



## **REVELATION OF CRIMINAL AND MISCONDUCT MATTERS INTERIM POLICY STATEMENT**

### **1. POLICY STATEMENT**

**1.1.** This policy relates to the revelation of relevant criminal and misconduct sanctions to the Crown Prosecution Service (CPS) and the Crown Office and Procurator Fiscal Service (COPFS) by BTP employees who are witnesses and/ or potential witnesses in criminal proceedings

**1.2.** This procedure applies to all BTP employees and special constables. Within the policy, except where categories are specifically excluded, the term employee or employees will include all members of British Transport Police staff, namely police officers, special constables and all categories of non-warranted employees.

### **2. OVERVIEW**

**2.1.** In line with the requirements of chapter 18 of the CPS Disclosure Manual and chapter 10 of the ACPOS Disclosure in Criminal Proceedings Manual of Guidance, BTP has a obligation to ensure that all relevant criminal and misconduct sanctions against it's employees are revealed to be assessed for disclosure should they be required as witnesses in criminal proceedings

**2.2.** For revelation in England and Wales to the CPS, it is the responsibility of BTP employees to ensure that all relevant criminal and misconduct sanctions are detailed on form MG6b and submitted to either the case disclosure officer or to the relevant



Criminal Justice Unit (CJU), this is the same for officers based in Scotland but required as witnesses in cases in England and Wales

2.3. For employees based in Scotland, revelation of criminal and misconduct sanctions is made directly to the COPFS through PSD. Should they be required as witness in criminal proceedings in Scotland, employees based in England and Wales will follow the ACPOS / COPFS process which entails the reporting officer requesting these checks through PSD.

2.4. Failure to follow this policy and the procedures set out in the Revelation of Criminal and Misconduct Matters SOP may result in disciplinary action being taken.

### **3. LEGAL BASIS**

3.1. This policy acknowledges the right of BTP employees to respect for private and family life afforded by the Human Rights Act 1998, Article 8. The existence of this article does not prevent BTP from imposing lawful conditions, restrictions and penalties on the exercise of these rights by its employees in cases where to exercise such rights would undermine the work and/ or integrity of criminal investigations proceedings by the force

### **4. APPLICABLE DATE, MONITORING AND REVIEW**

4.1. This policy document will be reviewed annually and take account of the following criteria:-

- Changes to ACPO/ ACPOS guidance/policy



- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Representations made by individuals and relevant organisations

## 5. OWNERSHIP

This policy is owned by the Head of Professional Standards

## 6. ASSOCIATED DOCUMENTS

- [Misconduct and Unsatisfactory Performance or Attendance Policy](#)
- [CPS Disclosure Manual](#)
- [Criminal Procedures & Investigations Act](#)
- [Justice Directorate Manual of Guidance](#)
- [ACPOS Disclosure in Criminal Proceedings Manual of Guidance](#)