

From: H.O.
Sent: 14 November 2001 15:45
To: ACPO
Subject: RE: ACPO records group

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B-ilos June 2001.doc RB-ilos Oct 2001.doc

I guess that the main items of business in this area in recent months have been

You may like to ask whether he would want these on the agenda.

In addition, I mentioned that we, and all 43 forces, had been approached by the UK Central Authority within in the Judicial Co-operation Unit of the Home Office about information regarding British Nationals convicted in other Council of Europe Member States. I attach copies of the papers on this, which the Sub-Committee may wish to consider.

-----Original Message-----

From: r l@met.police.uk

Sent: 12 November 2001 15:32

To: @homeoffice.gsi.gov.uk; @pito.org.uk;
@pito.org.u @met.police.uk

Subject: ACPO records group

Please excuse the de-personalised attachment - it's had to go out via snail mail to most members of the above group!!

**** DOCUMENT TYPE INFORMATION ****

Mail has the following body parts:

Body 1 : # 118# ACPO records gro.doc 12.11.2001 15:28 25088 15211 # 0# 25088 0 12.11.2001 11:35 65536



Home Office

Judicial Co-operation Unit

Room 463, 50 Queen Anne's Gate, London SW1H 9AT
Switchboard 020 7273 4000 Fax 020 7273 4400 Direct Line:
gov.uk www.homeoffice.gov.uk

To: Those on attached list
(but not to ILOS *and* Deputies)

Our Ref
Your Ref

Date 17 August 2001

CRIMINAL RECORD INFORMATION FROM COUNCIL OF EUROPE MEMBER STATES

The United Kingdom Central Authority receives, at regular intervals, criminal record information sent to it under Article 22 of the 1959 Council of Europe Convention on Mutual Assistance in Criminal Matters.

This information generally consists of a short, untranslated document setting out the name, address, date of birth and place of birth of British Nationals who have been convicted of offences in other Council of Europe Member States. The UKCA, through both my predecessor's predecessor and more recently myself, have consulted Interpol directly in the hope that we would be able to pass this information directly to Interpol for use within the National Criminal Records System.

The latest advice I have had from Interpol is that they do not consider such information, which does not include any criminal record information or photographs or DNA information, to be of sufficient value to justify being sent to Interpol for inclusion within either their databases or the National Criminal Record System. However, from recent conversations with more than one International Liaison Officer it has become apparent to me that you may well value such information purely on an intelligence basis. You would value such information even though you accept that it would not be useable in any court of law. However, the feeling I have been given that any information or intelligence is valuable and it is preferable to have that intelligence and to potentially be able to use it and develop it in due course than not to have it at all.

I would be grateful if you could inform me whether you do consider that it would be appropriate for the Home Office to forward to your individual offices that criminal record information that we get that can be identified to an individual Force. My criteria for registering it to an individual Force would be:

1. that the person is shown as living in that Force area
2. that the person is shown as being born within that Force area.

I realise that, particularly with people being born in the Force area, it will in no way guarantee that that person is still residing in the Force area. However, it is the best that I can do to identify any particular geographical locus to an individual criminal record.

I am copying this letter to [redacted] in the National Criminal Intelligence Service, [redacted]. If she is content I will send her those criminal record details that appear to us to refer to immigration related offences. The same caveats apply to the information sent to her in particular that it is not of a sufficient standard that would allow it to be used in either as evidence of previous criminal activity or as proof that an individual has committed a particular crime in post-conviction sentencing. I am also copying it to [redacted] of the Criminal Records Agency. The view of the Criminal Record Agency would be most welcome.

I would very much appreciate your being able to receive such material. At present we receive at least 500-600 cases every six months. I do hope this that information will be of some use to you though I cannot guarantee that it will be of immense value, particularly in the short term.

Thank you very much for your assistance in this matter.

Yours faithfully

UK Central Authority



Home Office

Judicial Co-operation Unit
Room 463, 50 Queen Anne's Gate, London SW1H 9AT
Switchboard 020 7273 4000 Fax 020 7273 4400 Direct Line
31.gov.uk www.homeoffice.gov.uk

To: Those on attached list
(but not to ILOS *and* Deputies)

Our Ref
Your Ref

Date 22 October 2001

CRIMINAL RECORD INFORMATION FROM COUNCIL OF EUROPE MEMBER STATES

On 17 August I wrote to the ILOs on the attached list seeking your views on criminal record information sent to the Home Office under Article 22 of the 1959 Council of Europe Convention on Mutual Assistance in Criminal Matters.

I am disappointed to note that only the Kent, Nottinghamshire, Hampshire, City of London, Devon and Cornwall, South Wales, West Mercia, Cambridgeshire, Suffolk and Dyfed Powys forces have replied, together with the Crown Office in Scotland. I know GMP are considering the issue internally, but otherwise silence has been the order of the day. All of the replies have approved my proposal.

