

Handling Volume Crime and the Use of Police Bail

A follow-up review of inspection
recommendations

July 2009





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**Criminal Justice Inspection
Northern Ireland**
a better justice system for all





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List of abbreviations

ACC	Assistant Chief Constable
CID	Criminal Investigation Department (in police)
CJI	Criminal Justice Inspection Northern Ireland
CORE	Corporate Opportunity for Resilience and Efficiency (PSNI project)
CSR	Comprehensive Spending Review
DCU	District Command Unit (in police)
DNA	Deoxyribonucleic acid
ICS	Information Communication Services (in police)
NCHS	National Call Handling Standards
NICtS	Northern Ireland Court Service
NIO	Northern Ireland Office
PAC	Policy Advisory Committee
PIP	Professionalising Investigation Programme (in police)
PND	Penalty Notice for Disorder
PPS	Public Prosecution Service for Northern Ireland
PSNI	Police Service of Northern Ireland
NiCHE RMS	Record Management System (in police)
SWIM	Scientific Support Work Improvement Methodology
VCMM	Volume Crime Management Model



Chief Inspector's Foreword

In this review we have examined how relevant agencies addressed the recommendations contained in Criminal Justice Inspection's original report with regard to handling volume crime and the use of police bail.

Our recommendations mostly involved work to be undertaken by the PSNI and this has, in the main, been positive. Of the nine recommendations which were the specific responsibility of the PSNI we found six had been achieved. Of the three outstanding recommendations, one had proved not to be technically feasible within operating constraints. Our recommendation on call handling standards was being progressed through an alternative approach following the discontinuation of a major call management project (Project Unity).

This left only one recommendation where there was no future planned development. This was with regard to the adoption of a 'prosecution team' approach in Northern Ireland along the lines of those operated in England and Wales between the various police services and the Crown Prosecution Service. While the PSNI had placed liaison officers in Public Prosecution Service (PPS) offices, there were no plans to locate PPS personnel in police stations. Inspectors will return to this issue when CJI undertakes a planned inspection of the interface between the PSNI and the PPS during 2009-10.

One further recommendation with regard to implementing legislation to introduce Penalty Notices for Disorder (PNDs) had been the subject of a multi-agency working party set up by the NIO. We look forward to viewing its proposals to the Minister on a way forward on this matter in the near future.

Bill Priestley led this inspection review for CJI and I would like to acknowledge the willing support and openness of everyone who provided information to him during this process.

Dr. Michael Maguire
Chief Inspector of Criminal Justice
in Northern Ireland
July 2009

Section



Follow-Up Review

CHAPTER 1:

Introduction

In our report on *Handling Volume Crime and the Use of Police Bail* published in December 2006 we focused on the work of five Police Service of Northern Ireland (PSNI) District Command Units (DCUs). They were:

- South Belfast;
- East Belfast;
- North Belfast;
- Foyle; and
- Castlereagh.

The work involved Inspectors looking at how police bail was being used to assist the investigation process and the numbers of people currently on police bail, as well as how volume crime was being dealt with by each DCU. We made six recommendations with regard to volume crime and four in respect of the use of police bail which we now revisit in this follow-up review to assess progress.

The PSNI defines volume crime¹ as: *‘those crime categories of a statistically high importance and for which:*

- (a) targets for reduction have been set within the organisational policing plan; or*
- (b) through assessment, are determined to be of local community safety importance.’*

The types of crime included in the PSNI volume crime policy document include:

- assaults;
- domestic burglaries;
- thefts; and
- criminal damage.

Volume crime is often a barometer for wider social problems and can highlight issues around community cohesion and indicators such as drug and alcohol problems. Fear of crime increases amongst people who live in areas that have a high incidence of volume crime, and this fear has a detrimental effect on community cohesion. A sense of community safety is closely linked with lower levels of violent crime, domestic burglary and vehicle crime.

The public rank volume crime issues including low-level criminal damage (vandalism), as amongst the higher priorities that the PSNI should address². Proper resourcing and investigation activities are identified by the public as the most important ways of tackling the policing issues in their local area.

As regards police bail, concerns had been expressed to Inspectors about the possibility that the improper use of police

¹ PSNI Volume Crime Policy Directive 03/05

² District Policing Partnership (DPP) Public Consultation Surveys February 2008



bail was contributing to delay in the criminal justice system and was not being monitored properly by the police. Inspectors did not find evidence of extensive abuse of the system but, this may have at least partly been due to the inability of the police records management system (NiCHE RMS) to be properly interrogated on this issue.

