



ASSOCIATION OF
CHIEF POLICE OFFICERS

Fingerprint Exchange between EU Member States Project (FEEU)

JLS/2008/IPEN/CR/02 - End of Project Report

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Glossary

ACPO	Association of Chief Police Officers (England and Wales)
ACPOS	Association of Chief Police Officers (Scotland)
ACRO	ACPO Criminal Records Office
AFIS	Automated Fingerprint Identification System
ANSI/NIST	American National Standards Institute/National Institute of Standards and Technology
ECRIS	European Criminal Records Information System
EU	European Union
FEEU	Fingerprint Exchange between European EU Member States (the project)
NPIA	National Policing Improvement Agency
PSNI	Police Service of Northern Ireland
SOCA	Serious Organised Crime Agency
TCN	Third Country National (a person who is not a citizen of an EU Member State).
UKCA-ECR	United Kingdom Central Authority for the Exchange of Criminal Records

Foreword by Project Executive

I am delighted to present this final report regarding the Fingerprint Exchange between EU Member States Project.

It contains the outcome of what I believe has been a very successful piece of work that ran from June 2009 – August 2012.

The project has reaffirmed the importance of the exchange of fingerprints with criminal's records to improve the integrity of records held by each Member State.

Additionally, the work has identified wanted persons and in some cases enabled EU Central Authorities with responsibility for criminal record exchange to be confident that a convicted person's alphanumeric detail is wrongly recorded.

Under the Governance of the FEEU Project Board, a sustainable fingerprint capability has been established in collaboration with Hampshire Constabulary, a UK police force, and fingerprint exchange is now a business-as-usual feature with many other EU Member States.

Whilst there remains significant work to be done to extend the existing pilot exchange arrangements to operate routinely under the European Criminal Records Information System (ECRIS), I am very confident that this Project has provided the necessary momentum to encourage and promote this development across many EU Member States.

As always, with the benefit of hindsight, there are certain aspects of the work which would now be approached differently but set against the significant achievements contained within this report, I am delighted that the project has delivered against all objectives both on time and within budget.

I owe special thanks to Mr David Crispin, Project Manager and Inspector Phil Boswell, Senior Project Officer who have both worked full time over the life of the project.

I commend this report to the FEEU Project Board.

A handwritten signature in black ink that reads "Nicholas Apps". The signature is written in a cursive style with a long horizontal line extending from the bottom of the name.

Nicholas Apps

FEEU Project Executive

August 2012

Executive Summary

The Association of Chief Police Officers (ACPO) Criminal Records Office (ACRO) submitted a bid to the European Commission to co-fund a project that looked at utilising fingerprints to support criminal record exchange across the EU under Article 11 of the EU Council Framework Decision 2009/315/JHA “on the organisation and content of the exchange of information extracted from the criminal record between EU Member States”. The funding was awarded and the Fingerprint Exchange between EU Member States (FEEU) project ran between April 2009 and August 2012.

The project had four key deliverables which are discussed in detail within this report;

- Establishing a dedicated fingerprint capability,
- Running workshops to promote the use of fingerprints,
- Exploring how fingerprints could be utilised to aid the identification of Third Country Nationals (TCN)
- To report the findings to the European Commission and EU Member States at an international conference in the final year.

Having successfully established the fingerprint facility in the UK, the project team visited 19 EU Member States to promote the exchange of fingerprints in support of criminal records exchange. The workshops provided the project team with a clear indication of the challenges in linking criminal records and fingerprint data such as financial, legal and political obstacles.

Despite these challenges, the project team made 12 arrangements to exchange fingerprints with EU Member States. Results from these exchanges have been significant where 53% of all data exchanged matched records held by EU Member States; 25% related to individuals who were known in another identity.

These exchanges have brought significant benefits including identifying wanted persons, improving the completeness and integrity of criminal registers and reducing misidentification of convicted persons thus reducing identity disputes. Additionally the exchanges have helped to identify people using false identities to commit criminal offences so securing justice for the victims of crime and improving the availability of reliable conviction information in the prosecution and sentencing of offenders.

The project team also sought to explore how fingerprints could be utilised to identify Third Country Nationals who have been convicted in EU Member States. The project conducted decentralised pilot exchanges between EU Member States and loaded data to the Interpol Automated Fingerprint Identification System (AFIS), a centralised fingerprint index, to understand the benefits of each approach.

The results indicate that a centralised solution is the most efficient approach to identify if a Third Country National (TCN) is known to another EU Member States.

1. Background

- 1.1 In 2006, the United Kingdom established its Central Authority for the Exchange of Criminal Records, a requirement under Council Decision 2005/876/JHA on the exchange of information extracted from the criminal record. Staff within the UK Central Authority soon realised that there were serious risks associated with entering criminal conviction information from other EU Member States on their national register without having properly verified the identity of the convicted individual.
- 1.2 Whilst a number of EU Member States utilised national identity registers to help establish identity, documents can of course be stolen or counterfeited, so the UK were keen to explore whether fingerprints could have more of a pivotal role within the EU criminal record exchange mechanisms. This was particularly important given the planned introduction of the European Criminal Record Information System (ECRIS) which was thought would increase the number of conviction exchanges.
- 1.3 In 2007, Joan Ryan MP, secured agreement to include fingerprints, where they were available, in the exchange arrangements and this was accommodated in Article 11(c) of the Council Framework Decision 2009/315/JHA.
- 1.4 In parallel with this, the UKCA-ECR submitted a funding bid to the European Commission under Call for Proposals 2008 second phase Specific Programme on “Criminal Justice Interconnection of Criminal Records” seeking the approval to commence a three year project to promote the use of fingerprints within the criminal record exchange arrangements. This was agreed and the Fingerprint Exchange between EU Member States Project (FEEU) commenced in April 2009.
- 1.5 The ACPO Criminal Records Office (ACRO), who manages the UKCA-ECR on behalf of the Home Office, established a small project team and this report articulates the work that has been undertaken during the lifetime of the project.

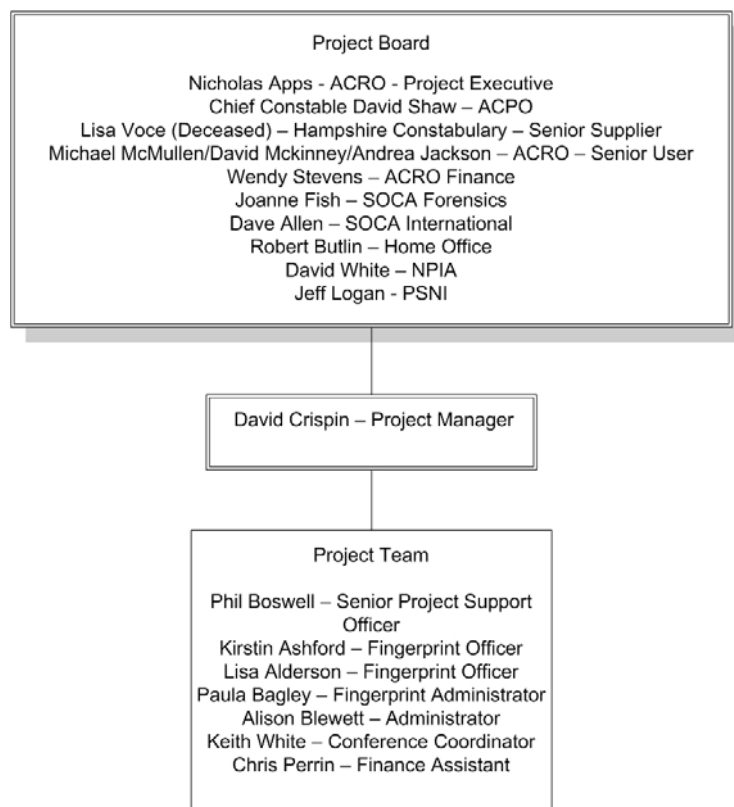
2. Project Objectives

- 2.1 The original funding bid to the European Commission identified five broad project objectives which are supported by project activities. The project objectives are detailed below;
 - i) Verify identity in order to reduce the volume of identity disputes and ensure the safety of the public by identifying those persons who are using false identities to commit criminal offences.
 - ii) Secure fingerprint exchange agreements with EU Member States.
 - iii) Promote mutual understanding between EU Member States regarding the benefits of fingerprint exchange
 - iv) Improve the links between the EU Central Authorities and their respective National Police Authorities and judicial bodies.
 - v) Progress discussions regarding the use of fingerprints to support conviction exchange at EU level

3. Activities

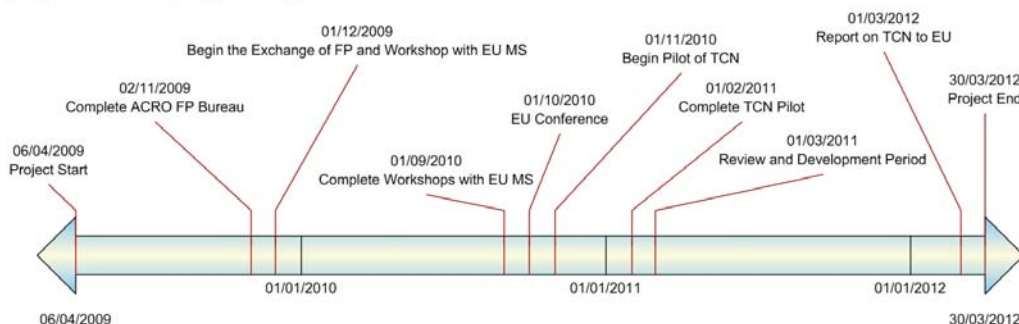
3.1 Project Initiation

- 3.1.1 Originally, the project was due to commence on the 6th April 2009. However, since ACRO only received formal notification that their bid to the European Commission had been successful on 22nd June 2009, the project start date was slightly delayed. On receipt of this notification, Nicholas Apps was appointed as the Project Executive and a project board including representation from; Association of Chief Police Officers (ACPO), Association of Chief Police Officers Scotland, ACPO Criminal Records Office (ACRO), Hampshire Constabulary, Home Office, Metropolitan Police Service, National Policing Improvement Agency (NPIA), Police Service Northern Ireland (PSNI), Serious Organised Crime Agency (SOCA) Forensics and SOCA International was constituted.
- 3.1.2 The board's role was to oversee the project, making key decisions where required. It also provided expert input to the Project Team concerning Finance, IT and operational fingerprint issues.
- 3.1.3 The decision was taken for the board to meet quarterly and to receive regular updates from the Project Manager regarding project progress, in accordance with Projects in Controlled Environments (Prince2) methodology.
- 3.1.4 Prince2 focuses on the management aspects such as a business case, project organisation, plans, controls, quality and risk. This methodology also manages the specialist task of delivering the outputs from the project including procured products. This provided the structure of a project management team and a definition of the responsibilities and relationships of all roles involved in the project.
- 3.1.5 The following illustrates the structure of the project team and associated governance arrangements.

