alongside the unit were very keen to express their views on the performance of the unit in relation to CHIS handling.
- 19.2 The general perception presented to the review team is that the Level 2 CHIS capability has significantly diminished since the arrival of DI [REDACTED] and it is due solely to [REDACTED] bureaucratic working practices and management style that performance is being stifled.
- 19.3 Whilst the review team recognise this is a belief held by the majority of staff within the Sensitive Policing Unit, the review team have not discovered independent evidence that would support their view. DI [REDACTED] focuses on detail and may at times be confrontational but an ability of a supervisor is to challenge practices and behaviour, particularly in this sensitive area of policing.
- 19.4 Statistics have been obtained, which details Level 2 CHIS handling performance in 2004, 2005 and 2006 (DOC G).

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- 19.5 These statistics refer solely to the number of contacts with a CHIS, the number of tasks given to the CHIS and the number of intelligence reports generated from the tasking of the CHIS.
- 19.6 The statistics show that since DI [REDACTED] has been in post the performance average across the three areas has reduced by approximately 50%.
- 19.7 Significantly, DI [REDACTED] has provided a report in respect of CHIS handling performance during November and December 2006, which identifies that the amount of time [REDACTED] staff were engaged on CHIS handling was 12.3%, due to abstractions and secondments (DOC H).
- 19.8 In fairness to DI [REDACTED] it was recognised and included in the report submitted by DS [REDACTED] in June 2006 that was sent to the Force Executive that Level 2 CHIS handling would be reduced due to the commitment to the NUNES investigation.
- 19.9 Whilst the performance indicators for 2004 and 2005 may look impressive, there is no data as to how productive all the CHIS [REDACTED] and intelligence logs were. There is no data in respect of the quality of the intelligence logs or the number of arrests or detections resulting from the CHIS contacts.
- 19.10 The review team do not believe DI [REDACTED] should be unduly criticised for the low productivity of the CHIS handling element of the unit, as [REDACTED] cannot currently dedicate sufficient resources to the task.

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- 19.11 There is strong criticism by officers within the Sensitive Policing Unit in relation to what they consider to be DI [REDACTED] bureaucratic management approach to CHIS handling. When interviewed by the review team members of the Sensitive Policing Unit stated that DI [REDACTED] insists that if a [REDACTED]

[REDACTED]

- 19.12 DI [REDACTED]

[REDACTED]

- 19.13 Some staff may not appreciate DI [REDACTED] regime and feel it is too bureaucratic. However, ACPO guidelines state that supervision should adopt an "intrusive management style".

- 19.14 In the case of the management of Level 2 CHIS, DI [REDACTED] has also

[REDACTED]

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STRUCTURE AND FUNCTION OF
THE SENSITIVE POLICING UNIT

20. In 1999 when the Level 2 Source Handling Unit was formed the objective was to manage Level 2 sources and develop a capability to manage protected witnesses.
- 20.1 At that time the force had limited experience in managing protected witnesses and ad hoc arrangements were in place with no central control, focus or force ownership.
- 20.2 The staff that formed the unit attended the [REDACTED] training course on witness protection which was the only training that was available. Since that time national training has been developed and the majority of the staff on the unit have attended that training.
- 20.3 Over the years Staffordshire Police have achieved a great deal of success in managing protected witnesses who have provided crucial evidence in a significant number of high profile trials. There has never been any internal or external criticism in relation to the operating practices, integrity or the manner in which Staffordshire Police has dealt with protected witnesses.
- 20.4 Nationally the care of protected witnesses has increased by 55% over the last three years. As the use of protected witnesses becomes more essential to secure and deliver evidence at court; challenges by the defence in relation to the integrity of the evidence have increased. These challenges frequently focus on

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details relating to what support has been provided for the witnesses. This may be financial, material, an improvement in lifestyle or anything which would suggest that the witnesses' standard of living has improved as a direct result of assisting the prosecution. If this was the case the inference would be that the witnesses have been induced to provide evidence.