In December 2006 the PSNI introduced an internal system of monitoring and updating progress on recommendations made to it in reports from any of its oversight bodies. CJI has received updates from the PSNI regarding progress with recommendations made in our report as well as being supplied with supporting documentation and statistical information which was beneficial. Inspectors conducted organisational visits and individual interviews with officers during January and February 2009 to validate the progress claimed to have been made on recommendations. The PSNI response set out below shows the timeline of progress since the original recommendations.

CHAPTER 2:

Progress on recommendations



Section One – Handling Volume Crime

Recommendation 1

It is recommended that the PSNI implements National Call Handling Standards (NCHS) across all its call management functions to enhance any subsequent investigation process.

Status: Not Achieved

PSNI response: *The two-centre model for Project Unity/Call Management is no longer possible due to the funding limitations in the Comprehensive Spending Review, CSR07. An alternative (distributed) model for call management is being developed, which will permit districts to achieve national call handling standards. This model will be presented to the Project Unity Project Board, and the response to this recommendation will be updated in light of the revised project scope/affordability.*

Inspectors' assessment: Inspectors gathered evidence of the PSNI approach to call handling through the recent inspection of *Policing with the Community*. The PSNI intend to deliver a series of transitional improvements by mid 2009 and a strategic continuation of call management is to be delivered in 2012-13. The scope and shape of this strategic direction is to be determined in 2009. The alternative model for call management was initially being implemented by 'H' District. The scheme

had been developed in consultation with Project Unity. Although the scheme was not sophisticated in that it relied on existing technology, it should provide call handlers with the means to deal more effectively with call management decisions. The scheme did not go live in 'H' District until December 2008 therefore Inspectors are unable to comment on its operational effectiveness.

Recommendation 2

It is recommended that the SWIM project report recommendations are implemented as soon as practicable to improve the investigation process for volume crime.

Status: Achieved

PSNI response: *The findings from the SWIM review which pointed to poor conversion ratios for forensic identifications converted to detections and to the very lengthy periods taken to achieve detections have been addressed both within Scientific Support and within districts. Timescales of 10 days have been set for the delivery of fingerprints and DNA from crime scenes for examination. Process improvements with the [Fingerprint] Bureau have reduced turnaround times for fingerprint lifts to an average of two days. Forensic Science Northern Ireland (FSNI) have*

reduced their analytical timescales to 14 days for crime scene stains. Conversion ratios, monitored by Scientific Support, are advised as part of Policy Advisory Committee (PAC) briefs and are presented at Chief Constable Volume Crime Conferences. There is clear evidence of an improvement in conversion ratios between the comparable periods of 2007-08 and 2008-09.

Inspectors' assessment: Statistical evidence presented to CJI confirmed the improvement in conversion ratios as a result of the implementation of the SWIM recommendations. Whilst there had been an overall improvement in conversion rates for fingerprints and DNA conversions, not every police district had displayed improved performance and measures to address this were being implemented and monitored.

Recommendation 3

It is recommended that a fully inclusive consultation process is implemented to identify the skills and knowledge required by officers carrying out investigations at DCUs, and that training at the Police College should be delivered to specifications identified from this process.

Status: Achieved

PSNI response: Volume Crime Management was piloted in the following DCUs through Jan – Mar 2007: Lisburn, Craigavon and Newtownabbey. The Police College supported course provision. The results of the pilot were assessed to highlight training needs to assure effective volume crime management. Training provision for the implementation of the Professionalising

Investigation Programme (PIP) has assisted in supporting the completion of this recommendation.

July 2007 - Bespoke training for the areas involved in the pilot of the Volume Crime Management Model (VCMM) was delivered over the Christmas/New Year period. At this stage, the Districts appeared to be unclear as to what the VCMM will eventually look like. Meetings were planned with the CORE Team, which provided a corporate view as to what the VCMM will look like and thus informed what training was required.

October 2007 - Implementation of training for all in role investigators [completed] by April 2008.

June 2008 - VCMM now in place. Training to members of these units is provided via DCU Trainers and Crime Training.

Inspectors' assessment: This recommendation had been achieved and was being sustained by training delivered at police district level through the District Training Units. Inspectors will validate the continuance of the training arrangements during a forthcoming inspection of the police training strategy during 2009.



Recommendation 4

It is recommended that the Professionalising Investigation Programme (PIP) to train officers to an agreed common standard of investigation is implemented as soon as practicable and delivered first to areas experiencing the highest rates of volume crime.

Status: Achieved

PSNI response: *The area of investigation was enhanced by the introduction of PIP across the organisation. Commencing with Criminal Investigation Department (CID) (all Crime Training courses are presently PIP compliant) PIP was rolled out to all CID and operational officers by March 2008. Within the PSNI College, student officers commenced Level 1 PIP in January 2007 and were required to be PIP compliant as a pre-requisite of successfully completing their probationary period.*

April 2008 – PIP Trainers are now part of Foundation Programmes and a PIP Business Plan has been approved. Officers attending Stage 3 Maydown will have PIP folders assessed for the first time from July 2008. Review Sept '08.