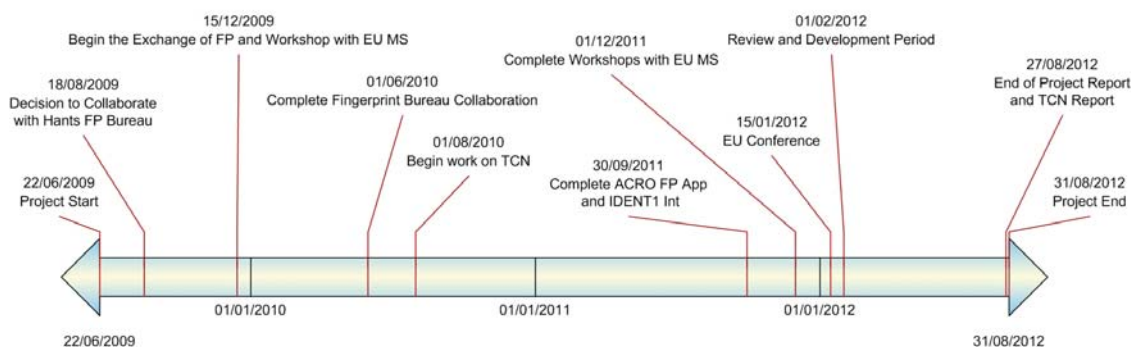


- 3.1.6 The first Project Board considered the Project Initiation Document (PID) that contained the project approach, communication strategy and risk mitigation strategy. Following feedback from the Board, the PID was agreed and this determined how the FEEU Project was to be managed and coordinated throughout.
- 3.1.7 A communication strategy was developed which captured the project stakeholders and the frequency of interaction with each of them. This included the European Commission DG Justice colleagues who received written updates at key stages of the project. A key component of the project was the need to have both internal and external evaluation (Project assurance) throughout the project.
- 3.1.8 In addition to the project board, which routinely assessed the key project risks, HMIC were invited to comment on the project on 7th October 2010. The conclusions from their independent review can be found at Annex A.
- 3.1.9 Internally, the project was managed independently from the UKCA-ECR who were in effect the user or customer of the project. Senior staff from the UKCA-ECR played a key part in the governance arrangements and provided invaluable input to the project throughout its lifetime.
- 3.1.10 The original budget articulated that the 36 month project would achieve the objectives in accordance with the chart below. However, during the course of the project the plan was reviewed and adjusted accordingly to ensure that the project was delivered in the most efficient manner. The lower chart reflects these alterations.

Project Timeline (Original Bid)



Project Timeline (Updated Plan)



3.2 Fingerprint capability

- 3.2.1 The project team set out to establish a dedicated facility for the international exchange of fingerprints. Several approaches were identified and were assessed through a cost/benefit analysis. The options were presented to the project board who confirmed the approach for the ACRO fingerprint capability. The approach steered the project to

collaborate to benefit from an existing fingerprint capability. This approach brought significant benefits;

1. Start up costs are significantly reduced
- i) Increased resilience through working with a larger team
- ii) The ability to utilise existing experience
- iii) Running costs are significantly reduced
- iv) Sustainable solution beyond the project

- 3.2.2 ACRO collaborated with the local UK police force (Hampshire Constabulary) which was backed by the Association of Chief Police Officers and the Home Office. A memorandum of understanding (MOU) was developed between both parties to agree the level of service required by ACRO and what could be provided by Hampshire Constabulary. There are two key areas of the service provided by Hampshire Constabulary; the retrieval of fingerprints from the UK AFIS (IDENT1) and the loading/searching of fingerprints to IDENT1. The MOU can be found at Annex B.
- 3.2.3 The approach was to expand the existing infrastructure to accommodate the international exchange of fingerprints to support criminal records. Potential data volumes were assessed which informed the staffing and equipment requirements for the collaboration. Two Tenprint Technicians were employed to process the practical element of international fingerprint exchange.
- 3.2.4 The project team liaised with the National Policing Improvement Agency (NPIA) to assist in providing additional AFIS terminals to the Hampshire Constabulary fingerprint bureau. These were provided along with additional technical equipment. These elements were in place by June 2010 and from that point it was possible for the project team to begin exchanging fingerprints with EU Member States.
- 3.2.5 The original bid stipulated that the FEEU project would explore the possibility of exchanging fingerprints electronically with EU Member States. In order to determine if this would be possible, the project team researched the minimum requirements and best practice for electronic fingerprint exchange. This was done by communicating with experts (Heather Foster - Fingerprint Expert - Hampshire Constabulary, Mark Branchflower – Head of Fingerprints – Interpol General Secretariat and Joanne Fish – Senior Operations Manager Forensic Identification – Serious Organised Crime Agency) desktop research and from current international conferences on fingerprint interoperability.
- 3.2.6 From this research, the project team identified that the basic minimum quality standard for the transmission of fingerprints should be as follows;
 - Resolution: No less than 500dpi
 - Colour: Greyscale
 - Image Size: 1:1
 - Preferred File Type: ANSI/NIST
- 3.2.7 The internationally recognised standard for electronic fingerprint files provides all the essential attributes that are critical for the composition of fingerprints into an electronic format. A widely accepted standard in the international community is the Interpol implementation ANSI/NIST–ITL 1-2007. This standard has been agreed by the Interpol AFIS Experts Working Group which includes experts from across the globe.

- 3.2.8 The project team recognised that it was crucial that it could exchange files of this type with EU Member States. The service available in the Hampshire Constabulary fingerprint bureau does not allow for files to be extracted from the database in electronic format. It is only possible to print from the AFIS terminals. This created the need to identify a process whereby these files could be created or extracted from IDENT1.
- 3.2.9 The project team implemented an IT application that forms a part of the wider database infrastructure at ACRO which gives the users the ability to create ANSI/NIST files from paper tenprint cards. Through engagement with EU Member States the project team identified that not all countries were able to accept ANSI/NIST files. Therefore the ability to create other file types, such as JPEG and TIFF, was built into the system.
- 3.2.10 The application went live in March 2011 allowing ACRO to exchange fingerprints electronically with seven other countries. As converting paper tenprint forms into ANSI/NIST format is an exhaustive manual process the project investigated the possibility of retrieving fingerprints in ANSI/NIST format directly from IDENT1.
- 3.2.11 ACRO approached the NPIA, who manage the IDENT1 service on behalf of the police service, about the possibility of implementing an export interface to IDENT1 at the ACRO premises. ACRO agreed with the NPIA to adopt an existing solution that was already in use by another Government department. The solution is a Simple Mail Transfer Protocol (SMTP) interface which allows users to retrieve a specific set of tenprints based on a unique Criminal Record Office (CRO) number, associated with the record. This number links conviction records on the Police National Computer (PNC) to the associated fingerprints.
- 3.2.12 This solution was adopted as a part of the fingerprint application that creates ANSI/NIST from paper tenprint forms. The interface went live in March 2012 and is capable of retrieving 100,000 tenprints per annum. The interface has also been built into the UK's European Criminal Record Information System (ECRIS).
- 3.2.13 Business processes within the UKCA-ECR were re-designed to accommodate fingerprints within the conviction exchange processes. These were developed and agreed with the users. High level processes of how the UK manages fingerprints within their Central Authority can be found at Annex C.
- 3.2.14 The UK has two core criminal AFIS systems. There is IDENT1 that caters for England, Wales & Scotland and a separate AFIS for Police Service Northern Ireland (PSNI). As the UKCA-ECR exchanges convictions for all of these regions, it has created the need for ACRO to put in place a business process with PSNI to manage fingerprints exchange.
- 3.2.15 ACRO and PSNI have agreed a process for managing information exchange for fingerprints which has been agreed in the format of a Memorandum of Understanding. The memorandum defines the processes and level of service between ACRO and PSNI. The MOU can be found at Annex D.

