

PERFORMANCE & ACCOUNTABILITY MEETING

DATE: 20 September 2013

LOCATION: Office of the Sussex Police & Crime Commissioner, Sackville House, Lewes

PRESENT: Police & Crime Commissioner Katy Bourne
Chief Executive Mark Streater
Chief Constable Martin Richards (MR)
Policy Officer Graham Kane – minutes
Communications Manager Rosie Gooch
Detective Chief Inspector Mike Ashcroft

POLICING OF THE ANTI-FRACKING PROTESTS IN BALCOMBE

Q. To start us off and for the benefit of our viewers, it would be helpful if you could briefly, outline the historical context of the Operation, the overall policing strategy you have adopted and how many persons have been arrested and/or charged to date.

MR stated that Sussex Police have been aware of the potential for exploratory drilling at Balcombe since January 2013 and were informed in May that this would commence in July.

The policing strategy has amended over the course of the operation to reflect the changing assessment of issues. MR stipulated that Sussex Police have always recognised their role to facilitate peaceful protest whilst allowing Cuadrilla to carry out lawful drilling activities at Balcombe. In doing so, Sussex Police have been very clear that the safety of all people - local residents, protestors, staff working at the site and police officers was paramount, given the road safety and site safety issues identified. Sussex Police have sought to prevent crime and disorder and hold people to account for offences committed and to minimise the disruption to the local community, wherever possible.

The early part of the operation saw an 'spike' in protest activity with disruption of delivery vehicles and a number arrests, before police resources were fully deployed and the mood calmed. Sussex Police were then informed that a national protest group intended to relocate a planned climate camp from a power station in Nottinghamshire to Balcombe at the end of August. MR explained that the Force had less than 10 days to plan for this event and increased protest activity, and accelerated their operational planning to meet this challenge accordingly. Since the climate camp ended, Sussex Police have continued to facilitate the protest, allow the drilling site to operate and manage the crime and disorder effectively when it has occurred

MR confirmed that as at 0800hrs on 20 September, there had been 106 arrests, of which 74 people had been charged, 11 cautioned, 1 bound over to keep the peace, 4 bailed for further enquiries and 16 had no further action taken (8 people have been arrested on two occasions).

Q. What has been your role as Chief Constable?

MR explained that his personal involvement has been to have general oversight and review for the whole the policing operation. This has included visits to briefings and the protest site, together with meetings with local residents, protestors and the contractors. This has also included recording a video blog for staff and maintaining a close focus on a daily basis.

EFFECTIVENESS OF THE POLICING RESPONSE

Q. There has been a lot of concern and media reporting on the manner in which officers used force to remove protestors. Can you explain the use of force and in particular pressure points as an effective tactic?

MR acknowledged that there has been some adverse comment and media reporting concerning our use of force. However, any intervention from Sussex Police is on an incremental scale, using a stepped approach, and any decision to use force would be considered and would be proportionate to the situation. Sussex Police officers are obliged and always briefed to use the minimum amount of force necessary in order to arrest someone and only use force as a last resort, when negotiations have failed.

MR stated that the pressure point disabling technique, is a Home Office approved tactic, which although gives momentary discomfort to the person the Force are seeking to arrest, does not injure them or require any subsequent treatment. Officers are trained in this technique and it is only used after many verbal attempts to persuade the person to move or allow themselves to be arrested. MR accepted that it does look dramatic and alarming on the television and in print media which is the reason Sussex Police provided an account to the media regarding the use of this technique.

It was highlighted by MR that there have been no reported injuries or hospital treatment required following the 106 arrests which suggests that this is a tangible demonstration of the minimum use of force.

Q. There have been concerns regarding the use of 'Snatch Arrests' and Section 14. 'Protest Pens'. Can you explain the use of these tactics?

MR explained that 'Snatch Arrests' are pre-planned arrests that target individuals by swiftly and efficiently removing them from a situation in order to reduce tensions and cause as little disruption as possible.

It was emphasised by MR that Section 14. 'Protest Pens' are the creation of a safe assembly zone to facilitate a peaceful protest. In terms of Balcombe, this has taken protestors away from a busy road and created a safe environment for the protest to take place, whilst returning some normality to the area and enabling business to carry on as usual. It was highlighted that Section 14. creates a power of arrest if this is breached which is explained in person to the protestors. This is authorised by the Chief Constable for a fixed term and is reviewed on a daily basis. MR confirmed that this is a technique that was successfully used previously by Sussex Police on Operation Wheeler, the St. George's Day protest.

Q. Some of the officers involved in the Operation were pictured without their identifiable epaulettes. Were any of these Sussex Police officers? If so, what is the process for addressing this conduct?