- 20.5 It is for this very reason that the ethical considerations relating to witness protection, of which there are many, should be documented and managed sensitively. The integrity of witness protection and those that work within it are paramount.
- 20.6 One of the key areas to consider is whether witness protection and Level 2 source handling should remain the responsibility of one unit. The skills required by the officers to work in these areas are similar therefore there are advantages in relation to resilience for keeping CHIS handling and witness protection as one unit.
- 20.7 Historically, combining two disciplines has not presented any problems and there has been no inference that the existing practices are not effective, efficient and ethical. At times there has not been the operational need for officers to manage protected witnesses and when this occurs the resources concentrate on Level 2 CHIS handling. The current system provides flexibility and the ability, if there is exceptional demand in one area to concentrate solely in that area.

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- 20.8 This has been the position in Staffordshire for the last twelve months, where there has been a significant commitment to witness protection, particularly the NUNES investigation. As a consequence, their commitment to CHIS handling at Level 2 has been minimal.
- 20.9 There is a view that Level 2 CHIS's could be handled by Territorial Source Handling Units with a management overview provided by the Force. There is also a view that Level 2 CHIS handling would be more effectively delivered by a central unit. What is clear is that the current arrangements are ineffective and as a consequence, the force does not have a Level 2 source handling capability that is operationally effective or efficient.
- 20.10 The overall situation in relation to Level 2 CHIS is extremely weak and the current environment structure and morale within the Sensitive Policing Unit does not give the review team any confidence that without significant changes there will be any improvement. This is considered to be a threat to performance at Level 2.
- 20.11 This matter has been fully explored during the recent review of the Protective Services in force. One of the recommendations of the review was that witness protection should be a separate unit.

Recommendation

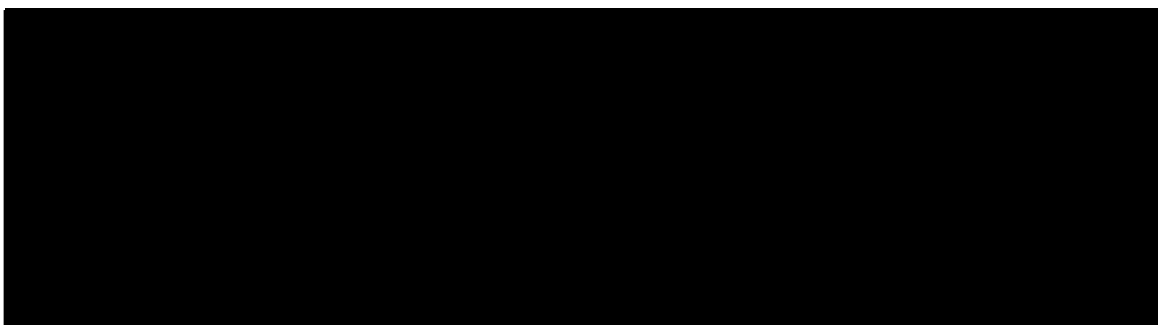
The provision of Level 2 source handling should be provided by a stand alone unit, separate from witness protection.

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Recommendation

Performance measures should be identified and implemented for the management of the CHIS Handling Unit.

20.12



20.13 By continuing to implement the current structure it is feasible that members of staff in the Sensitive Policing Unit could handle a CHIS, who provides significant intelligence in relation to an ongoing investigation, whilst at the same time be responsible for the protection of witnesses in the same investigation. This situation could result in challenges from the defence.

20.14 In the current structure the Director of intelligence has overall responsibility for witness protection, which although operationally convenient the review team are not convinced it is now appropriate.

20.15 Best practice guidelines suggest that a senior officer should be identified, who has the overall responsibility for witness protection. Where necessary this officer should appear in Court to outline force policy and procedure in relation to witness protection. At the current time the Director of Intelligence D Supt [REDACTED] could find [REDACTED] attending Court as a witness responsible for covert authorities and

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witness protection issues in the same case. Ideally this responsibility should not rest with one individual.