3.3 Workshops with EU Member States

- 3.3.1 The project team introduced the FEEU project to EU Central Authorities via a letter that invited interested parties to engage in workshops to discuss the benefits of utilising fingerprints within EU Conviction Exchange. A number of countries contacted the project team expressing their desire to facilitate a workshop to discuss these matters.
- 3.3.2 Workshop visits were conducted with 19 EU Member States. These visits involved two colleagues representing the Project and sometimes included members of the Project Board such as the UKCA-ECR Senior User and the NPIA Senior Supplier. The approach taken for the workshops was to ensure that key stakeholders in EU Member States were

present. This often included representatives from the Central Authority, those persons responsible for fingerprints and a representative from Interpol. In a number of cases, the round table workshop discussions that ensued represented the first occasion that colleagues from the different agencies within the same country had the opportunity to liaise on such matters and in some cases, the first occasion that they had met one another.

- 3.3.3 The workshops involved a briefing from the project team, discussion on the use of fingerprints to support criminal records and any opportunities to routinely utilise fingerprints to support EU conviction exchange.
- 3.3.4 Other themes discussed included; AFIS capacity, ownership of criminal records and fingerprints, sampling powers, retention of fingerprints, legislative position and the potential overlap with the principles of Prüm,

Outcomes of visits

- 3.3.5 The project team visited; Austria, Belgium, Bulgaria, Estonia, France, Greece, Hungary, Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.
- 3.3.6 A significant challenge in the establishment of exchange arrangements with EU Member States is with data ownership at national level. Criminal Records data is often managed by the ministry of justice, whereas fingerprint data is often managed by the ministry of interior or police.
- 3.3.7 Those EU Member States where criminal records and fingerprints data is owned by one institution are often well placed to engage in utilising fingerprints to support criminal records exchange.
- 3.3.8 Ownership of data across differing institutions can impact interoperability where legal and/or technical challenges to link criminal records and fingerprint data are apparent in many EU Member States.
- 3.3.9 Practitioners in many EU Member States recognised the benefits of utilising fingerprints in this way but their national legislation did not support the process. In some cases including Belgium and France, this extended to a willingness to recommend legislative changes to be able to link fingerprints and criminal records.
- 3.3.10 The project team received feedback from EU Member States on Article 11 (c) CFD 2009/315/JHA. This section of the framework is interpreted by many EU Member States to be optional. The Project Team understands that it is not optional and EU Member States are obliged to exchange if available. The wording states “information that shall be transmitted, if available to the central authority”. The issue is more centred on the interpretation of availability to central authorities.
- 3.3.11 The project team took fingerprints with them on each workshop to discuss whether they could be checked as a proof of concept. On 14 of the 19 workshops the fingerprints were checked. Results of all fingerprint exchanges can be found at section 3.6 f this report.
- 3.3.12 Many EU Member States articulated a position whereby there was a belief that the use of fingerprints in this way was similar to an existing initiative, this being the Prüm treaty.
- 3.3.13 The fingerprints aspect of Prüm allows for participating EU Member States to directly search another EU Member States AFIS database. It is possible for the requesting country to search one or more databases in one transaction. The result that is reported

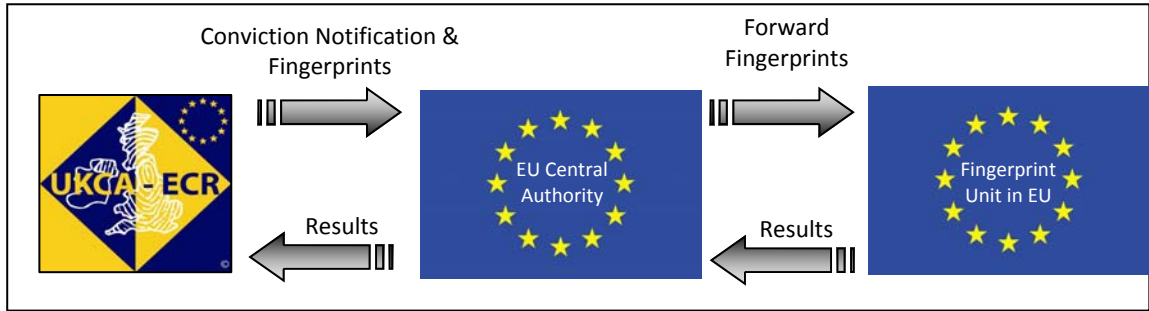
back is a hit or no hit. It is important to note that this is searching only and there is no loading of data.

- 3.3.14 Whilst in theory it is possible to verify identity through this system there are currently some limitations that would affect its ability to work effectively to support conviction exchange.
- 3.3.15 Each EU Member State operating Prüm has to agree manageable volumes with another country. For example, this may be as little as 10 transactions per day. Therefore it would not be possible to routinely identify convicted or even arrested persons using the system (UK arrests approximately 90,000 EU nationals per annum).
- 3.3.16 There are no personal details reported back with a hit. The hit will only identify whether or not the biometric is known to the EU Member State. There is a subsequent process for finding out the details of the hit to confirm the alphanumeric identity.
- 3.3.17 No hits are as important as hits. A no hit can prevent the incorrect recording of conviction information. The FEEU project has found several cases where the legitimate identities of EU citizens are being used unlawfully by another person. Upon sending the conviction notification and fingerprints to the respective country it was found that the alphanumeric identity matched but the fingerprints did not match the fingerprints held for the legitimate citizen. Prüm would not assist with these cases.
- 3.3.18 ACRO would encourage fingerprints sent with conviction notifications to be loaded to the home country's AFIS. The Project Team consider that one of the purposes of the CFD 2009/315/JHA that supports conviction exchange is for home countries to consolidate data of their own nationals and believe that this should also extend to their biometrics. This would in turn support future searches through Prüm and promotes synergy between existing EU legal instruments.
- 3.3.19 It was critical that the project exchanged as many fingerprint sets to support criminal records with EU Member States as possible. The results from these exchanges could then be used to provide empirical data as to the value in utilising fingerprints for these purposes across the EU.
- 3.3.20 The project team made 12 arrangements with EU Member States to exchange fingerprints. A flexible approach to exchanges was taken to maximise country engagement. This included developing a variety of processes to exchange fingerprints. The processes were developed so that countries could engage and comply with national legislation.

The three processes are as follows;

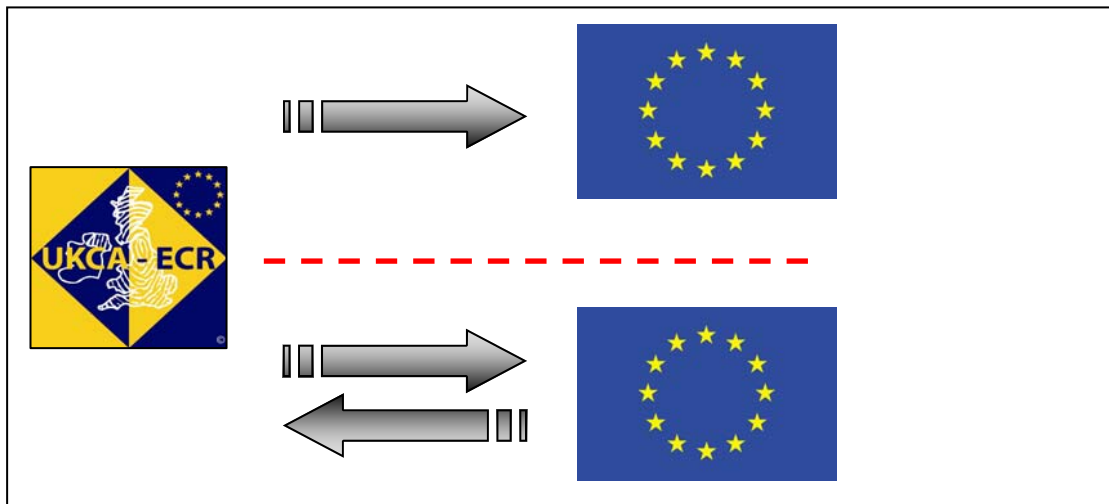
- i) Direct with Central Authorities
 - ii) Direct to the respective fingerprint authority
 - iii) Via Interpol National Central Bureaux
- 3.3.21 Process 1 is the preferred solution. Essentially it involves exchanging fingerprints directly between EU Central Authorities. This was the case with the arrangements made with Cyprus, Latvia, Lithuania, Malta and Romania

Process 1 – Direct With Central Authorities



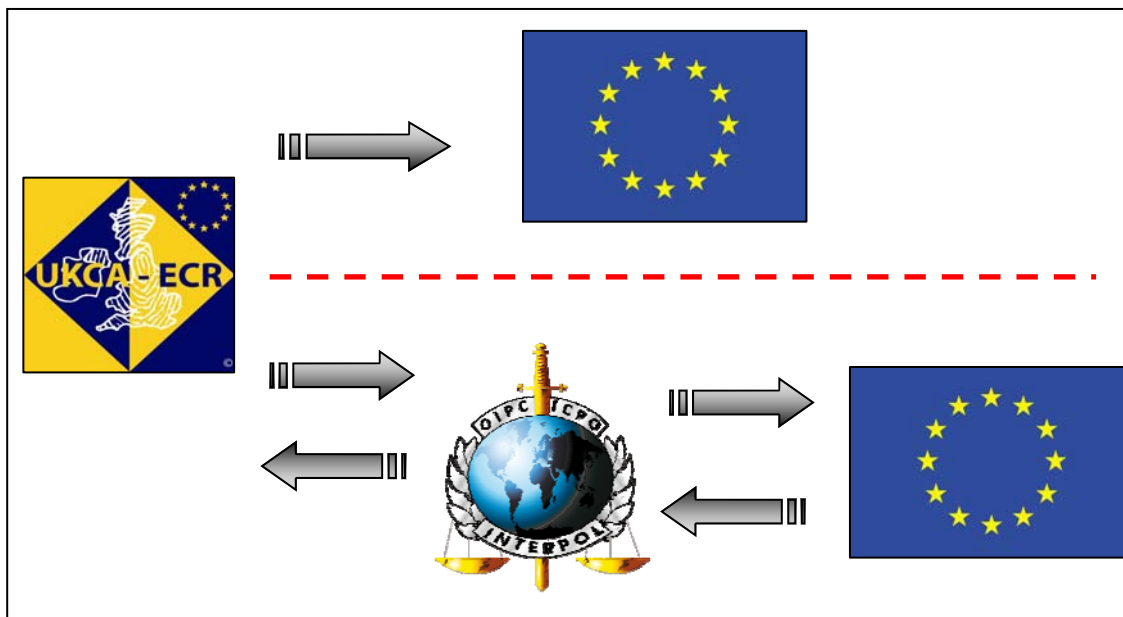
3.3.22 Process 2 was designed to work directly with EU Member States' fingerprint authorities without going via the central authority. This alleviated legislative challenges. Results are reported back to the UKCA-ECR and then sent directly to the respective central authority. This process was adopted in arrangements with Greece, Ireland, Portugal and Slovenia.

