From: Security & Extradition

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To: Bill Jeffrey  

cc: see distribution list below

OTRs meeting with PSNI team currently considering cases

- In the light of recent discussions about increasing the speed with which cases might be dealt, and I last week spent a useful couple of hours with the PSNI team currently considering the OTR cases.

- We got the impression that the police were proceeding as quickly as possible in the context of the DPP’s understandable requirement that every last shred of evidence be followed up and considered before he was willing to provide an answer on an OTR’s current status. It was also clear that the CJ system was simply not designed for the task we were asking of it.

- While the resources devoted to the exercise were currently sufficient, the centralised team was made up of officers seconded from division. As the size of the OTR task stretches, and Divisions continue to feel the pinch of police reform, the pressure for them to be returned to their normal duties is increasing.

Detail

1. The first OTR list of 41 names had been considered by the police on the basis of the Extradition team in the PSNI asking individual divisions to advise on whether OTRs were still wanted. This resulted in all the cases being cleared in around 14 months. The disadvantage of this approach was that the request for action sat with divisions alongside all their other work without any central point actively working towards a conclusion in specific cases. For that reason in August 2001 PSNI established a team of officers (1 D/Sgt and 4 D/Cons) based at to pursue this research more pro-actively.

The task at hand.

2. On receiving a name from us the police check their central electronic database ISIS to see if the individual was circulated as wanted. If they were, the relevant files could be called up from registry. Because PSNI only introduced ISIS in the 90s, and the information put on it was not retrospective, the team also have to ask divisions and
stations them to manually search their archives to see whether they held any information on an individual. A similar check would be conducted with Special Branch to establish whether there was any intelligence on an individual which might relate to whether they were wanted for questioning. The PNC and Interpol would be consulted to see if an OTR were wanted in the rest of the UK or internationally.

3. Where evidence includes witness statements the team will track down the witnesses to establish whether they are still alive, willing to give evidence and how useful that evidence is. This task is made extremely difficult by the passage of time: people have moved houses, those in service have retired – there is a particular difficulty about obtaining the current addresses of prison officers which we might take up with NIPS. Some evidence will have been destroyed in bombings and fires which can hinder the DPP and police in reaching a final decision. Where there is forensic evidence that must be re-examined to ascertain its current status and decide whether further tests, which may not have existed in the past, might be carried out on it. The team will also try to speak to investigating officers in all the cases.

4. At the end of this research a full report of all evidence would be put to the DPP. He would then try to reach a decision on whether the evidential tests had been met, but in many cases will ask for further inquiries to be made. Where there is intelligence a pro-forma is completed and a Superintendent will take a decision whether there remains a requirement to interview an individual – in 10 cases recently the Superintendent had concluded this requirement remained.

5. The Police were at pains to stress that where delay existed it was not because of inactivity or under-resourcing but rather the complexity of the task at hand. They were going through the evidence in detail. Each piece of evidence would involve further searches which would require them to get in touch with other agencies (army, public records office, Forensic Science Agency, the Courts, the DPP). The sequential nature of this work meant it took time, but also that throwing more manpower at it would not reduce that time.

Future progress
6. The police had already dealt with the more straightforward cases. The remaining cases were more complicated but they were dealing with them as quickly as possible. There was no estimate of exactly when cases might be resolved, but obviously the more cases they received the longer it would take them to complete the exercise. If the trickle of names is indefinite — as I said it could be — then they might face difficulties. PSNI are currently devoting considerable man-hours to the resolution of these cases both in the centralised team and in division. However the experienced detectives being asked to carry out this exercise are increasingly missed elsewhere and their divisions are applying pressure for them to be returned to frontline duties.

[signed]

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Copy list

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