- 20.16 If a separate senior officer had responsibility for witness protection it would remove the potential challenges that may be raised regarding the transparency of decision making. Consideration should be given as to whether witness protection should be the responsibility of the department that has responsibility for Public Protection issues.
- 20.17 There is also potential to consider the creation of a regional witness protection capacity but this would need to be researched further.
- 20.18 The review team are strongly of the view that the management of protected witnesses and the management of Level CHIS should be undertaken by separate units with separate line management.

Recommendation

A senior police officer should have responsibility for the management of protected witnesses and a different senior officer should have responsibility for the management of Level 2 CHIS.

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ADDITIONAL MATTERS RAISED BY DI [REDACTED]

21. During [REDACTED] interview with the review team DI [REDACTED] made reference to several matters which the review team believed challenged the ethics and integrity of senior officers and therefore needed to be investigated further.

21.1 DI [REDACTED] stated that DS [REDACTED] has on several occasion made reference to the fact that [REDACTED] knows what DC Supt [REDACTED] and D.Supt [REDACTED] want to achieve in respect of witness protection involving [REDACTED] although they do not actually say. DS [REDACTED] says [REDACTED] is delivering on their wishes. When interviewed by the review team DS [REDACTED] made numerous references to the fact that [REDACTED] should give evidence, "at all costs." No other member of the Sensitive Policing Unit made reference to this phrase, which was unique to DS [REDACTED]

21.2 When asked by the review team what [REDACTED] meant by the phase "at all costs" in relation to the NUNES investigation [REDACTED] explained that [REDACTED] had a conversation with ACC Davenport, DC Supt [REDACTED] and D.Supt [REDACTED] who stressed the importance of getting [REDACTED] to Court and explained [REDACTED] believed the phrase meant, 'there was a job to be done, within the confines of the law.' [REDACTED] confirmed that [REDACTED] had not heard anyone else use the phase "at all costs", when referring to the NUNES investigation.

21.3 DS [REDACTED] emphasised that although [REDACTED] used the phrase [REDACTED] did not mean it to be interpreted as meaning for the rules to be 'bent.' To support this [REDACTED] outlined the fact that a cessation notice had been prepared for [REDACTED] which would

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have resulted in [REDACTED] no longer being afforded witness protection. However, [REDACTED] refused to sign the cessation notice and subsequently improved [REDACTED] behaviour.

21.4 DS [REDACTED] was adamant that DC Supt [REDACTED] and D.Supt [REDACTED] only ever emphasised that the Sensitive Policing Unit should work strictly within the confines of the law.

21.5 DI [REDACTED] states that DC [REDACTED] is continually bragging that [REDACTED] has a close relationship with DC Supt [REDACTED] and D.Supt [REDACTED] and as a result [REDACTED] was, "cast iron." There is also unhealthy gossip that DC [REDACTED] has "got something on D.Supt [REDACTED] and DC Supt [REDACTED]"

21.6 The review team have asked every member of the Sensitive Policing Unit and in particular DC [REDACTED] regarding this comment. Whilst most were aware it had been said, they could provide no further details. However, it is clear to the review team that it is DC [REDACTED] who has generated and reinforced the rumour. When challenged on this issue by the review team, DC [REDACTED] is adamant [REDACTED] has never said anything like this about D.Supt [REDACTED] DC Supt [REDACTED] or any other senior officer.

21.7 The review team have not discovered any evidence to support this potentially very serious allegation, which has gained momentum and needs to be swiftly challenged if it is raised.