MR explained that Sussex Police have investigated reports that officers were not wearing their epaulettes during the Operation. It was highlighted that a West Midlands officer had lost his epaulettes during a difficult and challenging arrest and that a second Sussex officer was given management advice for failing to display his epaulettes, having changed his outer clothing during the day. In this instance it was not viewed as an attempt to conceal and advice from senior management was deemed to be appropriate.

It was emphasised by MR that these were isolated instances and do not represent the vast majority of officer deployments. Officers were reminded on a daily basis of the importance of wearing their epaulettes.

Q. Did Sussex Police specifically advise Cuadrilla to reduce their drilling activity at Balcombe?

MR confirmed that Sussex Police did not advise Cuadrilla to scale back their drilling operations at Balcombe and emphasised that the media reports stating this were incorrect.

In the lead up to the climate change camp, Sussex Police met with Cuadrilla and shared their assessment of what to expect from the publicised intentions of the protestors. It was highlighted that some very capable activists may attempt to trespass onto the site in order to disrupt the drilling operation.

MR stated that Sussex Police would do all that they could to prevent crime and disorder, but it was recognised by all parties that the Force could not absolutely guarantee against an incursion onto the site to commit crime.

In view of this, and recognising their obligations under Health and Safety legislation, Cuadrilla took the decision to increase security at their site and to take action to limit injury should persons access this industrial site, which involved scaling back drilling operations.

Sussex Police believe that this was a sensible precaution because if protestors had got onto the site, other agencies, including Sussex Police officers, may well have had to enter and the safety of all those on the site remained of paramount importance throughout.

Q. Do you think that you could have handled your relationship with Cuadrilla better?

MR was confident that the relationship between Sussex Police and Cuadrilla was as good as it could have been. Sussex Police remained impartial and proportionate in all of their policing activities.

Q. There has been considerable local concern about the prolonged road closures in Balcombe. Can you explain what you have been doing to minimise these disruptions?

MR explained that roads in and around Balcombe have only been closed when this has been absolutely necessary because of danger or threat to life. Not all of these decisions were pre-planned and it was sometimes necessary to make them at short notice.

It was acknowledged by MR that road closures affect local communities and disrupt continuity throughout the County and have therefore been kept to a minimum. MR highlighted that when road closures were required, Sussex Police have endeavoured to communicate these to all relevant partners.

Q. How are you reviewing the style of policing used in the Operation to ensure that it was proportionate and appropriate, without fear or favour?

MR stated that the style of policing used by Sussex Police on this Operation has been reviewed on a daily basis. The policing strategy set by the Gold Commander was principally about ensuring the safety of everyone at the site, facilitating peaceful protest and ensuring the right of Cuadrilla to go about their lawful business.

MR emphasised that the Force has constantly reviewed their resources to meet changing circumstances over the course of the Operation and will continue to do so to meet the operational objectives whilst minimising the additional cost and use of police resources.

It was also confirmed by MR that another Force has been asked to review the policing of the protests in Sussex which is common in all major criminal investigations.

MANAGEMENT OF RESOURCES

Q. Do you think that the policing presence has been proportionate?

MR confirmed that Sussex Police developed a policing style for the Operation that reflected the strategy, recognised the right to protest and sought to use protestor liaison and neighbourhood policing tactics wherever possible, whilst minimising the use of force.

It was emphasised by MR that Sussex Police have ensured that officers maintain the highest professional standards in their roles at Balcombe, recognising that the confidence of the public in Sussex Police would be damaged by any incivility or inappropriate use of force.

It was explained that in protest situations like this, police have to engage and deal with both sides of the issue in order to maintain public safety and keep the peace. The Force has interacted with protestors in an open and transparent manner by seeking to negotiate compliance with the law. The interactions between Sussex Police, Cuadrilla and other interested parties have also been documented in order to ensure that Sussex Police were able to demonstrate impartiality.

Q. Can you explain your personal relationship with the Gold Commander?

MR explained that the Gold Commander was responsible for the strategy of the Operation, the Silver Commanders were responsible for the middle managers and the Bronze Commanders were responsible for the tactics to achieve the strategy.

MR also stated that, as the Chief Constable, he is responsible for oversight of the Operation to provide checks and seek reassurance that Sussex Police are getting things right. This has included asking questions, intervening and challenging the strategy whenever necessary.

Q. What has been the impact of this Operation on policing and crime in Sussex?

MR stated that this Operation came at a difficult time for Sussex Police because of additional requirements to support the Pride celebrations in Brighton, the Airbourne event in Eastbourne, the policing of football matches and officers taking annual leave. It was also emphasised that there was a requirement for officers to work longer hours and have their rest days cancelled, which has had a significant impact on the workforce.

