

Adrian McAllister BA (Hons) MA
Acting Deputy Chief Constable



Lancashire
Constabulary

police and communities together

Lancashire Constabulary HQ, PO Box 77, Hutton, Preston, Lancs. PR4 5SB

Telephone:

E-mail:

Tony McNulty MP
Minister of State for Police and Security
Home Office
2 Marsham Street
London SW1P 4DF

RECEIVED
IN DCU

06 OCT 2006

3rd October 2006

Referred to
Private Office

Dear Minister

I write to you in my capacity as the ACPO lead for Criminal Records and Disclosure.

I anticipate you are receiving briefings from the Criminal Records Bureau about areas of joint working with ACPO in relation to the disclosure of criminal records. I thought it timely, therefore, to bring you up-to-date about a number of significant developments in this area of ACPO business.

Following the introduction of new powers, relating to the use of DNA and fingerprints linked to criminal records and the inquiry by Sir Michael Bichard, the police are undertaking a serious appraisal of record management. You will be aware of this work, much of which is being developed as part of the IMPACT Programme.

The work however goes further and to ensure efficient management of conviction records and associated biometric data ACPO have set up a Criminal Records Office (ACRO). The function of ACRO is to ensure that the police are effectively utilising all available information on a national basis to maximise detections and identify criminal suspects at the earliest possible stage.

Whilst the ACRO business involves several strands of work, I am keen that you are made aware of a particularly interesting development. This concerns improvements to outdated arrangements for sharing conviction data throughout the European Union.

The EU Commission has sought to update an existing 1959 Convention, which caters for the exchange of convictions between law enforcement agencies within Europe. This followed tragic events in Belgium involving a paedophile, named Michel Fourniret who committed terrible murders in their country and France, at least one involving a UK national. The crimes were initially undetected for many years and raised serious questions about the police exchange of conviction information across Europe.

All European Member States, including the UK, have recently signed up to a Framework Decision that will considerably enhance the exchange of convictions of foreign nationals, for law enforcement purposes.

In response to this requirement, each Member State was required to establish a Central Authority. ACPO submitted a comprehensive business case and secured this role on behalf of all UK police forces. This work is now being progressed by the police through the ACPO Criminal Records Office, and the establishment of a UK Central Authority for the exchange of conviction records (UKCA-CRE) is located within that office. The early results are enlightening and show that we have a significant number of UK nationals who commit serious offences whilst abroad. In most cases the police and other criminal justice partners, including the courts, are completely unaware of such offending.

To illustrate the significance of this work, and as a snapshot involving a single country, I have provided an example of some recent exchanges with Germany regarding UK nationals.

Since the commencement of the new Central Authority the ACRO has received details of 27 offenders who have committed rape, in some cases on children, whilst in Germany. None of the 27 were recorded on the UK Police National Computer for these crimes. Only six are known to the police for previous offending, none are on the Sex Offenders Register and only two have had their DNA taken, which relate to other matters in the UK.

The overall picture is of course much more troubling and includes a wide range of offending by UK nationals, from the most serious of crimes, including several murders, to low level offending.

The work involves a reciprocal arrangement and the police will identify offences committed by foreign nationals residing within the UK. These details are then forwarded to the relevant EU Member State.

I recognise that you may feel that this is something the Home Secretary would wish to be briefed about given the obvious links to foreign national prisoners. The ACRO unit is headed up by Detective Superintendent Gary Linton who met with the newly appointed Home Secretary in Portsmouth, whilst leading the police inquiry into the foreign national prisoner operation.

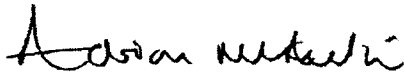
The creation of the UK Central Authority as part of the ACRO development provides a real benefit to our local policing and our endeavours to protect the public. You will be aware of the significance of linking this work to the exchange of biometric data such as DNA and fingerprints. Whilst this does not currently form part of the EU exchange agreement, the ACRO office is pursuing this area to eliminate difficulties involving identity. ACRO are also working with Interpol to explore similar exchanges with other countries outside of the European arrangements, where there may be a need for significant law enforcement links.

I am sure you will also recognise the significance of this work in relation to employment vetting, particularly in areas that involve those working with children and vulnerable persons. Whilst the exchange agreement does not currently facilitate this use, ACRO are

working with the CRB to explore any opportunities to support this important area of business.

If you or your colleagues require a more detailed insight into the work of the ACPO Criminal Records Office and particularly the EU exchange work I will ask the office to provide more information. You are of course most welcome to visit their offices in Winchester.

Yours sincerely



Adrian McAllister
Acting Deputy Chief Constable

cc: CC Paul Kernaghan (Hampshire Constabulary)
Ken Jones, President of ACPO



Home Office

Joan Ryan MP
PARLIAMENTARY UNDER SECRETARY OF STATE
2 Marsham Street, London SW1P 4DF
www.homeoffice.gov.uk

Adrian McAllister
A/Deputy Chief Constable
Lancashire Constabulary HQ
PO Box 77
Hutton
Preston
Lancashire PR4 5SB

06 DEC 2006

Dear Adrian


Thank you for your letter of the 3rd October 2006 to Tony McNulty MP in which you provide a brief overview of the current activity in your ACPO Portfolio relating to the disclosure of criminal records. The correspondence has been passed to me as the areas you highlight come under my ministerial responsibility.

I was interested to learn about the work of the newly created ACPO Criminal Records Team (ACRO) and the establishment of a UK Central Authority for the exchange of conviction records located within that office.

I have asked that officials at the Home Office continue to work with you to ensure that EU Countries' obligations under the updated 1959 Convention and Council Decision are maintained rigorously. As you rightly point out this is significant work that delivers real benefit to policing and the protection of the public. I also note the work going on with the Criminal Records Bureau to explore any further opportunities to support this important area of business.

I would be grateful if you could keep my officials updated with the progress ACRO are making with our European partners linking this work to the exchange of biometric data and the exploration of arrangements for the exchange of records with countries outside of the European Union.

Yours sincerely



JOAN RYAN