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CONCLUSION

22. This review was instigated following DI [REDACTED] decision to seek advice from Supt Sawyers, Head of Professional Standards on how to manage a number of issues involving members of the Sensitive Policing Unit. DI [REDACTED] says [REDACTED] decided upon this course of action with [REDACTED] 'eyes wide open.'
- 22.1 On taking up [REDACTED] post as Head of the Sensitive Policing Unit DI [REDACTED] soon challenged working practices in both witness protection and CHIS handling. [REDACTED] was clearly of the view that some officers, in particular DC [REDACTED] were taking advantage of their positions and as a consequence gained unjustified opportunities to enhance their ability to gain financial remuneration by working overtime and claiming expenses.
- 22.2 It is quite clear, that the general view of DC [REDACTED] colleagues is that [REDACTED] was in fact manipulating [REDACTED] position to suit [REDACTED] needs, both personally and financially. However, it must be stressed that DC [REDACTED] is an experienced Detective Officer and has proved that when [REDACTED] applies [REDACTED] [REDACTED] is a talented individual with valuable skills which [REDACTED] has developed over the years. [REDACTED] is also an extrovert individual, who enjoys the kudos of being involved in high profile investigations and being the centre of attention. Whilst [REDACTED] possesses essential skills for this area of police work, [REDACTED] is not indispensable.
- 22.3 DC [REDACTED] did not agree with the changes DI [REDACTED] intended to make and from the outset was vocal in [REDACTED] opposition and was clearly a very disruptive influence within the Sensitive Policing Unit.

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- 22.4 DI [REDACTED] understandably saw DC [REDACTED] as a direct challenge to [REDACTED] authority. There was and remains a great deal of animosity between the two officers and as one colleague of DC [REDACTED] explained, "DI [REDACTED] was at war with DC [REDACTED] and everyone got swept up in their war."
- 22.5 This is probably a very accurate assessment of the situation that developed between the officers. It was exacerbated when DI [REDACTED] was subject of a formal complaint from [REDACTED] and [REDACTED] DI [REDACTED] believed DC [REDACTED] was instrumental in the complaint.
- 22.6 It is significant that the complaints generally refer to decisions made by DI [REDACTED] in relation to the level of service that was afforded by the Sensitive Policing Unit to the witnesses [REDACTED] and [REDACTED]. The examples used in the complaints are the same examples used by DC [REDACTED] and some members of the Sensitive Policing Unit when they refer to what they consider to be 'poor' decisions made by DI [REDACTED].
- 22.7 Following the complaint a senior management decision was made that DI [REDACTED] should no longer be the 'public face' of the protected witnesses aspect of the NUNES investigation and this responsibility was given to DS [REDACTED]. The fact that DI [REDACTED] still had overall responsibility for the witnesses and for the authorisation of witness expenses in the NUNES investigation resulted in frequent challenges to the decisions made by DS [REDACTED]. This caused friction

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between DI [REDACTED] and DS [REDACTED] which over the months resulted in heated verbal exchanges between the officers in the presence of other members of staff.

22.8 This totally unacceptable and unprofessional behaviour between two supervising officers has continued. Following a heated exchange in front of other members of staff on 20 December 2006 both officers were seen by D. Supt [REDACTED]. As a consequence DS [REDACTED] received a negative PDR entry.

22.9 The working relationships that DS [REDACTED] and some of the staff within the Sensitive Policing Unit have with DI [REDACTED] is immature and unprofessional. The conflict within the unit is embarrassing for the individuals and the organisation.

22.10 It is clear that DI [REDACTED] has become so consumed in [REDACTED] personal battle with DC [REDACTED] that in some instances it may have affected [REDACTED] decision making.

22.11 When DI [REDACTED] approached Supt Sawyers and later during [REDACTED] meetings with the review team [REDACTED] highlighted areas of concern regarding the working practices of the Sensitive Policing Unit, which included, claiming of expenses, failure to fully and accurately document the behaviour of [REDACTED] and alleged unauthorised contact with [REDACTED] CHIS. In addition, [REDACTED] related several anecdotal accounts regarding the behaviour of DC [REDACTED]

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22.12 The review team are of the view that all these matters should have firstly been investigated by DI [REDACTED] or, at the very least, discussed with [REDACTED] line manager or Head of Department.