However, MR confirmed that overall there has been little impact on policing across Sussex following the policing of the Operation. This is because responding to emergencies and dealing with the day-to-day business has continued. MR explained that mutual aid officers were brought in to assist in order to achieve business continuity and limit the impact on Sussex Police.

It was acknowledged by MR that the Operation has had a small impact on neighbourhood policing across other parts of Sussex following the suspension of some proactive policing. However, any issues arising have been identified, managed and addressed.

MR stated that there had been 1,400 fewer recorded crimes compared to the same period in July and August 2012 and confirmed that Sussex Police are currently analysing the overall impact of the Operation and will report back to the Commissioner in due course.

Q. Given that the Home Secretary stipulates that the PCC and the Chief Constable must have due regard to the Strategic Policing Requirement, how reliant were you on mutual aid from other neighbouring forces? How successful have you been in getting this support?

MR explained that officers from across the south east region, and further afield, have been brought in to limit the impact on Sussex Police, whilst ensuring that the policing objectives were met.

It was stated by MR that there are nationally agreed arrangements when mutual aid is brought in to assist forces, both pre-planned and spontaneously. It was also emphasised that all officers from across the UK are trained in the same tactics for public order operations.

MR has personally written to the Chief Constables of at least 12 other forces to thank them for their mutual aid support.

Q. This Operation has clearly had a huge impact on Balcombe and the surrounding towns and villages. How have you kept the local residents, businesses and communities informed and updated throughout?

MR stated that reducing the impact on the local community has always been one of key objectives for the Operation. It was explained that the Mid Sussex District Commander had reviewed the impact on the community on a daily basis and which has included keeping local residents, businesses and communities informed, updated and reassured, as well as seeking their feedback.

It should be noted that at the busiest period of the Operation these groups were receiving daily bulletins from Sussex Police, supplemented by social media, leaflet drops and face-to-face visits from PCSOs. The feedback that Sussex Police have had is that these bulletins have been very useful and helpful and have kept people well informed.

MR emphasised that Sussex Police have been open and transparent in their operational planning and public engagement strategy to ensure that key messages have been agreed by strategic partners.

Q. What are the main lessons that you have learnt from policing this Operation?

MR was reluctant to state that the Operation had been a success but emphasised that protestors had been allowed to protest, Cuadrilla have been able to carry out their work, disruption has been kept to a minimum, there are no reported injuries, all arrests have led to positive action at court and the complaints made to Sussex Police have been unsubstantiated. Therefore, based on all of the above indicators MR explained that he thought the policing Operation had been comprehensive and professional, but reiterated the importance of not becoming complacent as the protests continue.

Q. Were Cuadrilla asked to provide additional security by Sussex Police?

MR confirmed that Cuadrilla were not asked to provide any additional security by Sussex Police and provided their own security following advice from the Centre for the Protection of the National Infrastructure. MR also emphasised that Cuadrilla have deployed additional fencing, security guards and protest removal teams at their own expense.

Q. The HMIC report, Adapting to Protest, was published in 2009 and identified the key lessons for police forces in terms of managing public protests. Are you satisfied that you have been able to draw upon these lessons in managing the protests in Balcombe?

MR was more than satisfied that Sussex Police had been able to draw on each of 12 recommendations identified in the HMIC report, 'Adapting to Protest'. This has included being open and transparent throughout the Operation, training officers to the new national standards, utilising the services of an independent Human Rights barrister, taking advice from Independent Advisory Groups and pioneering the use of Police Liaison Officers, specifically and solely dedicated to liaising with protest participants and organisers.

Q. Could anything have been done better?

MR explained that Sussex Police could have done things better but, given the ever changing nature of the Operation, agreed that things have been carried out well to date.

However, MR also acknowledged that Sussex Police were slow to react at times, could have communicated road closures to local communities faster and should have included the OSPCC in the strategic planning group at an earlier stage. MR agreed that any lessons learnt from the policing of this Operation would be fed back to the Commissioner following a comprehensive debrief.

Q. Do you feel that there is sufficient resilience from criminal justice partners to manage the increased demand being placed upon them, following the large number of arrests?

MR explained that Sussex Police have a good working relationship with the Crown Prosecution Service (CPS) and the Courts and have an investigative plan which is able to deal with the numbers of arrests and those currently going through the Court system. MR emphasised that Sussex Police have dedicated support from the CPS to manage the large number of cases which is beneficial in terms of achieving consistency and presenting the best evidence.

COST OF POLICING

Q. I understand that the current projected costs of the Operation are £4.4million and as you know, I have spoken directly to the Policing Minister regarding additional funding. How are you ensuring that the costs are being kept to an absolute minimum?

MR explained that given the length and nature of the Operation he was satisfied that the resources have been pitched at the appropriate level. It was confirmed by MR that reserve funds from savings in previous years will be used to make up any shortfall.