Process 2 – Direct to the respective fingerprint authority



3.3.23 Process 3 was used when there were no possibilities to work directly with either the central authority or fingerprint unit within an EU Member State. This arrangement utilised the existing Interpol channels to exchange fingerprints. This process was adopted with Austria, Netherlands and Spain.

Process 3 – Via Interpol national central bureaux



- 3.3.24 The arrangements allowed the Project Team to record a significant volume of information on the advantages of utilising fingerprints to support EU conviction exchange. The results of the exchanges can be found at section 3.6 of this report.
- 3.3.25 Whilst the workshops focussed on the exchange of fingerprints of EU Nationals convicted in the EU, the project team did extend to scoping possibilities for the exchange of data relating to TCNs. The project team explored this possibility with each Member State visited, identifying whether EU Member States thought that a centralised or decentralised model was best to support the exchange of TCN criminal conviction data. Importantly, EU Member States were asked whether they could identify TCN fingerprints and in many cases this was wholly dependent on whether a link existed between their criminal register and their AFIS. Where this was possible, EU Member States were asked to provide a sample of TCN tenprints for searching against the UK AFIS and to search TCN convicted within the UK against their respective AFIS. Whilst limited, the results from this challenging piece of work can be found in section 3.6.
- 3.3.26 Additionally, the use of the Interpol AFIS by EU Member States was explored. In particular, the project team were keen to gain an understanding of whether EU Member States were searching and populating the Interpol AFIS with convicted non-Nationals in line with the 2009 Interpol Singapore Draft Resolution (Annex E). Whilst there was some evidence of this, Portugal was by far the best example of this activity, led by the Portuguese Head of Interpol with whom the team met.

3.4 Third Country Nationals

- 3.4.1 Whilst EU Member States have a well established process for exchanging conviction information on their nationals there is currently no routine exchange of this information for Third Country Nationals (TCNs) that are convicted of crimes in EU Member States.
- 3.4.2 This lack of exchange is a missed opportunity for EU Member States to understand a TCN's EU offending history which can be used as bad character evidence and/or in sentencing decisions.

- 3.4.3 Anecdotal evidence suggests that EU Member States agree that TCNs are more difficult to identify than EU citizens because national registers are not available for checking and there is no central location that consolidates their EU convictions.
- 3.4.4 This project set out to explore the value of fingerprints to support in identifying TCNs that have been convicted of crimes in EU Member States. The original funding bid stipulated that the project will aim at including fingerprints into an index on TCNs, which will greatly assist in correctly identifying TCNs who are committing crimes in EU Member States and the UK are keen to promote the use of fingerprints in this context.
- 3.4.5 The project team defined a terms of reference for the TCN section of the FEEU project based on objectives set out in the original funding bid. The FEEU project must;
- i) Explore how fingerprints could be used on an EU index of TCNs with an emphasis on how they can be used to support TCN conviction exchange.
 - ii) Pilot exchange fingerprints, both on a centralised and decentralised basis, to assess the value of fingerprints in this context.
 - iii) Produce a report to analyse the findings and make any necessary recommendations.
- 3.4.6 The project team conducted desktop research and liaised with practitioners of respective existing international fingerprint systems to evaluate the different types of system and whether or not they could be utilised to assist in identifying if a TCN has previously come to notice in another EU Member State. One decentralised model (Prüm) and three centralised models (Interpol, Europol and Eurodac) were identified and evaluated.
- 3.4.7 The project team decided to conduct two different pilot exchanges of fingerprints. These were for a decentralised and centralised approach to better understand the value of each approach.
- 3.4.8 Decentralised**
- 3.4.9 Arranging a decentralised pilot exchange was a challenging task because in most cases the fingerprint information is not owned by the same organisation as the criminal record information in EU Member States. The majority of Member States were willing to cooperate but they simply could not access the fingerprints.
- 3.4.10 However, the team overcame these challenges and managed to secure pilot arrangements both to send and receive tenprints on TCNs. Ireland and Malta agreed to send 32 sets of tenprints to the UK between May 2011 and October 2011. This produced one hit which is detailed in the Review section of this report.
- 3.4.11 Ireland, Slovenia and Spain agreed to process 198 tenprints for TCN nationals convicted in the UK. The majority of these were selected due to the high level of offending within the UK of that particular TCN nationality. 175 results were received with one positive identification made against the criminal register, which related to an individual who had used a false identification and had a banning order from entering Spain.
- 3.4.12 It should be noted that this represented a 0.57% hit rate, against the results received, which is unsurprising given that the selection process for the fingerprints was largely based upon the level of offending of that nationality in the UK. This may not correlate with the level of offending from the respective nationality in the receiving Member State

3.4.13 Centralised

- 3.4.14 The project team utilised the Interpol AFIS to test the value of a centralised approach. The team used existing work processes within ACRO to identify the appropriate fingerprints to send to the Interpol AFIS. For example the UKCA-ECR, Non EU Exchange of Criminal Records (NEU-ECR) and International development business areas all presented intelligence led approaches to identifying transnational offenders.
- 3.4.15 In particular the NEU-ECR had the ability to identify Third Country nationals convicted within the UK. Using these mechanisms, 921 tenprint sets were sent to the Interpol AFIS, of which 919 were of sufficient quality to be searched. Of these 20 (five with EU Member States) produced a hit on the Interpol AFIS.
- 3.4.16 These, ten were already known to Interpol with the same alphanumeric details, ten had provided the UK police with different identities, two with different nationalities and one was wanted on a red notice for a murder investigation. A result breakdown can be found at paragraph 3.6.15 of this report.
- 3.4.17 Detailed information on this project activity can be found in the FEEU project report "Identification of Third Country Nationals through the use of Fingerprints" which can be found at <https://circabc.europa.eu/>¹

3.5 EU Conference on the exchange of fingerprints

- 3.5.1 The FEEU conference was held in Brussels on 18th January 2012 and was attended by representatives of Ministries of Justice, Police, Fingerprint Bureaux and Central Authorities for the Exchange of Criminal Convictions from twenty-one European countries.
- 3.5.2 The Project Team recruited a dedicated Conference Co-ordinator to plan and organise the Conference. Their role extended to identifying a suitable date and venue for the Conference as well as securing suitable representation from as many EU Member States as possible.
- 3.5.3 The Conference Co-ordinator also produced the Conference agenda, arranging suitable presentations from a range of speakers from the following organisations; Austrian Federal Ministry of the Interior Criminal Intelligence Service, An Garda Síochána, European Commission DG Justice, Information Centre of Republic of Latvia, Interpol Fingerprint Department, Ministry of the Interior of the Republic of Lithuania, ACPO Criminal Records Office and the Netherlands Police Agency Forensic Intelligence and Identification Unit.
- 3.5.4 The main objective of the conference was to inform delegates of the findings of the project, and to promote the exchange of fingerprints in support of criminal conviction exchange. Following the informative presentations from each of the speakers, the Chairs of the Conference, Chief Constable David Shaw and Mr Alexandrs Gromovs from the Information Centre of the Republic of Latvia invited focussed discussions in order to draw appropriate conclusions.
- 3.5.5 The following points were the key themes emerging from the conference;
- The preeminent way of identifying convicted people is through fingerprints.
 - Fingerprints should be more routinely used to support conviction data exchange across the EU Member States.

¹ by following the links as follows; /CircaBC/Justice/Fingerprint Exchange between EU Member States (FEEU)/Library.

- Names are not reliable and can be easily changed. Because of this biometric data should be captured at all stages of the criminal justice process.
- It is recommended that the Interpol fingerprint database is used for non-nationals convicted of offences within the EU Member States. The Interpol database is available to EU Member States and it can manage a high volume of submissions. All EU Member States can connect to the database and data security restrictions are in place to ensure the data remains secure. It also provides tangible results, which are relevant to both the European and International arena.
- The European Commission confirmed that the exchange of fingerprints within the 2009/315/JHA Council Framework Decision is not optional; they shall be transmitted 'if available'.

3.5.6 The full Conference report which contains summarised details of each of the presentations and discussions can be found at <https://circabc.europa.eu/>²

3.6 Project Review

3.6.1 This section summarises the key findings from the pilot exchange work described earlier in this report. It is intended to demonstrate the actual value of fingerprint exchange to EU Member States and forms the basis of the information that will be presented to the European Commission at the conclusion of the project.

