



Norfolk's Police and Crime Commissioner (PCC) response to inspections published by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)

Section 55 of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017) requires local policing bodies to respond and publish comments on all inspection reports pertaining to your force within 56 days of report publication.

Inspection Title:

Vetting and anti-corruption part 2: How effective is the National Crime Agency at dealing with corruption?

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[Vetting and anti-corruption part 2: How effective is the National Crime Agency at dealing with corruption? - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectorates.gov.uk\)](https://justiceinspectorates.gov.uk)

Section 55 Response Deadline:

25 June 2024

Key Findings

This report is the second part of a two-part inspection, which examines how effectively the National Crime Agency (NCA) deals with the threat of corruption. Part two of the inspection examined how well the NCA helps police forces and other law enforcement bodies to identify corruption and works with them to tackle it.

His Majesty's Inspectorate of Constabulary and Fire & Rescue Services found that the NCA has policies and standard operating procedures that cover all aspects of the anti-corruption unit's (ACU) work. During the inspection, HMICFRS read these documents and found that they are up to date, fit for purpose, and reviewed regularly.

The ACU keeps a register of all the corruption investigations it supports. Some of these relate to potentially corrupt NCA or police personnel. Others involve law enforcement personnel in other public bodies. The register holds details of the type of corruption involved, the nature of the investigation, the resources allocated to it, and the NCA's operational decisions during the investigation. The investigations reviewed in the register demonstrated the breadth of support the NCA provides to other agencies and police forces. They included investigations into police personnel, contract workers, prison officers and personnel in an overseas law enforcement agency. In general, HMICFRS found the register to be a comprehensive record of the NCA's contribution to the investigations. Entries included clear rationales for using covert techniques and showed that NCA personnel used innovative approaches to solve problems. However, the inspectorate found a record of threat, risk and harm being used to decide whether to adopt the investigation, and to judge how high a priority it was, in only one of the 17 cases looked at. At present, the NCA's register of corruption investigations doesn't include instances where a request for assistance has been declined; HMICFRS think it should. This would provide the NCA with a better understanding of the demand for its services and how effectively it prioritises its response.

The lack of effective prioritisation and oversight is clear in the work the NCA carries out for Border Force. Border Force doesn't have a department responsible for tackling corruption allegations against its personnel, so the ACU investigates all these cases. Most vetting work is carried out by ACU personnel working overtime, which relies on the goodwill of its staff agreeing to work extra hours. This is an ineffective way to manage demand. It should form part of a formal process for assessing and prioritising all of the ACU's work. This would make sure that resources could be reliably and consistently allocated, rather than depending on staff goodwill.

At the time of the inspection the ACU had 39 posts, of which eight were vacant. ACU managers requested that additional posts be created in the 2023/24 financial year and during the course of the inspection were running campaigns to recruit more personnel. Resources are likely to become increasingly important as demand on the ACU increases. The NCA needs to make sure that the ACU has enough resources to meet current and future demand.

During the inspectorates' interviews and focus groups, HMICFRS found that NCA personnel understood the threat posed by corruption. They also understood the processes they should follow to efficiently share relevant intelligence with the correct force or agency. The NCA always evaluates the intelligence it receives to make sure that different police forces or agencies aren't investigating the same incidents independently of one another.

During HMICFRS' inspection, the inspectorate visited six police forces, one ROCU and the Border Force. Without exception, everyone interviewed described a good relationship between their organisation and the NCA. Interviewees were complimentary about the support the NCA provided, especially where it involved the use of sensitive intelligence-gathering techniques.

All police forces and other law enforcement agencies should use the national Strategic Threat Assessment (STA) as a basis for assessing the risk they face from corruption. HMICFRS

expected the NCA to use the documents it produces to prioritise risk and deploy ACU resources accordingly. However, they could not find any evidence that this was happening, which they found concerning.

Suspicious Activity Reports (SARs) alert law enforcement bodies to potential instances of money laundering or terrorist funding. These are usually submitted by banks and other financial institutions, but members of the public can also submit them. The NCA's UKFIU has national responsibility for receiving and analysing SARs, and for sending intelligence from them to police forces. The creator of the SAR may identify the involvement of a police officer. However, they may not identify the involvement of non-officer police staff or family members. This is because the personal details recorded on the SAR may specify the individual's role but not their employer. The NCA may be able to do more to look for indirect links between 'non-police' SARs and police personnel.

The NCA's role in producing the annual national STA is one way it fulfils this function. However, the NCA doesn't have direct access to the information provided by forces or ROCUs in their individual STAs. Furthermore, the NCA can't access corruption-related intelligence held by police forces on internal counter-corruption intelligence databases. Instead, the NCA must rely on police forces sharing the intelligence with them. The NCA can't access this information through the Police National Database (PND) because corruption-related intelligence isn't uploaded to it. The NCA should work with policing and the wider public sector to establish a national co-ordination centre for corruption-related intelligence.