October 2008 – PIP continues to be integrated into training and our Business Plan is progressing. £15,000 has now been made available for PIP initiatives which will be implemented during the remainder of the 2008-09 financial year. PIP folders are now formally assessed at Probationer Training and officers who have not reached the required standard have been returned to District. Review Dec '08.

Inspectors' assessment: The service took steps to introduce PIP across the service area rather than directing it first at areas experiencing the highest levels of volume crime. Officers have now received the appropriate level of investigative training for their role and this is being sustained by the integration of PIP into all Detective courses and into the Foundation training programme.

Recommendation 5

It is recommended that legislation be brought forward to introduce Penalty Notices for Disorder (PNDs) in Northern Ireland similar to the already existing system in England and Wales.

Status: Not Achieved

NIO response: *In response to an initial request from PSNI, NIO consulted in 2008 on a discussion paper which sought views on the range of alternatives to prosecution available in other parts of the UK and the potential for read-across to Northern Ireland. There is a multi-agency working party (including representatives from PSNI, PPS and NI Court Service) which is currently scoping proposals for a range of such measures including PNDs, prosecutorial fines and conditional cautions which would all – with offender consent – divert appropriate low level criminal cases from traditional prosecution through the courts. There have been fact-finding visits to other parts of the UK and the working party is evaluating the policy, operational, technological and resourcing implications of implementing these measures in Northern Ireland. Policy proposals (including legislative requirements) should be put to Ministers within the next few months.*

There are different statutory arrangements in place in NI (the central tenet of which is the separation of the investigative and prosecutorial functions) than exist in England and Wales where police enjoy a greater degree of autonomy in relation to the disposal of minor offences. This of course means that implementation of PNDs in Northern Ireland would not simply be a matter of adopting additional offence powers for the police, but would require us to revisit the overarching legislation which established the Public Prosecution Service, determined its functions, and removed the prosecutorial functions previously undertaken by police officers.

Inspectors' assessment: Implementing this recommendation has taken longer than expected due to the legislative implications. However, the working group expects to put proposals to the Minister for Criminal Justice within the first half of 2009. Inspectors will continue to monitor progress with this recommendation through its inspection work with the PSNI and the PPS.

Recommendation 6

It is recommended that to meet targets and increase sanction detections for volume crime, the PSNI and the PPS should work more closely together to build a 'prosecution team' approach and that in the longer term, consideration should be given to locating prosecutors in police stations.

Status: Not Achieved

PSNI response: The relationship between PPS and PSNI is evolving with PSNI staff now attached to PPS Chambers in a liaison role. The issue of prosecution teams is being reviewed by the multi-agency Delay Action Team which reports to the Criminal Justice Board. Agreement is required from our criminal justice organisation partners for movement in this area.

June 2007 - New arrangements are being piloted in 'H' District in relation to pre-charge prosecutorial advice. The pilot is due to be implemented by August '07.

May 2008 - No plans have been made to create prosecution teams. Present arrangements are that pre-prosecutorial advice is available via telephone in urgent cases and through NiCHE/Causeway for other cases. There are no plans to co-locate PPS with operational police officers in police stations. Police officers are located in PPS offices in the PPS liaison[role].

Inspectors' assessment: This recommendation had not been achieved. Whilst progress had been made in the provision of early prosecutorial advice and the placing of PSNI liaison officers in PPS offices, this had fallen short of a full 'prosecution team' approach. Inspectors will continue to monitor progress in this area through our inspections of the PPS and PSNI during 2009-10.



Section Two – The use of Police Bail

Recommendation 1

Each DCU should appoint an officer of sufficient standing to validate the accuracy of the [bail] list and to manage it in the future. The most appropriate unit to have this responsibility would be the Criminal Justice Unit.

Status: Achieved

PSNI response: *Urban Region - ACC Urban has directed DCUs to appoint the officer in charge of their Criminal Justice Units to manage and monitor the use of police bail within the DCU, to ensure there is no improper use of the provisions and therefore, no avoidable delay in the criminal justice system. This officer has responsibility for ensuring that custody information is maintained in an accurate, timely and on-going basis so that the list of persons (on NiCHE) currently on police bail within the DCU is accurate and subject to ongoing review at a managerial level.*

Rural Region - This subject is being progressed and districts are to appoint an officer.

June 2007 - Rural Region: This matter is continuing to be progressed. The matter is being raised at upcoming meetings with each district. This will be part of the CORE implementation plan for new criminal justice units.

Urban Region – Implemented.

Inspectors' assessment: Each police district has now appointed the manager of their Criminal Justice Units to monitor the list. Managers and custody officers at district level reported no further issues with the list.