3.6.2 Whilst some of the data is limited in places it begins to demonstrate the importance of biometric identification in the criminal record exchange context, adding value to previous studies such as; the 2009 UNISYS study.

3.6.3 The data also enables some conclusions to be drawn from the practical experience of EU Member States which has previously been unavailable.

3.6.4 This section of the report will analyse the results of exchanges with EU Member States with an aim to assess the usefulness of fingerprints to support criminal records exchange. The results from exchanges during the FEEU Project have been broken down into exchange regarding EU nationals and TCNs.

EU Nationals

3.6.5 The project team sent over 9000 sets of tenprints to EU Member States over its lifetime, resulting in 2188 results with an overall hit rate of 53%. Approximately 25% of the hits related to an individual known by another identity.

3.6.6 These cases included three individuals wanted by their home country who were evading justice in the UK by using a different identity. In some circumstances the individuals were using legitimate identities of citizens from EU Member States.

3.6.7 The remaining hits confirm the individual's alphanumeric identity. This is beneficial as it provides an extra safeguard by assisting in correctly recording conviction information across the EU and may so reduce the numbers of identity disputes.

² by following the links as follows; /CircaBC/Justice/Fingerprint Exchange between EU Member States (FEEU)/Library.

3.6.8 *Fingerprints to support outgoing conviction notifications from the UK to EU Member States.*

Country	Results received	Hit	Hit Rate %	Confirm ID	Other ID	Other ID % (of hits)
Austria	25	15	60	13	2	13
Greece	18	3	17	2	1	33
Ireland	859	297	35	241	56	19
Latvia	134	118	88 ³	104	14	12
Lithuania	448	262	58	147	115	44
Netherlands	77	37	48	21	16	43
Poland	199	100	50	52	48	48
Portugal	364	324	89	287	37	11
Romania	15	2	13	0	2	100
Slovakia	19	7	37	7	0	0
Slovenia	11	1	9	1	0	0
Spain	19	10	53	8	2	20
TOTAL	2188	1176	53	883	293	25

3.6.9 Upon analysing the value of the hits it was possible to identify a number of benefits to utilising fingerprints to support outgoing conviction notifications. However, it must be noted that no hits can be as valuable as hits. The following case study articulates an example of this value;

3.6.10

Case Study

A Spanish national was convicted in the UK for serious drugs offences.

The Notification was sent to Spain with fingerprints.

The alphanumeric detail matched a Spanish citizen whose details were held on the population register.

The fingerprints were compared against Spain's national AFIS and the matching individual's fingerprints that were held in Spain.

This resulted in a 'no hit'.

It was apparent that an individual in the UK had been using the identity of a legitimate Spanish citizen. If fingerprints were not exchanged it may have been possible for the innocent person to have convictions wrongly recorded against their record.

3.6.11 The project received 66 tenprints from EU Member States of UK nationals that had been convicted of crimes in the EU. All of these were searched against the UK AFIS producing an average hit rate of 62%. On average, 17% of these related to individuals that were known in another identity in the UK.

³ It should be noted that this figure is artificially high given that this EU Member State did not tend to report 'no hits'.

3.6.12 Fingerprints to support incoming conviction notifications to the UK from EU Member States

Country	Fingerprints Received	Hit	Hit Rate %	Confirm ID	Other ID	Other Rate (of hits)
Ireland	46	28	61	23	5	18
Spain	7	3	43	3	0	0
Sweden	13	9	69	7	2	22
TOTAL	66	41		33	7	

Case Study

An individual believed to be a UK national was convicted of various fraud offences in Lithuania.

The notification was sent to the UK along with the associated fingerprints.

A check of the alphanumeric information against the PNC produced no confirmed results. Therefore, a new record was created on the PNC.

The fingerprints were subsequently checked and matched an individual known under an entirely different alphanumeric identity.

The individual was also known to the UK to be Maltese. This information was passed back to the Lithuanian authorities.

TCN

Fingerprints of TCNs from the UK to EU Member States (Decentralised)

- 3.6.13 The project team sent 198 sets of tenprints to EU Member States of TCNs nationals that have been convicted of crimes in the UK. The only hit related to a Moroccan national convicted in the UK which matched against the Spanish AFIS. Whilst the fingerprints matched a Moroccan national, the alphanumeric details concerning the identity was different.

Country	Fingerprints sent	Results Received	Hit
Ireland	150	150	0
Slovenia	10	10	0
Spain	38	15	1
TOTAL	198	125	1

Fingerprints of TCNs from EU Member States to the UK (Decentralised)

- 3.6.14 The project team received 32 sets of tenprints from EU Member States of TCNs that have been convicted of crimes outside the UK. There was only one hit produced when searched against the UK AFIS. The person that it hit against was known in a different identity in the UK than in the convicting Member State.

Country	Fingerprints received	Hit
Ireland	25	1
Malta	7	0
TOTAL	32	1

Case Study

Ireland sent the UK the tenprints of an individual that they believed to be of Moldovan nationality.

The fingerprints were checked against IDENT1 matching an individual believed by the UK to be a Lithuanian national.

UK authorities undertook checks with Lithuania who confirmed that the individual was not a Lithuanian national

Fingerprints to the Interpol AFIS from the UK (Centralised)

3.6.15 The project team sent 921 tenprints to Interpol for loading to their AFIS. These tenprints related to TCNs that had been convicted of crimes in the UK. 919 results have been received where 2 sets of tenprints could not be processed due to quality issues.

3.6.16 There were 20 hits against data provided by other Interpol Member States. 5 of these hit against data provided by EU Member States. The following table shows a break down of these hits.

3.6.17

Convicting Country	Nationality Given in Convicting Country	Matching Country	Nationality Given in Matching Country	Different Identity Details in Matching Country
UK	SOMALI	SOMALIA		NO
UK	SOMALI	SOMALIA		NO
UK	SOMALI	SOMALIA		NO
UK	SOMALI	SOMALIA		NO
UK	SOMALI	SOMALIA		NO
UK	SOMALI	SOMALIA		NO
UK	ALBANIAN	ALBANIA		YES
UK	MEXICAN	SPAIN		YES
UK	PUERTO RICAN	COLOMBIA		NO
UK	GUATEMALA	GUATEMALA		NO
UK	MEXICAN	COLOMBIA		YES
UK	MEXICAN	COLOMBIA		YES
UK	BRAZILIAN	PORTUGAL		NO
UK	MEXICAN	COLOMBIA		YES
UK	MEXICAN	UNKNOWN		YES
UK	MEXICAN	BELGIUM		YES
UK	COLOMBIAN	SWITZERLAND		YES
UK	BRAZILIAN	ITALY	ROMANIAN	YES
UK	SOMALI	SOMALIA		NO
UK	BOSNIAN	IRELAND	BULGARIAN	YES

3.6.18 50% of the hits matched individuals that are known in another identity. Interestingly, 4 out of the 5 hits matched individuals that were known in another identity on another EU Member State.

3.6.19 The results reflect the importance of utilising fingerprints to support TCN conviction exchange in the EU. Without this centralised approach, the UK may not have identified

4 Conclusions

- 4.1** In order to conclude the project, it is important to consider whether the project objectives, contained in section 2 have been achieved. This section of the report will consider each of the objectives in turn;

4.1.1 Verify identity in order to reduce the volume of identity disputes and ensure the safety of the public by identifying those persons who are using false identities to commit criminal offences.

Through the exchange arrangements agreed with EU Member States, there have been a number of cases where the Project team have identified persons using false identities to commit criminal offences. Importantly, in these cases, national criminal record registers have been updated to reflect the alias details used by criminals for the benefit of law enforcement. This also enables Central Authority staff to be confident that they have the most current and accurate information available to them when conducting searches against the criminal register in order to ensure the safety of the public.

Whilst it is very difficult to quantify the number of identity disputes that will have been prevented through the work, there is clearly the potential in every case where an individual has used different alphanumeric details in different EU Member States.

4.1.2 Secure fingerprint exchange agreements with EU Member States.

This has been a particular strength of the project. The team secured 12 exchange arrangements and have migrated these across to business as usual within the UKCA-ECR. Whilst these arrangements are operating outside of the electronic and secure ECRIS exchange arrangements, work is ongoing to migrate the arrangements into the ECRIS capability. Despite the project having ended, ACRO are committed to embedding at least three such arrangement with other Member States into ECRIS within the next year.

It is anticipated that other Member States will start to consider exchanging between themselves when the value borne out of the exchange with the UK is better understood. The UK will continue to promote and market the work undertaken by the FEEU Project to encourage such engagement.

4.1.3 Promote mutual understanding between EU Member States regarding the benefits of fingerprint exchange

Perhaps the best example of promoting mutual understanding of the benefits of fingerprint exchange was holding the FEEU Project Conference in January 2012. Here, delegates agreed that the preeminent way of identifying convicted persons is through the exchange of fingerprints. This is a significant development and demonstrates a recognition from all attendees that identity documents supporting alphanumeric detail alone have their shortcomings in terms of verifying the identity of convicted persons. Supporting conviction notifications with fingerprints significantly improves the integrity of criminal records exchange across the EU. By loading the respective fingerprints, EU Member States will also be able to build comprehensive databases.

The Project Team further promoted the benefits to a range of criminal justice stakeholders and was fortunate enough to be afforded the opportunity to present at Conferences including the Interpol Fingerprint Symposium, Interpol European Regional Conference, MorphoTrak Users' Conference, European Network for Forensic Science Institutes Fingerprint Working Group and the Interpol AFIS Experts Working Group.