I truly would appreciate comments from the rest of you. In the meantime this letter serves as an explanation for those who have replied as to why they have not yet received any records.

Yours faithfully

UK Central Authority

ACPO STANDING SUB-COMMITTEE ON RECORDS AGENDA

20th November 2001
ACPO Offices, 25 Victoria Street

(2)

1. **Apologies for absence**
2. **Minutes of Last Meeting** (16.5.01 New Scotland Yard)
3. **Matters Arising.**
There are no matters arising
4. **CRB**
5. **Weeding**
6. **HMIC Inspection: Data inputting**
7. **British Nationals convicted in Europe**
8. **Any Other Business**
9. **Date and Venue of Next Meeting.**

From: [redacted]@Homeoffice.gsi.gov.uk
Sent: 03 November 2004 13:40
To: [redacted]@cashire.pnn.police.uk'
Cc: [redacted]@ancashire.pnn.police.uk'
Subject: FW: ACPO Disclosure/POLVIG Group meeting 10 November 2004

At the moment, I am still awaiting material for the item about how the UK handles information from other EU countries about convictions of UK nationals in those countries - see my first e-mail of 15 October below. I am chasing this and will send it as soon as I can. How long have I got?

-----Original Message-----

From: HO

Sent: 15 October 2004 20:09

To: ACPO

Cc:

Subject: RE: ACPO Disclosure/POLVIG Group meeting 10 November 2004

We would like to raise an issue about handling by the UK of information about convictions of UK nationals in other European countries, notified under European arrangements for mutual co-operation in judicial matters. We shall provide a background note for circulation to members. By when would you need this?

Criminal Records Team
Home Office
85 Buckingham Gate
London
SW1E 6PD

fax: 5596

-----Original Message-----

From: ACCPO

Sent: 05 October 2004 16:20

To: MEMBERS OF ACCPO DISCLOSURES + POLVIG GROUPS

abby

McAllister, Adrian;

Subject: ACCPO Disclosure/POLVIG Group meeting 10 November 2004

EMAIL SENT ON BEHALF OF ACC MCALLISTER

Members of the ACCPO Disclosures and Polvig Groups

As per previous correspondence on current and future business structure: much progress has been made with the initial Richard implementation initiatives and it is intended that ACC McAllister will provide a briefing at the next meeting to update you on work to date and to stimulate debate as to the way forward and the development of future strategic support structures.

Many of you are also closely involved in one or more of the working group initiatives and it will be timely to draw together your views on the future strategic management of the Information Disclosure/CRB processes.

The meeting has been scheduled for Wednesday 10 November at 10.00am at the Rubens Hotel (close to the Royal Mews) finishing by 12.00 noon. Members of the Disclosure Group please note that the venue has been changed from the ACCPO offices as they could not accommodate us as a combined group.

I would be grateful if you could confirm your attendance and if you have any queries or issues you would wish to place on the agenda please let us know by e-mail contact. We will be pleased to assist. Agenda deadline by 22 October 2004.

PA to Senior Management Team

This message may contain information which is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments, without retaining a copy. Lancashire Constabulary monitors its emails, and you are advised that any e-mail you send may be subject to monitoring. This e-mail has been scanned for the presence of computer viruses.

From:
Sent: 04 November 2004 09:41
To:
Cc:
Subject: ACPO Disclosure/POLVIG meeting on 10 November

Further to my e-mail of yesterday, I have now received information about the conviction information received from other European countries. If it is agreed that this should be an item on the agenda, I attach a covering note and some examples of the kinds of information supplied.



ACPO DISCLOSURE
GROUP - INFORM...



ACPO Disclosure
Group - Europe...

From:

Criminal Records Team
Home Office
85 Buckingham Gate
London SW1E 6PD

4 November 2004

ACPO Disclosure Group

**HANDLING OF CONVICTION INFORMATION RECEIVED FROM OTHER
EUROPEAN COUNTRIES**

The 1959 Council of Europe Convention on Mutual Legal Assistance in Criminal Matters requires contracting parties to notify other countries, on an annual basis, of cases in which their nationals have been convicted in the notifying state. Such information is received in the UK by the Judicial Co-operation Unit (JCU) in the Home Office, which acts as the UK central authority.

Attached are examples. These relate to convictions for estrogonerie (fraud) in Switzerland, drugs offences in ~~forwarded and recorded~~ offences in France, each leading to a custodial sentence.

Currently, no further action is taken on this information. The JCU has suggested that the information should be passed to, and recorded by, the police. A similar issue was considered some time ago by the then ACPO Sub-Committee on Records.

