



False Identity Procedure

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

Procedure Statement

This procedure relates to how businesses or licensed premises, door staff and police should deal with those presenting false identity (ID) and the subsequent disposal of the documents, in various situations. This will most commonly occur within the nighttime economy, but the procedure should also be considered for any issue where false ID is used by a child or young person (up to 25 years).

The Home Office Document, Guidance on examining identity documents published in July 2016, discusses document verification and the interpretation of the recommended forms of ID:

- Passports
- National identity cards
- Biometric residence permits and cards
- Other residence documents
- Driving licences
- Military identity cards
- Official identity documents (police warrant card etc)

It goes on to make specific recommendation to door staff, premises, and the police. Guidance to the police includes:

- designating a Single Point of Contact (SPOC) within the Police
- advice on forged documents
- how to manage the return of ID as well as possible approaches to dealing with offences

Only certain categories of person (for example, a police constable) have legal powers to seize false ID. However, any member of staff presented with false ID may ask for it to be handed over. Further, they may advise the individual that if they fail to hand over the false ID, the police may be called to investigate the possible commission of an offence relating to the use of the false ID.

This guidance has already been publicised by the Home Office and is being independently promoted by licensed premises.

This document lays out the process that is to be followed by North Yorkshire Police (NYP) Officers and takes precedent over the Home Office document, False Identity Guidance.

Other Documents:

[Guidance on examining identity documents \(publishing.service.gov.uk\)](http://thesource/policing/public-protection)

<http://thesource/policing/public-protection>

<http://thesource/policing/neighbourhood/anti-social-behaviour>

Code of Ethics | College of Policing

Process

Where door staff or other agents of the licensed premises believe that a child or young person (up to 25 years) is attempting to use False ID, they should encourage the person to surrender the ID and request the correct details from the person in control of that ID.

Unless the person presenting the ID appears to be vulnerable, they should not seek to detain them for the purpose of establishing their identity.

A receipt should be given to the person from whom the document is seized on every occasion; again, they should not be detained to facilitate this.

The premises will allow 10 days for the presenter to provide further identification as proof of ownership, before disposal. Any official documents should be returned to the originating agency by the premises where the document is seized e.g. Passport Office, DVLA, official I.D. companies.

If you encounter a suspected false document, then contact the Police or your local Immigration Enforcement Office: <https://www.gov.uk/report-immigration-crime>

Where a premises has any concerns regarding vulnerability or risk to a child or young person (up to 25 years), then the police should be requested at the time.

POLICE REQUESTED WITH CHILD OR YOUNG PERSON (up to 25 years) present:

- where a licensed premise reports that they are with a young person attempting to use false ID, AND the caller believes that the individual is vulnerable or at risk of coming to harm, then an officer should be allocated to attend (graded as appropriate by Force Control Room)
- the attending Officer assesses the child or young person's level of vulnerability taking into account, age, intoxication, who they are with and any other information that may have a bearing on the persons safety and wellbeing.
- If any Safeguarding concerns and/ or offences are identified, then the appropriate Multi agency Safeguarding referrals MUST be submitted and if appropriate duty Supervision informed along with Force Control Room (as per force procedure).
- where a person is deemed to be vulnerable, they will be returned to the control of their parents or lawful guardian (this may be a person designated by their parents or lawful guardian), where appropriate.
- Wherever possible, if person appears to be or is under the age of 18 best practice would be (where practicable) to return the young person to their place of residence/ home (to the care of an appropriate person/ adult) or to be collected by a suitable adult/ guardian from the location.

False Identity Procedure

- the attending Officer becomes the Officer in the Case (OIC), records a crime and will deal with the incident to its conclusion.
- make enquiries and where appropriate, the matter can be dealt with by Out of Court Disposal / Diversion. Arrest should only be used where an officer feels that it is absolutely necessary, and Code G of PACE applies.
- the occurrence is then updated via Occurrence Enquiry Log (OEL) with any action taken including the necessary referrals.
- the OIC will then deal with the return of the ID and update via OEL.
- if the true document owner is not contactable within 10 days, then the document should be disposed of or returned to the issuing authority.
- where the true owner of a driving licence is contacted, the decision whether to return the licence to the owner or Driver and Vehicle Licensing Agency (DVLA), rests with the Officer. All passports found out of the control of the owner should be returned to the Identity and Passport Service (IPS).
- where there is evidence of use on more than two occasions of the same ID or attempts by the same person, then the matter should be referred back to a Case Progression Manager (CPM) for an investigation plan and disposal decision.