22.13 It is apparent that certainly in relation to the claiming of expenses and the alleged failure to accurately record details of [REDACTED] behaviour in the [REDACTED] book', that DI [REDACTED] thought [REDACTED] had disclosed misconduct issues against officers within the Sensitive Policing Unit and in particular DC [REDACTED] and DS [REDACTED]

22.14 DI [REDACTED] is an experienced officer and the review team find it surprising that [REDACTED] brought these matters to the Head of the Professional Standards Unit without first verifying the facts. DI [REDACTED] says that [REDACTED] went to seek advice and considered conducting further enquires but did not wish to compromise any investigation that may follow.

22.15 The issues DI [REDACTED] raised in relation to the perceived unwarranted claims for expenses could have been easily resolved by simply asking the officers for an explanation. However, [REDACTED] did not consider that [REDACTED] would have gained their co-operation. This is a clear indication of the breakdown of effective communication and trust within the unit.

22.16 The specific issues in relation to unauthorised contact with [REDACTED] CHIS would have been more difficult to investigate without confronting DC [REDACTED] which would no doubt have proved to be a fruitless exercise.

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- 22.17 The additional matters raised by DI [REDACTED] regarding the fact that DC [REDACTED] said [REDACTED] had, "something on" D.Supt [REDACTED] and DC. Supt [REDACTED] and that as [REDACTED] had a close working relationship with both of these officers [REDACTED] was, "cast iron", were issues that [REDACTED] clearly thought appropriate to raise with the head of the Professional Standards Unit.
- 22.18 It is abundantly clear that DI [REDACTED] did not have the confidence to approach [REDACTED] senior management team, which includes D.Supt [REDACTED] and DC. Supt [REDACTED]. This may be due to [REDACTED] belief that DC [REDACTED] had such a close working relationship with the senior officers. DI [REDACTED] had previously discussed with D.Supt [REDACTED] problems [REDACTED] had encountered in managing DC [REDACTED] but the matters were not resolved to [REDACTED] satisfaction. DI [REDACTED] did not believe DC [REDACTED] should return to the Sensitive Policing Unit, but [REDACTED] did not provide evidence that would automatically justify [REDACTED] removal.
- 22.19 DI [REDACTED] was appointed to the Sensitive Policing Unit by D.Supt [REDACTED] who had confidence in [REDACTED] ability. They were also good friends and prior to this they had an excellent working relationship. Bearing this in mind DI [REDACTED] must have been extremely frustrated, disillusioned and certain that [REDACTED] would not receive the support from D.Supt [REDACTED] or D.C. Supt [REDACTED] therefore [REDACTED] took the decision to seek advice from Supt Sawyers. DI [REDACTED] should not be criticised for taking this action, which took a great deal of moral courage knowing that this action would result in some form of independent review or investigation.

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22.20 D.Supt [REDACTED] informed the review team that [REDACTED] had many meetings with DI [REDACTED] where [REDACTED] expressed [REDACTED] support for [REDACTED] new ideas and acknowledged [REDACTED] strengths for attention to detail and knowledge of policy and procedure. [REDACTED] was aware that DI [REDACTED] harboured thoughts that witness protection officers, particularly DC [REDACTED] may have encouraged the complaint by [REDACTED] and [REDACTED]

22.21 D.Supt [REDACTED] was surprised and disappointed DI [REDACTED] did not have the confidence in [REDACTED] to address [REDACTED] concerns about the Sensitive Policing Unit, particularly those relating to DC [REDACTED]

22.22 D.Supt [REDACTED] informed the review team that DC [REDACTED] has worked with [REDACTED] on numerous high profile cases over the years but their relationship was purely professional. [REDACTED] stressed that any inference that DC [REDACTED] has access to [REDACTED] regularly contacts [REDACTED] or in anyway influences [REDACTED] are wrong.

22.23 There is an abundance of evidence that DI [REDACTED] is a strong character who has the ability to focus on detail. [REDACTED] is extremely knowledgeable and takes a great deal of personal and professional pride in all areas of work. [REDACTED] has demonstrated [REDACTED] moral courage and is willing to sacrifice personal relationships for what [REDACTED] believes is right. These are recognised strengths of DI [REDACTED] whose personal integrity is a core quality for which [REDACTED] is respected.