4.1.4 Improve the links between the EU Central Authorities and their respective National Police Authorities and judicial bodies.

This area was perhaps one of the most challenging areas for the project team. The EU workshops with Member States certainly brought Central Authority staff and National Police Authorities together but the challenge going forwards is to sustain this interaction. This is a significant challenge where each Member State has their own priorities and there is a continuing belief amongst some that there is no issue regarding the identification of EU Nationals convicted in other Member States. In other words, some EU Central Authorities may not consider that there is any problem with the identification of convicted persons and therefore there is little need to work with police authorities, who invariably own the fingerprint information.

The ability to correctly identify convicted persons, particularly those who commit crime across transnational borders is essential if the EU is to fight and prevent crime more effectively. Whilst the majority of EU Member States have a National Identity Register or similar, these are of little value when it comes to verifying the identity of convicted non nationals. Therefore, EU Member States have been reliant on identity documents such as identity cards, passports or driving licences to establish identity.

Through this project, the project team have been keen to influence other EU Member States to exchange fingerprints in support of conviction exchange to improve the way in which EU Member States can accurately verify identity. Whilst there was a view that identity documents were sufficient for this purpose and that fingerprints were only required for convicted TCNs, a number of EU Member States have shifted their position on this during the lifetime of the project. For example, France and Belgium are now in the early stages of considering legislating to enable a link between their criminal records and fingerprints collection. This shift was supported by presentations and feedback at the FEEU Brussels conference.

4.1.5 Progress discussions regarding the use of fingerprints to support conviction exchange at EU level

Article 11 (c) of Council Framework Decision 2009/315/JHA supports the exchange of fingerprints, where they were available, in the criminal record exchange arrangements. The UK were largely responsible for this inclusion when the Framework Decision was being drafted.

In furtherance of the European Commission's enthusiasm to incorporate fingerprints within the ECRIS environment, members of the project team were involved in discussions with the European Commission and other interested Member States concerning how this could be done in practice. As a result of these discussions, phase one of the ECRIS Reference Implementation software included the capability to exchange fingerprints which represented a significant achievement for the Project Team.

4.2 Sustainability

4.2.1 In addition to the objectives, the project team were keen to consider options to ensure that the work undertaken during the lifetime of the project could be sustained going

forwards. Therefore, a key aspect to the Project was seeking a sustainable solution to fingerprint exchange across the EU beyond the life of the project. Whilst project funds have been used to set up the fingerprint capability and employ the associated staff during the lifetime of the project, separate funding streams needed to be considered in order to sustain the fingerprint capability beyond the end of the Project.

- 4.2.2 Given that the fingerprint exchange arrangements sit within the UKCA-ECR the project team consulted with the Senior User representing the Central Authority to seek agreement that the staff and ongoing support and maintenance costs for the IDENT1 interface could be appropriately funded beyond the project. After a series of negotiations, this was agreed and the Senior User has included these aspects within their application for future funding to the relevant Home Office Department.
- 4.2.3 12 of the fingerprint exchange arrangements developed during the Project have transferred to business as usual and are being managed by the UKCA-ECR. ACRO aim to migrate a least three of these ad-hoc exchange arrangements to ECRIS within the next year.
- 4.2.4 This will ensure that fingerprints are exchanged securely and electronically in line with the recommended European Commission solution that was developed within ECRIS with advice and guidance from the FEEU project.

5. Recommendations

- EU Central Authorities take steps to make the necessary links, and where appropriate seek to have national legislation amended, to enable them to acquire access to fingerprint information so that they can exchange fingerprints using ECRIS. (Para 3.3.9)
- EU Member States draw on the best practice identified through the Fingerprint Exchange within the European Union Project including the UK business processes that have been developed to exchange fingerprints in support of criminal record exchange. (Para 3.2.13)
- Adopt the recommendations contained within the "Identification of Third Country Nationals through the Use of Fingerprints" report. (Para 3.4.17)



Inspecting policing
in the public interest



HMIC FEEU Project Briefing

7 October 2010

Attendance

Nicholas Apps – FEEU Project Executive

David Crispin - FEEU Project Manager

Philip Boswell – FEEU Project Officer

David Senior – Information Systems Auditor, HMIC

Sue Mutch – Information Management Systems Auditor, HMIC

Background

The HMIC conducted a review of the ACRO use of the Police National Computer between 05/10/10 and 07/10/10. Since the original FEEU funding bid to the European Commission had declared that it would be subject to an independent review by the HMIC, the FEEU Project team took the opportunity to brief the HMIC regarding their work during the inspection.

FEEU Project

The FEEU Project gave a general overview highlighting the key deliverables of the FEEU Project:

- 1) Develop a facility capable of processing the practical requirement for fingerprint exchange
- 2) Workshop with EU Member States to promote and make arrangements for fingerprint exchange
- 3) Explore how fingerprints can be utilised on an EU index of third country nationals
- 4) Hold an EU conference on fingerprint exchange

The project is exchanging fingerprints on a regular basis with Latvia, Ireland, Romania and Lithuania. The project is also engaging with, Cyprus, Malta, Italy, Sweden, Hungary and Greece. The project is working with those countries that are in a position to engage with such exchanges and aims to further promote the work using the results from these countries when discussing arrangements with those that are not so keen.

PB briefed HMIC staff in regards to the current success of the project and the positive outcomes such as a number of fingerprints have now been matched to wanted individuals in various countries, this information then allows the creation of a European Arrest Warrant.

Fingerprints are restricted documents according to the Government Protective Marking Scheme. They are currently sent via post to adhere to the security standards. DC explained the difficulties with exchanging Fingerprints electronically. There are many different standards and formats, currently adding in a manual scale to ensure that the fingerprints are correct. The project should shortly have the facility of IDENT1 which will make this process more efficient this will be based within the UKCA-ECR. This unit represents the 'user' and the project team are working very closely with them to ensure all business processes are working correctly.

The project also has the requirement to host a European Conference in relation to the FEEU Project; this is so results can be reported to all EU States in order they can realise the benefits from exchanging fingerprints alongside conviction information.

The project currently benefits from utilising the Fingerprint Bureau down in Hampshire Constabulary with two fingerprint technician's who are employed by ACRO. Collaborating with Hampshire Constabulary in relation to the fingerprint bureau has saved costs. Before the project had staff working in Hampshire Constabulary's fingerprint bureau, ACRO would pay on a case by case basis for fingerprint work. ACRO's fingerprint staff can be utilised to full capacity for all ACRO fingerprint work.

The Project Team has come across the following challenges:

- Legislation within other countries that do not allow them to use Fingerprints
- Resources and infrastructure of some EU States
- Financial restraints
- Willingness to improve the identification of offenders
- Working with multi-agencies within countries who do not talk to one another

The most significant project risk is sustainability of the project; Phil Boswell is leading in regards to sustainability. A number of options in regards to sustainability for the project, either funding from the Home Office or ACRO.

A meeting with Interpol and the European Commission would be useful to discuss the options of using their database to exchange and store fingerprints on an EU and Third Country Nationals as a centralised database. Every Interpol state has agreed that they would encourage all their Law Enforcement Agencies to load fingerprints of different nationals to the database.

It is difficult for police forces to identify stolen or fake foreign identity documents, the UKCA-ECR have visited every force within England and Wales to promote work and advising what they should be looking for in regards to foreign nationals.

HMIC Observations

HMIC agreed with the incremental approach with the different countries. HMIC staff asked whether all Data Protection laws within the UK and EU are being met. It was confirmed that this is dealt with upon visiting the countries and is currently working well. The project has also succeeded in getting Police Services in different countries to start communicating with their Central Authorities. The Project is recommending countries to use fingerprints in relation to crime scene marks and identification.

It was also suggested that information in relation to false foreign identity documents should be included in force training approaching custody officers. SM advised the UKCA-ECR to make contact with Andy Plum at Cambridgeshire who will be able to provide statistics.

HMIC support the project in that one of its aims is to improve the integrity of records held on the Police National Computer by underpinning these records with fingerprints.



SERVICE LEVEL AGREEMENT

BETWEEN

THE HAMPSHIRE CONSTABULARY
FINGERPRINT BUREAU

and

THE ACPO CRIMINAL RECORDS
OFFICE (ACRO)

19/04/2011

Purpose

This Service Level Agreement governs the processing of fingerprints by Hampshire Constabulary on behalf of the ACPO Criminal Records Office (ACRO).

Review

This Agreement dated 2nd March 2010, will be reviewed after a period of six months. A review of this agreement prior to the six month period will only be conducted in unforeseen circumstances with the approval of both parties.

Objectives

This document seeks to:-

- Ensure effective co-operation between both parties by promoting a clear understanding of the requirements to share information to achieve the stated purpose.
- Outline the work to be completed including turnaround times for the work.

Background

Previously ACRO have paid Hampshire Constabulary Fingerprint Bureau for the services that are provided. Following the success of a European Commission funding bid to create a robust fingerprint facility to support ACRO in its endeavours to exchange fingerprints internationally and resolve identity disputes, the Hampshire Constabulary ACPO Group and the Head of ACRO agreed a formal collaboration approach on 25 August 2009.

Effectively, the agreement means that ACRO will fund the expansion of the Hampshire Constabulary Fingerprint Bureau in respect of both AFIS equipment and resources to accommodate the ACRO business requirement. The additional resources will be employed by ACRO but based and operationally first line managed by the existing Hampshire Constabulary Fingerprint Bureau structure. ACRO will take responsibility for conducting the second line manager PDRs for ACRO staff hosted by Hampshire Constabulary Fingerprint Bureau. Both parties fully accept that this is the most appropriate arrangement in which to support additional ACRO work.

