

DECISION NO: PCCG-2013-072	
<u>OFFICE OF POLICE & CRIME COMMISSIONER</u>	
TITLE:	Learning the Lessons
DATE:	21st May 2013
TIMING:	Routine
PURPOSE:	For Monitoring
1.	<u>RECOMMENDATION</u>
1.1	This report will define the National Learning the Lessons proposals from the IPCC and direct recommendations received locally in response to IPCC independent, managed and supervised investigations.
1.2	The report is for monitoring and discussion.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	This report covers the response to the IPCC Learning the Lesson Bulletin Number 18. It demonstrates the position the force holds and the continued learning that has been developed. The format proposed is an abbreviated version of the full report and feedback is sought as to its suitability.
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	The purpose of the report is to allow the PCC and the ACPO team to have an oversight of the key national issues and learning in respect of service delivery and performance which impacts on public confidence.
3.2	Each of the issues highlighted from a national perspective has been assessed against the policies and procedures in Gwent Police to ensure that best practice has been adopted and that we are in a strong position to provide the best possible service to the communities of Gwent.
4.	<u>NEXT STEPS</u>
4.1	Heads of departments and LPU Commanders have already noted the contents of the lessons learned bulletin and provided evidence and updates to the effect that they have robust practices in place to manage similar issues and incidents. These updates have been added to the appended version of the Bulletin.
4.2	Assessment of force policies and procedures against the national lessons that have been learned and amendments made where appropriate.
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	There are no expected financial considerations.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	There are no personnel considerations at this stage.

7.	<u>LEGAL IMPLICATIONS</u>
7.1	There are no legal implications identified.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	This project/proposal has been considered against the general duty to promote equality, as stipulated under the Single Equality Scheme and has been assessed not to discriminate against any particular group.
8.2	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
9.	<u>RISK</u>
9.1	The learning identified should be accepted and any amendments to force procedures should be implemented to minimise any identified risks to the organisation, the public and confidence in the police service.
10.	<u>PUBLIC INTEREST</u>
10.1	The attached document is restricted and any release to the public should not include any police tactics that could compromise effective policing activity. The national learning that is in the public domain can be made available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	DCI Steve Mogg Professional Standards Department.
12.	<u>ANNEXES</u>
12.1	Learning the Lessons Bulletin number 18.

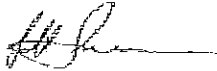
For OPCC use only

Office of the Chief Constable

I confirm that **Learning the Lessons** report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **monitoring purposes**.

Signature:



Date: 16 May 2013

	Tick to confirm (if applicable)
Financial The Treasurer has been consulted on this proposal.	√
OPCC (insert name) The Chief Executive has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
Legal The legal team have been consulted on this proposal.	N/A
Equalities The Equalities Officer has been consulted on this proposal.	N/A

Chief Executive/ Deputy Chief Executive:

I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.

Signature:



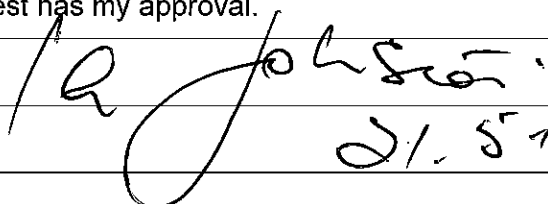
Date: 21/05/13

Police and Crime Commissioner for Gwent

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

Signature:



Date:

21.5.13.