Recommendation 2

Custody Sergeants should be reminded that the 28-day period is the maximum permitted period for release on police bail. Any decision to release on bail should involve consideration of how long the relevant further inquiries are likely to take.

Status: Achieved

PSNI response: *Custody have been reminded as recommended by circular on 2 February '07.*

June 2007 - This recommendation was complied with on 2 February '07 as previously reported and should be marked as complete.

Inspectors' assessment: Implementation of the circular sent to remind officers of the time limitations on bail is being monitored at district level by the managers of the district Criminal Justice Units.



Recommendation 3

NiCHE should be amended to ensure that it can allow effective interrogation as to the number of times suspects have been released on bail. A user should be able to ask NiCHE to display the list of bailees in a way which shows immediately how many times each of them has been bailed.

Status: Not Achieved

PSNI response: This recommendation will be considered as a request for service and will be prioritised alongside other requests for new products and services from the business. It should be noted that NiCHE RMS is a commercial off-the-shelf product and will require modification/enhancement by the supplier, in order to deliver this functionality. PSNI will also feed this requirement into the National NiCHE Users Group for implementation/prioritisation.

June 2007 - PSNI has requested NiCHE to progress this work and expect it to be delivered in the next major release due autumn 2007.

March 2008 - The new release has been delayed and PSNI are expecting a version for test in late March 2008 at the earliest.

September 2008 - At the moment on NiCHE you can only check individuals for the number of times they have been released on bail via that person's record and the disposals tab. An ask was made to NiCHE via the National Custody User Group some time ago, to have more information on the Custody whiteboards. This request is pending but will rely on support from other NiCHE forces so implementation of the change is unknown at this stage. At the

moment, the whiteboard will only show the number of persons in 'custody' and the number of persons 'out on bail'. It is not known precisely when this can be achieved so it has been suggested that a further report date of May 2009 would be realistic, but this is dependent on other forces as highlighted above.

March 2009 - The latest update on the position of this recommendation is that unfortunately, this cannot be done through the NiCHE Custody Users Group. PSNI may be able to partly implement it by adapting the system [using a script], but this would be time consuming and unavailable on the 'front end.'

Inspectors' assessment: Implementation of this recommendation has not been feasible due to the technical difficulties described in the PSNI update above. Partial implementation would not deliver the outcome at the point of service delivery where Inspectors originally identified the issue. Inspectors therefore further recommend that PSNI find a way of making the information on individual bailees easily accessible to custody officers.



Recommendation 4

NiCHE should be amended to include a mandatory field detailing the reasons why a suspect is to be released on bail.

Status: Achieved

PSNI response: *This recommendation will be considered as a request for service and will be prioritised alongside other requests for new products and services from the business. It should be noted that NiCHE RMS is a commercial off-the-shelf product and will require modification/enhancement by the supplier, in order to deliver this functionality. PSNI will also feed this requirement into the National NiCHE Users Group for implementation/prioritisation.*

June 2007 - PSNI has requested NiCHE to progress this work and expect it to be delivered in the next major release due autumn 2007

March 2008 -The new release has been delayed and PSNI are expecting a version for test in late March 2008 at the earliest.

August 2008 - Horizon Project are currently assessing the requirements to deliver this recommendation against planned releases.

Inspectors' assessment: There is now a mandatory free text field on the NiCHE RMS directing officers to indicate reasons for bail. The system does not allow the record to be finalised without the field being completed.



Handling Volume Crime

Three of the six recommendations in respect of volume crime have been achieved. Of the three not yet achieved, two are still being actively worked on.

PSNI responsibility:

- Call handling standards are now having to be incorporated into an alternative approach to call management, brought about by the decision to suspend Project Unity following the Comprehensive Spending Review.

System/NIO responsibility:

- Changes in legislation to bring about the introduction of PNDs is being pursued through a multi-agency working party, which is due to make proposals to the Minister in the next few months.

There is one volume crime recommendation that is not being currently worked on and that is with regard to the development of a 'prosecution team' approach. There are no plans to locate prosecutors in police stations to reflect the situation in England and Wales between the Crown Prosecution Service (CPS) and police services there. Inspectors understand that should the approach be accepted that it should be a long term aim. However, it is disappointing that despite the benefits that could be delivered by such an

approach, such as improved cohesiveness, it has not been adopted in Northern Ireland.

The use of Police Bail

Out of the four recommendations on the use of police bail three had been achieved. There remained one outstanding recommendation which the PSNI had reported progress on but had been unable to implement. Whilst a partial technical solution had been proposed, this would not make information available where it was most required at the point of service delivery. Inspectors therefore encourage the PSNI to find a way of ensuring that custody officers are able to easily establish the bail history of people going through the custody process.

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