Although the staff will form part of the Hampshire Constabulary Fingerprint Bureau Establishment, should there, in the future be a change to the ACRO business requirement that cannot be supported by this arrangement, ACRO reserve the right to extract the staff they have recruited in order to create a dedicated fingerprint facility. A minimum of 3 months notice will be given to the Bureau in this event.

Resources/Resilience

ACRO will employ sufficient fingerprint resources to undertake the work that is delegated to the Hampshire Constabulary Fingerprint Bureau. This will be calculated on the basis that 1 x full time tenprint technician can perform up to 12,000 tenprint comparisons per annum. Therefore, when ACRO are close to submitting 12,000 tenprint comparisons pa, the need for additional resources will be reviewed by Hampshire Constabulary and ACRO. All new staff will be recruited by way of an interview board that comprises of both Hampshire Constabulary and ACRO representatives.

Once employed, any extraordinary, special or excessive expenses will be discussed and determined by both parties before such expenses are incurred.

ACRO recognise that the Hampshire Constabulary Fingerprint Bureau as a whole will process ACRO work and therefore the dedicated ACRO resources will also be employed on Hampshire Constabulary work as required operationally. This arrangement ensures resilience both for ACRO and Hampshire Constabulary, an important part of the collaborative process.

Significant abstraction of ACRO staff from the Fingerprint Bureau including long term sickness or staff leaving that has a detrimental effect on the ACRO workflow will be discussed on a case by case basis as required.

Requirement

On behalf of ACRO, Hampshire Constabulary Fingerprint Bureau will:-

- Load fingerprints to IDENT1 when accompanied by a new Arrest/Summons number that has been created on PNC by ACRO.
- Supply, on receipt of their CRO number, hardcopy composite sets of fingerprints from IDENT1.
- Compare fingerprints against IDENT1 in cases of disputed identities to establish whether an individual has a UK criminal record.
- Conduct vetting checks for individuals seeking employment with police forces abroad and in other 'sensitive' positions overseas.
- Compare tenprints relating to overseas convictions of UK and non UK Nationals against IDENT1.
- Notify ACRO of any false or alternative identities or any specific intelligence or identification that arise from the ACRO/UKCA – ECR fingerprints
- Provide statistical data as required by ACRO relating to the ACRO generated work and agreed with Hampshire Constabulary. E.g numbers of prints searched, identents etc.

All work completed by Hampshire Constabulary will have attached an Identity Confirmation Memorandum confirming the persons identity and the result of the check. If the fingerprints are found to be identical these are also checked by a qualified Fingerprint Examiner. Details of the person matched will include their name, date of birth and CRO number.

Turnaround times

ACRO work relating to retrievals from the IDENT1 database will be completed within 3 working days (Monday to Friday) of receipt at the Fingerprint Bureau. ACRO work relating to loading/searching of fingerprints against IDENT1 will be completed within 7 working days (Monday to Sunday). Where work falls outside of these timescales, the Scientific Services Support Manager will notify ACRO (enquiries@acro.pnn.police.uk) detailing the reasons why Hampshire Constabulary Fingerprint Bureau have not been able to meet the requirement.

Urgent cases will be phoned through to the Bureau prior to submission and every effort will be made to complete these within 48 hours (Monday to Friday). Timescales for individual cases that require a reduced turnaround time (e.g. same day) will be agreed on a case by case basis. Results in relation to urgent cases will be phoned back from

the Bureau and the paperwork will be signed and returned expeditiously. It should be noted that any urgent cases should be the exception, not the rule and can only be authorised by a team leader, a portfolio Deputy Manager or a Senior Manager in consultation with a Bureau Supervisor.

Urgent Out of Hours Checks

Fingerprint Checks (SOCA/Interpol) – Checks to urgently ascertain identity of individuals who are abroad.

These are Urgent Amnesiac fingerprint only checks that are required to be checked between 16:30-22:00. The cut off time for singular urgent fingerprint checks must be received to the fingerprint bureau before 21:00 in order that they can be completed before 22:00 by the on duty Fingerprint Examiner.

Force Majeure

"Force Majeure" means any event or occurrence which is outside the control of the Party concerned and which is not attributable to any act or failure to take preventive action by the Party concerned, but shall not include any industrial action occurring within the Contractor's organisation or within any sub-contractor's organisation.

Neither Party shall be liable to the other Party by reason of any failure or delay in performing its obligations under the Service Level Agreement which is due to Force Majeure, where there is no practicable means available to the Party concerned to avoid such failure or delay.

If either Party becomes aware of any circumstances of Force Majeure which give rise to any such failure or delay, or which appear likely to do so, that Party shall promptly give notice of those circumstances as soon as practicable after becoming aware of them and shall inform the other Party of the period for which it estimates that the failure or delay will continue.

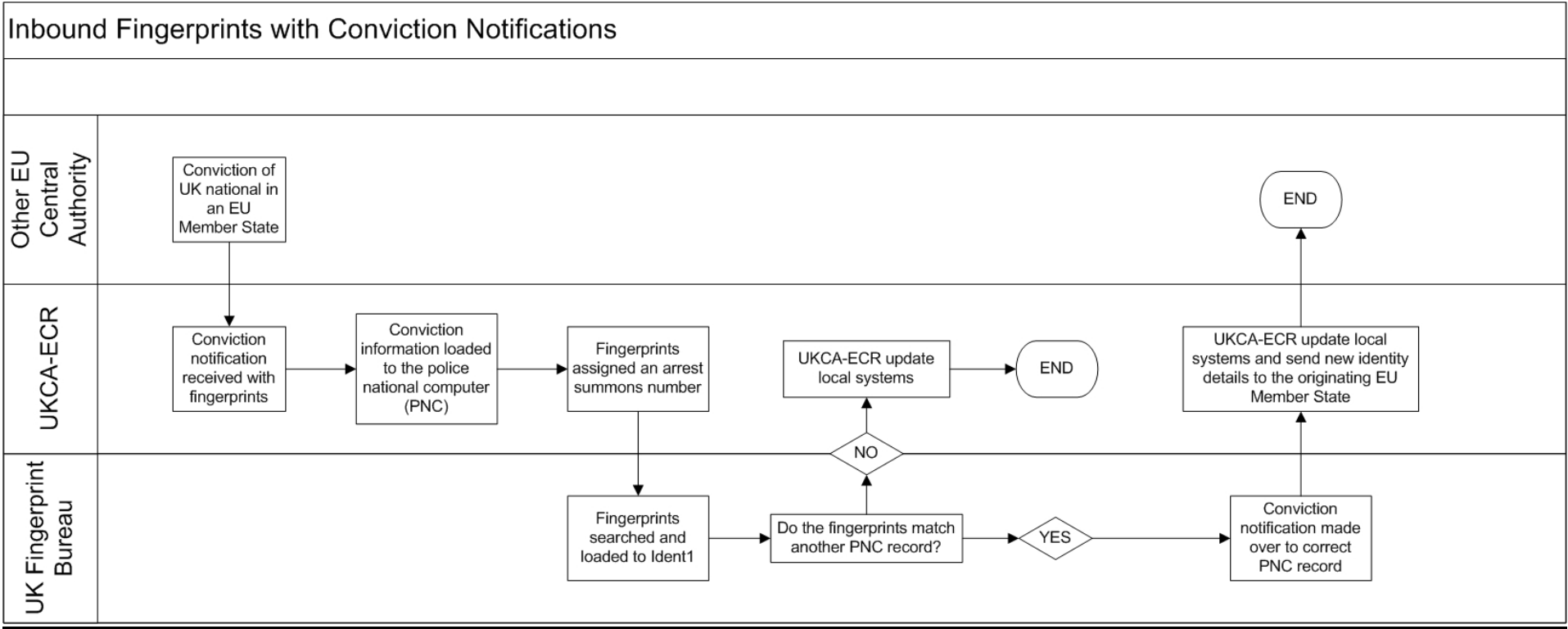
Security

It is recognised that any information being supplied along with the fingerprints is 'restricted'. All files are delivered by the ACRO driver usually during normal office hours 0800-1630. If there are any urgent files, upon checking by phone, the files and fingerprints will be sent via the Fingerprint Management Mailbox (fingerprints@hampshire.pnn.police.uk) where the request will be sent to a technician for review and comparison.