Clearly the information given is limited, and does not cover all the fields on the PNC. Moreover, there is an issue if the information is not accompanied by fingerprints.

But, even if the information is insufficient to support an entry on the PNC, it may nevertheless be helpful if the information were made available to the individual's "home"

force so that it could be recorded on local records if required.

The Group is invited to consider the matter.



Bundesamt für Justiz - Office fédéral de la justice - Ufficio federale di giustizia - Uffici federal da giustitia
 Eidg. Justiz- und Polizeidepartement - Département fédéral de justice et police - Dipartimento federale di giustizia e polizia - Departamento federal de justiça e polícia

www.nli.edm.ch

Avis de condamnation

Art. 22 Convention européenne d'entraide judiciaire en matière pénale

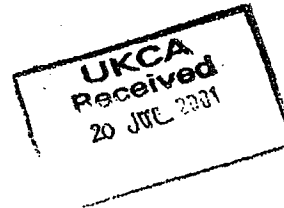
Destinataire: **Grande-Bretagne**
 Utilisateur: **35066**
 No pers: **10714627**

Nom(s):
 Nom de naissance:
 Prénom(s): Sexe: **f**
 Date de naissance:
 Lieu de naissance: **Duwich / Grande-Bretagne**
 Lieu d'origine:
 Pays d'origine: **Grande-Bretagne**
 Nom père:
 Nom mère: Nom conjoint:
 Etat civil: **célibataire**
 Lieu de domicile: **sans domicile fixe** c/o:
 Adresse:

1) 23.04.2001 **Bezirksgericht ZÜRICH**
 Notifié: 23.04.2001
 Référence:

Escroquerie (Commis à répétées reprises)
 CP 146/1
 17.01.2001 - 19.01.2001
 Escroquerie (Délit manqué)
 CP 146/1
 17.01.2001 - 19.01.2001
 Feux dans les titres (Commis à répétées reprises)
 CP 251/1
 17.01.2001 - 19.01.2001

Emprisonnement 6 mois
 Sursis à l'exécution de la peine, délai d'épreuve 2 ans
 Détention préventive





NATIONAL CRIMINAL INVESTIGATION SERVICE

EXTRACT FROM JUDGMENT
passed by Norwegian court

Name and type of Authority: Nedre Romerike District Court

Personal Details of Convicted Person

Surname:

First name(s):

Date and place of birth: Hartlepool, United Kingdom

Place of residence:

Occupation: unemployed

Nationality: British

Sentence

Date of punishable act: 17 January 2004

Date of conviction: 19 January 2004

Type of penal sanction

Imprisonment: 15 days' imprisonment suspended for 2 years

Fine:

Community service:

Reason for conviction: - complicity in the unlawful manufacture, importation, exportation, acquisition, storage, sending or conveyance of narcotic drugs

Lillestrøm, 26 February 2004

RÉPUBLIQUE FRANÇAISE
 MINISTÈRE DE LA JUSTICE
 Direction des Affaires criminelles et des grâces
 Casier judiciaire national
 44079 NANTES CEDEX 1

ENTRAIDE REPRESSIVE INTERNATIONALE

Page 1

AVIS DE CONDAMNATION

Document édité le 1^{er} août 2001

Références :
 N° 0111700529GH

United Kingdom Central Authority
 Home Office
 Queen Ann's Gate
 LONDON SW1H 9 AT
 (ROYAUME-UNI)

Texte : ART.22 DE LA CONVENTION EUROPEENNE D'ENTRAIDE JUDICIAIRE EN MATIERE PENALE DU
 20/04/1959.

En application de l'accord international ci-dessus, j'ai l'honneur de vous communiquer les informations suivantes :

Identité(s) utilisée(s) par la personne condamnée :

née le LONDRES (ROYAUME-UNI)
 de nationalité BRITANNIQUE.

Condamnation :

9 mars 2001
 TRIBUNAL CORRECTIONNEL DE BOBIGNY - 13 CH

contradictoire
 mandat de dépôt : 03/10/2000
 maintien en détention

2 ans d'emprisonnement
 interdiction définitive du territoire français

00799507 : IMPORTATION NON AUTORISEE DE STUPEFIANTS - TRAFIC
 le 1^{er} octobre 2000

00799007 : TRANSPORT NON AUTORISE DE STUPEFIANTS
 le 1^{er} octobre 2000

00799107 : DETENTION NON AUTORISEE DE STUPEFIANTS
 le 1^{er} octobre 2000

00571561 : DETENTION DE MARCHANDISE REPUTEE IMPORTEE EN CONTREBANDE
 le 1^{er} octobre 2000

00571561 : CONTREBANDE DE MARCHANDISE PROHIBEE
 le 1^{er} octobre 2000

Réf : 0111700529/DP011170006/1107/05253968Y/CJNNV125/001/N