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- 22.24 In contrast DI [REDACTED] has also demonstrated that [REDACTED] management style can be a little austere and dictatorial. [REDACTED] does not naturally display empathy, communicate effectively or generate teamwork and collaboration. [REDACTED] has not engendered a productive, professional working environment and even officers within the Sensitive Policing Unit, who are not against the changes [REDACTED] proposed, are not supportive or complementary as regards to [REDACTED] management or personal style.
- 22.25 It is to [REDACTED] credit that DI [REDACTED] correctly identified areas of development and challenged working practices within the Sensitive Policing Unit, particularly as [REDACTED] management decisions conflicted with the culture of some individuals who were adverse to change. [REDACTED] research and recommendations to improve performance are all valid and were supported by D.Supt [REDACTED]
- 22.26 It is important to stress that prior to this management review D.Supt [REDACTED] had already authorised DI [REDACTED] to consult nationally and research best practice for the structure and management for both protected witnesses and Level 2 source handling. Many of the recommendations are therefore areas of work that are currently being researched.
- 22.27 DI [REDACTED] has demonstrated [REDACTED] has the ability to identify and suggest more contemporary and efficient working practices that will benefit the organisation. However, [REDACTED] has also demonstrated that [REDACTED] is reluctant to exhibit a flexible leadership style which is necessary to manage change, sensitively and skilfully.

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- 22.28 An anecdotal example of DI [REDACTED] leadership style was provided by DC [REDACTED] who informed the review team that [REDACTED] was in post for three months before DI [REDACTED] spoke to [REDACTED]. When this matter was raised with DI [REDACTED] by the review team [REDACTED] explained that the officer was seconded to the unit specifically to support the NUNES investigation and [REDACTED] did not believe [REDACTED] should be present when discussions took place in respect of Level 2 CHIS, and as a consequence, intelligence regarding sources was not discussed in the presence of the officer.
- 22.29 DC [REDACTED] was previously a CHIS handler and is a very experienced Detective Officer who felt totally isolated, demotivated and undervalued by DI [REDACTED] actions.
- 22.30 The review team are very clear in their recommendation that the Source Handling Unit and the Protective Witness Unit should be two separate units. This work needs to be progressed as a matter of some urgency, as the current structure and working environment is wholly unproductive and stressful for the majority who work within it.
- 22.31 The terms of reference that were agreed included the task of establishing whether the ethics and integrity of the Sensitive Policing Unit are intact. Having reviewed all the evidence the review team are satisfied that the ethics and integrity of the Sensitive Policing Unit are intact. However, the current working practices, management, culture, structure and relationships within the unit make it extremely difficult to demonstrate that this is the case.

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22.32 The general conduct of DC [REDACTED] was the main reason why DI [REDACTED] sought advice from the Head of the Professional Standards Unit. Having investigated all the issues DI [REDACTED] raised and having considered the views of [REDACTED] peers and supervisors the review team have significant concerns in relation to DC [REDACTED] objectivity, judgement and overall professionalism [REDACTED] is an officer who needs to receive and accept intrusive supervision.

22.33 It is important that any unit that has responsibility for either witness protection or CHIS handling demonstrate integrity and professionalism; at all times. Officers vulnerability within such units is generally greater than anywhere else in the organisation. As a consequence, it is considered important that staff within the units, are provided with welfare support and regular updates on the latest legislation, tradecraft and integrity issues in terms of professional standards.

Recommendation

To include within force policy and operational guidance on the management of Protected Witnesses and Covert Human Intelligence Sources handling that all staff receive regular welfare support and updates on the latest legislation, tradecraft and integrity issues in terms of professional standards.

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22.34 The review team do not consider that anything other than radical restructuring of the Sensitive Policing Unit, in accordance with the recommendations, is a viable option. This is a matter that, if not addressed, will have a negative impact on morale, performance and has the potential to harm the reputation of Staffordshire Police.