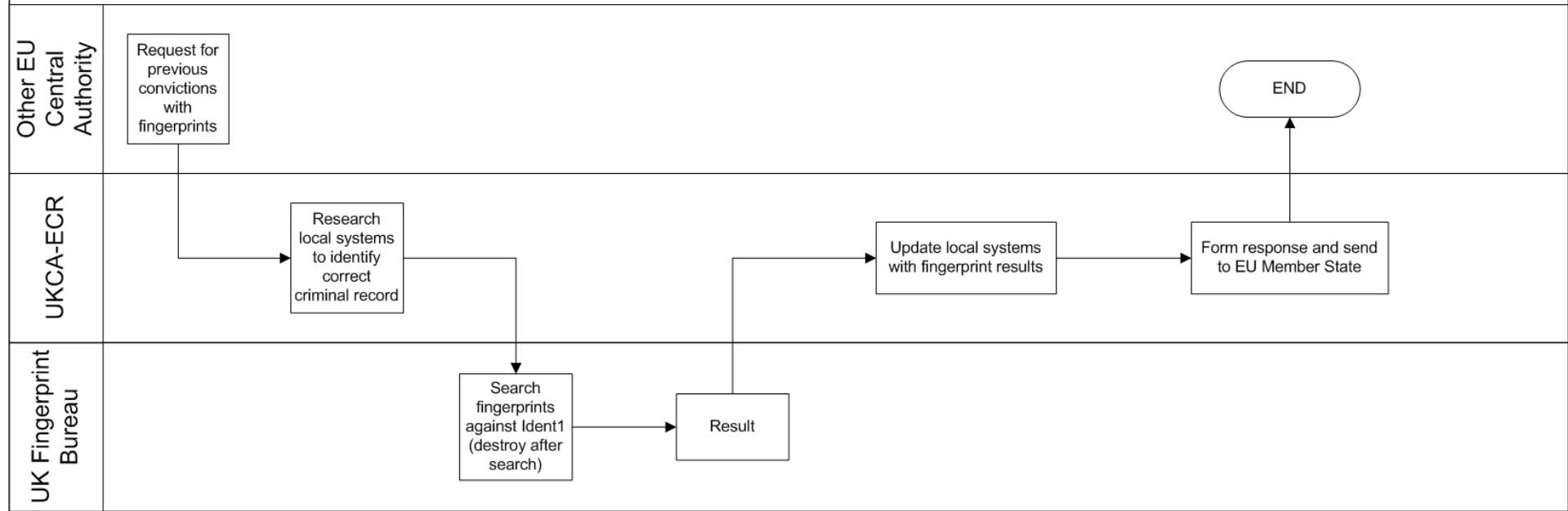
Signed on behalf of Hampshire Constabulary

Signed on behalf of ACRO

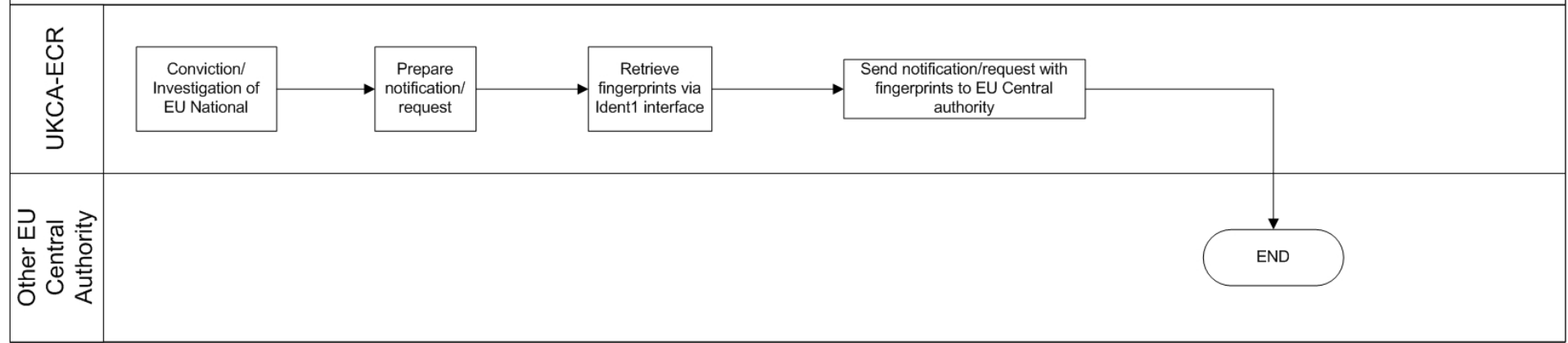
Annex C



Inbound Fingerprints with Requests for Previous Convictions



Outbound Fingerprints with Conviction Notifications/Requests





**ASSOCIATION OF
CHIEF POLICE OFFICERS**



MEMORANDUM OF UNDERSTANDING

BETWEEN

PSNI FINGERPRINT BUREAU

and

**THE ACPO CRIMINAL RECORDS
OFFICE (ACRO)**

20/09/2011

Purpose

This Memorandum of Understanding (MOU) sets out required level of service for the retrieval of fingerprints by the Police Service of Northern Ireland (PSNI) for the UK Central Authority for the Exchange of Criminal Records (UKCA-ECR). It also encompasses to provision for the UKCA-ECR to send fingerprints to PSNI of UK nationals who have a Northern Irish connection who have been convicted within another EU Member State.

Review

This Agreement dated 27/07/11, will be reviewed after a period of six months. A review of this agreement prior to the six month period will only be conducted in unforeseen circumstances with the approval of both parties.

Objectives

This document seeks to:-

- Ensure effective co-operation between both parties by promoting a clear understanding of the requirements to share information to achieve the stated purpose.
- Outline the work to be completed including turnaround times for the work.

Background

Previously ACRO have not had not utilised the ability to engage with the PSNI Fingerprint Bureau in relation to supporting conviction exchange with fingerprints. Following the success of a European Commission funding bid to create a robust fingerprint facility to support the ACPO Criminal Records (ACRO) in its endeavours to exchange fingerprints internationally and resolve identity disputes, it is a requirement for the UKCA-ECR who are facilitated by ACRO to be able to work with the fingerprint services in PSNI to support EU conviction exchange.

Effectively, the agreement means that ACRO will be able to request sets of fingerprints relating to individuals who are convicted in Northern Ireland so that they can be sent out to the relevant EU Member State to support the conviction. ACRO will also send fingerprints to PSNI relating to Northern Irish individuals who have been convicted in the EU.

Requirement

To support the UKCA-ECR, PSNI will:-

- Forward to ACRO/UKCA-ECR upon request fingerprints relating to EU nationals convicted if crimes in Northern Ireland.
- Compare fingerprints against the PSNI Fingerprints Database in cases of disputed identities to establish whether an individual has a criminal record.
- Compare tenprints relating to overseas convictions of UK Nationals against the PSNI Fingerprints Database that have a Northern Irish connection.
- PSNI to notify UKCA-ECR of any false or alternative identities or any specific intelligence or identification that arises from the ACRO/UKCA-ECR fingerprints.

ACRO will inform PSNI of any matches made to their fingerprints that are exchanged in supporting the conviction exchange within the EU.

ACRO will also forward any fingerprints to PSNI relating to Northern Irish citizens who are convicted within the EU.

Turnaround times

Work relating to retrievals from the PSNI Fingerprint Database will be completed as soon as possible of receipt at the Fingerprint Bureau.

Urgent cases will be phoned through to the Bureau prior to submission and every effort will be made to complete these within 48 hours (Monday to Friday). Timescales for individual cases that require a reduced turnaround time (e.g. same day) will be agreed on a case by case basis. Results in relation to urgent cases will be phoned back from the Bureau. It should be noted that any urgent cases should be the exception, not the rule and can only be authorised by a team leader, a portfolio Deputy Manager or a Senior Manager at ACRO in consultation with the PSNI Fingerprint Bureau.

Force Majeure

"Force Majeure" means any event or occurrence which is outside the control of the Party concerned and which is not attributable to any act or failure to take preventive action by the Party concerned, but shall not include any industrial action occurring within the Contractor's organisation or within any sub-contractor's organisation.

Neither Party shall be liable to the other Party by reason of any failure or delay in performing its obligations under the Service Level Agreement which is due to Force Majeure, where there is no practicable means available to the Party concerned to avoid such failure or delay.

If either Party becomes aware of any circumstances of Force Majeure which give rise to any such failure or delay, or which appear likely to do so, that Party shall promptly give notice of those circumstances as soon as practicable after becoming aware of them and shall inform the other Party of the period for which it estimates that the failure or delay will continue.

Security

It is recognised that any information being supplied along with the fingerprints is 'restricted'. The transmission of fingerprints will be completed via email over the PNN network between dedicated fingerprint mailboxes (tbc).

Signed on behalf of PSNI

Signed on behalf of ACRO

AG-2009-RES-08

RESOLUTION

Subject: Standard operating procedures to systematically compare unidentified fingerprints and DNA profiles taken from crime scenes against INTERPOL's databases

The ICPO-INTERPOL General Assembly meeting in Singapore from 11 to 15 October 2009 at its 78th session:

CONSIDERING the important role of INTERPOL's Fingerprint and DNA databases in solving crime and identify fugitives, by comparing crime scene data with fingerprints and DNA of known offenders,

BEARING IN MIND that the Fingerprint and DNA databases are only useful if populated with relevant and up-to date records,

RECOGNIZING the significant development of INTERPOL's forensic databases and the need to further extend access to these databases to all national law enforcement agencies,

ACKNOWLEDGING that sharing and storing forensic data in these databases can be a decisive factor in solving crime on international and national level,

CONVINCED that INTERPOL's Fingerprint and DNA databases, if populated will be of great use to all member countries in combating international crime,

MINDFUL of the need to comply with national legislations when sharing forensic data;

URGES the National Central Bureaus to:

1. liaise with the appropriate authorities in their respective country in order to encourage the development of standard operating procedures at the national level that will ensure that law enforcement agencies in member countries systematically share and update Fingerprints and DNA profiles to be compared with existing data and stored for a future comparison. This should include all Finger marks and DNA profiles from unsolved crimes, as well as Fingerprints and DNA profiles taken from offenders which are citizens of other countries;
2. liaise with law enforcement agencies in their country in order to improve access to INTERPOL General Secretariat's databases through the DNA Gateway on the I-24/7 dashboard and for Fingerprints through the AFIS mail gateway on the E-ASF;
3. take all necessary measures to ensure compliance with technical standards recommended by INTERPOL in order to facilitate the international exchange of the Fingerprints and DNA for international police cooperation. The INTERPOL standards can be consulted on the INTERPOL web site www.interpol.int.

Adopted.