POLICE REQUESTED WITH CHILD OR YOUNG PERSON (up to 25 years) not present:

- where Police attend and the child or young person (up to 25 years) has left the area, efforts should be made to trace them. If the person cannot be traced, then an assessment should be made as to the vulnerability of the child or young person (up to 25 years), taking into account their estimated age and level of intoxication. If ID has been seized, it may be appropriate to make enquiries to identify the child or young person (up to 25 years) at the time.
- If the person is not assessed as vulnerable, further enquiries can be made at a later date. the attending Officer assesses the child or young person's level of vulnerability taking into account, age, intoxication, who they are with and any other information that may have a bearing on the persons safety and wellbeing.
- Any person under the age of 18 is classed as a child and therefore should be treated as vulnerable person until such time as this is shown not to be the case.
- If any Safeguarding concerns and/ or offences are identified, then the appropriate Multi agency Safeguarding referrals MUST be submitted and where appropriate duty Supervision (as per force procedure).
- if the user cannot be traced and / or the true owner is not contactable within 10 days, then the premises user should dispose of or returned the documents to the issuing authority.
- where the true owner of a driving licence is contacted, the decision whether to return the licence to the owner or DVLA, rests with the Officer. All passports found out of the control of the owner should be returned to the Identity and Passport Service (IPS)
- the occurrence is then updated via OEL by the OIC with any action taken.
- Advice and Support can also be sought from the Area Youth Officer, Licencing Officer or Youth Justice seconded officer.

RECORDING A CRIME - Home Office Advice

- 'If the ID is false and it would appear that all the elements to prove the offence are present then a crime should be recorded. If the document is improperly obtained or relates to someone else, it would depend on what additional details were available from the door staff. Simply

False Identity Procedure

handing them into police without further details does not evidence the offence and no crime needs to be recorded in these cases'

- in all cases where an offender has been ultimately identified, a crime would be recorded
- where there is evidence of use on more than two occasions of the same ID or attempts by the same person, then the matter should be referred back to a CPM for an investigation plan and disposal decision
- Any person under the age of 18 is classed as a child and therefore should be treated as vulnerable person until such time as this is shown not to be the case.
- If any Safeguarding concerns and/ or offences are identified, then the appropriate Multi agency Safeguarding referrals MUST be submitted and where appropriate duty Supervision (as per force procedure).

Licensing Officers will encourage premises to provide receipts when documents are seized and record details in the premises Incident book. Advice to premises in relation to receipts should include consecutive numbering and a rationale for seizure of documents.

GUIDANCE TO CPM

- where an officer seeks advice in connection with the use of False ID, the lowest level of disposal available to that offender should always be the default position.
- in considering an appropriate disposal, the general Gravity Factors should be applied.
- where the case relates to the use of another person's ID, the ID may be retained as evidence, prior to disposal as above.

GUIDANCE TO FORCE CONTROL ROOM

The appropriate heading would most likely be CONCERN, as these are the circumstances under which we are asking Licensed Premises to request our attendance. The reason being that CONCERN will attract an immediate response grading, whereas any other heading would be in danger of resulting in a delayed response to a potentially vulnerable, at risk person. The officer attending will assess the circumstances and record a crime where appropriate.

Responsibilities

Licensing Officers, Community Safety - Provide the SPOC for advice and guidance to staff and the public. Licensing Officers will not deal with specific incidents as an OIC.

Corporate Communications - Will assist licensing officers with communicating this procedure to licensees.

Definition of Special Terms

Receipt handed to the child or young person (up to 25 years) from whom documents are seized.

'Pass' a standard, not a card in its own right and a number of cards are available nationally, all of which will bear the Pass hologram.

False Identity Procedure