In HMICFRS' interviews with police forces and NCA personnel, they were repeatedly told of the need for a co-ordinated approach to corruption. HMICFRS have seen in other areas of policing that a single co-ordinating process can improve the management of a particular threat. An example is the County Lines Co-ordination Centre. Funded by the Home Office, this is a collaboration between the National Police Chiefs' Council and the NCA. HMICFRS think that this approach could be adopted to co-ordinate and improve the approach to corruption.

The ACU has the people, expertise and equipment to carry out complex anti-corruption investigations, using a wide range of covert tactics such as surveillance, targeted interception and covert human intelligence. Personnel from all the organisations that HMICFRS spoke with told them that the NCA does a good job of supporting them. This support includes providing investigative strategies and tactical advice to investigate allegations of corruption. Occasionally, the NCA will lead an investigation.

HMICFRS were pleased to find that staff in the various intelligence-gathering departments in the NCA were aware of the definition of prejudicial and improper behaviour and they understood the risks this presents to law enforcement.

Recommendations

Five recommendations were made within the report, one of which was directed at Chief Constables. This is detailed below using the same numbering from the report itself:

Recommendation 4:

By 30 June 2024, chief constables should make sure they tell the National Crime Agency the outcome of investigations into suspicious activity reports relating to their force's personnel. The National Crime Agency should include a summary of this information in its annual national strategic threat assessment, 'The Threat to UK Law Enforcement from Corruption'.

Areas for Improvement

There are no areas for improvement made.

Chief Constable response to report and any Recommendations/Areas for Improvement

This report entitled “Vetting and anti-corruption part 2: How effective is the National Crime Agency at dealing with corruption?”, which was published by His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) on 30th April 2024, details the Inspectorate’s findings following their review of the National Crime Agency (NCA), six police forces, one Regional Organised Crime Unit (ROCU) and Border Force. Norfolk Constabulary was not one of the forces selected for this inspection.

This was a two-part inspection. HMICFRS published their [first report](#) on 20th June 2023, which did not result in any Recommendations or Areas for Improvement for policing.

For the second part of their inspection HMICFRS examined how well the NCA:

- helps police forces and other law enforcement bodies to identify corruption; and
- works with them to tackle it.

As part of their inspection, HMICFRS examined [Suspicious Activity Reports \(SARs\)](#), which alert law enforcement agencies to possible instances of money laundering or terrorist funding.

The NCA’s [UK Financial Intelligence Unit \(UKFIU\)](#) has national responsibility for receiving and analysing intelligence from SARs, and sending it to police forces. When a SAR identifies the involvement of a police employee, the UKFIU refers it to the relevant force and requests feedback from the force on the action taken, and outcome of the SAR.

Through their inspection HMICFRS found that the NCA rarely receives a response from forces which hampers their efforts to develop their understanding of the scale of corruption in police forces.

This finding resulted in the following recommendation being made to all forces and Chief Constables across England and Wales:

Recommendation 4 - By 30 June 2024, Chief Constables should make sure they tell the National Crime Agency the outcome of investigations into suspicious activity reports relating to their force’s personnel. The National Crime Agency should include a summary of this information in its annual national strategic threat assessment, ‘The Threat to UK Law Enforcement from Corruption’.

The Constabulary accepts this recommendation, and we are satisfied that we already comply with this requirement.

The NCA sends all SARs which relate to a Norfolk Constabulary employee to a Single Point of Contact within our Professional Standards Department (the Detective Chief Inspector with responsibility for Anti-Corruption). These reports are then researched and developed within the Anti-Corruption Unit and are then shared with a Financial Investigator within our

Regional Anti-Corruption Unit, which is part of the Eastern Regional Special Operations Unit (ERSOU). A joint investigation is then completed between the two units. Once the enquiries have been finalised the Regional Anti-Corruption Unit Financial Investigator will then inform the NCA about the outcome of the joint investigation.

It is of note that very few SARs relating to employees of Norfolk Constabulary are received from the NCA.

PCC response to report and any Recommendations/Areas for Improvement

I note the report entitled "Vetting and anti-corruption part 2: How effective is the National Crime Agency at dealing with corruption?", which was published by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services and accept recommendation 4 of the report, which was the sole recommendation aimed at Chief Constables. It is my understanding that Norfolk Constabulary already comply with this requirement, so I am satisfied with their approach to the matter.

For Office Use Only:

- Response forwarded to the Chief Constable.
- Response forwarded to the Norfolk Police and Crime Panel.
- Response published on the OPCN website.
- Response published on the HMICFRS Monitoring Portal.