The National Picture states:**Background**

1. In 1989 a 16-year-old female was raped. Despite extensive enquiries at the time, the offender was not identified. However, a DNA profile was obtained from the victim's clothing and was stored in the Forensic Science Service (FSS) national archives.
2. In 2000 a man was arrested and charged with drink driving. As a consequence of his arrest his DNA was entered onto the National DNA Database (NDNAD), but no matches were found.
3. Following a new line of enquiry in 2010, the FSS identified that the crime stain obtained from the 1989 rape had not been loaded onto the NDNAD, following the launch of the database in 1995.
4. Single Locus Profiling (SLP) was the main DNA profiling technique in use between 1989 and 1996. Before samples could be added to the NDNAD the SLP profile had to be physically re-analysed before an upgraded profile could be produced and uploaded. This analysis was not completed as a matter of course.
5. In 1996 all police forces were informed by the FSS that any outstanding SLP samples could be re-analysed upon request, with a view to being loaded onto the new NDNAD. If no formal request was received, the sample remained on the old SLP database and was not loaded on to the NDNAD.
6. No such request was made by the police force in relation to the sample taken from the 1989 rape case. Once the DNA sample was entered onto the NDNAD a DNA match was identified with the DNA of the man charged with drink driving. In early 2011 the man was charged with the 1989 rape. He was also charged with further sexual offences against other victims, which had occurred between 1998 and 2010. The man was remanded in custody and stood trial. He pleaded guilty and was sentenced to eight years in custody for the 1989 rape, and a further four years for a rape he committed in 1994.

D/Ch/Supt P
Keen

National recommendation 2

7. Police forces should seek to resolve any problems arising from the identification and progression of historic cases, with specific regard to the location of original case papers.
8. Police forces should develop a searchable database capable of holding and sharing information on historic crime across many years. Many cases will predate the information technology age and it is essential these paper records are converted into a searchable database which can be used for cold case review and future use in today's real time investigations.
9. Developing such a database will help to prevent any further loss of offence and offender data, enhance organisational memory, and provide a starting point for later migration to a national intelligence system.

Finding 3 – destruction and retention policies

10. As part of their cold case review process, the police force encountered problems in locating case files and papers relating to historic serious sexual offences. Prior to the introduction of its central file store in 1998, the police force had a number of archive and storage areas in addition to a number of official ones. In addition some case papers were either lost or mislaid which related to serious historic sexual offences.
11. According to the Good Practice Guide Cold Case Reviews of Rape and Serious Sexual Assault by the Police Standards Unit (2005) the evaluation of cold case reviews highlighted serious shortcomings in the way police forces store and maintain original case papers and exhibits. Widespread destruction and loss of these items has had a serious effect on progressing potentially solvable cases.

National recommendation 3

12. Police forces should review their policies on the retention and storage of case files and exhibits in relation to serious crime, including rape and serious sexual assault.
13. Police forces should ensure that they are not destroying information that could be useful in the future, either to take advantage of current forensic technology or any future advances.

**Action taken by this force
National recommendation 1**

1. The police force undertook a comprehensive review of its historic SLP DNA samples and ensured that all of its historic SLP DNA samples relating to serious sexual assaults and rapes were reviewed and upgraded where necessary.
2. As a result of the review forensic material relating to two other cases was upgraded. Matches were identified to profiles stored on the NDNAD and two men subsequently received custodial sentences.

National recommendation 2 & 3

3. The police force introduced its computerised crime recording system in 1992 and its central file store in 1998. In addition to this, in 2010 the police force developed a major crime catalogue/spreadsheet which attempted to record all evidential material, for example files, videos, and tapes, held within the police force relating to previous investigations. This also included major crime files which had no computer record as the crime occurred before the introduction of the CIS. This resulted in a dynamic spreadsheet which is used as a reference point for locating historic cases and identifying what material has been retained.

Questions for policy makers/managers

1. What is your police force's approach to reviewing undetected cold cases involving serious crime?
Gwent response: This is a function of the permanent Major Incident Team (murder, serious violent crime) and the Public Protection Unit (serious sexual crime) and which is overseen by the force Major Crime Development Group.
2. How does your police force ensure that SLP DNA samples have been added to the NDNAD where applicable?
Gwent response: This is part of the formal process of the review of serious crime by the specialist departments as outlined above on a case-by-case basis. Historically, a review of all samples held was carried out resulting in one sample being found which related to a 'stranger' rape and which has since been detected.
3. How has your police force dealt with problems associated with the identification and progression of historic cases (for example making information searchable)?
Gwent response: See 1. And 2. Above, ensuring that as each case is reviewed, relevant SLP samples held are forwarded to the NDNAD for loading and searching.
4. Has your police force reviewed its policies on retention and storage of case files and exhibits in relation to serious crime to ensure that materials useful for future investigations are not destroyed?
Gwent response: Yes, policy is owned and underpins the processes within the Major Investigation Team and the Public Protection Unit for retention and storage.