This position is strengthened further with the evidence that policing the Operation has not affected the Force's ability to police Sussex or fulfil the content of the Commissioner's Police & Crime Plan.

Q. I understand that there has been a lot of concern about the use of the police helicopter given the associated costs and the disruption that this causes to the local communities. Can you explain why the police helicopter was deployed for so long and how much it costs for each deployment?

MR acknowledged that the helicopter flights were disruptive to the local community but provided assurance that each deployment was carefully considered and only actioned when it absolutely necessary, in support of the Operation. MR confirmed that the aircraft was used on 19 occasions throughout the busiest period of the Operation.

MR explained that these deployments were initially used to ensure that emergency access to the camp, the drilling site and the road running past it was clear and suitable for all of the blue light services to respond to any type of emergency. MR also stated that the helicopter was used to support operational commanders in making decisions to ensure that the protest could be carried out safely for all parties involved and provided a cost effective tool in monitoring a large, predominantly rural area. MR also reiterated that whilst the police helicopter has been widely used, there has also been a significant presence of other helicopters, notably those in use by the media.

MR explained that Sussex Police are part of the National Police Air Service and make a set annual contribution of approximately £760,000 per annum, instead of a fixed fee for each deployment.

Q. What is the split of overall costs between Sussex Police and Cuadrilla?

MR confirmed that Sussex Police have not been sighted on the costs that Cuadrilla has incurred as a result of this protest. MR also explained that whilst there are nationally agreed rates and protocols for the charging of police services to support football matches, for example, these do not currently apply to protests.

Q. How many complaints has Sussex Police received in relation to Balcombe?

MR explained that Sussex Police have received approximately 100 complaints, of which 10 were recordable. The difference between received and recorded complaints was explained by MR. In particular, it was emphasised that video footage can be an unreliable testimony because it only captures one moment in time. The reliability of evidence needs to be tested by obtaining statements and considering non-edited footage to develop the context and wider picture.

CRIME & COMMUNITY SAFETY

BURGLARY

Q. The short term increases in recorded burglary crimes remain an area of concern in Brighton & Hove. It was explained at the previous PAM in July that Operation Magpie had been launched to counter these spikes.

A) Now that Operation Magpie has been established, what impact is this having on burglary crime?

MR explained that Operation Magpie is a Sussex-wide initiative and that the overall performance across the County is improving. It was highlighted that there have been 103 fewer victims of burglary across the Performance Plan Year (PPY) period 1 April to 31 August 2013, which equates to 7%. These reductions are apparent on both East Sussex and West Sussex divisions with 13% and 12% fewer burglary dwelling crimes

recorded. However, it was acknowledged by MR that there have been 33 more burglary dwelling victims in Brighton & Hove.

MR emphasised that since the conception of Operation Magpie, 46 people have been arrested for acquisitive crime, of which 34 were for burglaries to dwellings, which highlights the positive action being taken by Sussex Police in this area. In August 2013, there were 25 fewer burglaries recorded in Brighton & Hove in comparison to the same month in the previous year.

MR explained that a lot of emphasis is placed on crime prevention advice through Neighbourhood Policing teams and Neighbourhood Watch but highlighted that 39% of all burglaries across the PPY in Brighton & Hove have occurred as a result of perpetrators entering through open windows and doors. This advice is particularly pertinent given that a new academic term has started and there are thousands of new residents in Sussex.

MR stated that it is too early to be able to give a full analysis of the impact of Operation Magpie but emphasised that the longer term trend is positive. This is because 1143 burglary dwelling crimes were recorded across 2012/2013, in comparison to 2004/2005 when there were over 2000 burglary crimes recorded.

The Commissioner was heartened by this extra focus and MR agreed to provide a further update at the next Performance & Accountability Meeting.

Q. What are the current sanction detection rates for burglary in Sussex?

MR stated that the sanction detection rates for burglary dwelling in Sussex are lower than they have been in previous years (between 11% and 12%). MR emphasised that he is not happy with the current detection rates or overall numbers relating burglary dwelling and this particular area remains a priority for the Force.

PUBLIC CONFIDENCE

101

Q. It was explained in July that the percentage of non emergency calls answered within 60 seconds has fallen from 74% across 2012/2013, to 52% across 2013/2014. This has worryingly reduced further to 49% and remains of considerable concern to me.

A) Can you provide me with an update with regards to the progress made to date?

B) What assurances can you provide that a remedial plan is in place to return to the previous strong performance?

MR acknowledged that HMIC share the Commissioner's concerns in terms of the 101 non emergency calls answered within 60 seconds and explained that this is the result of the introduction of a new data management system. This has been raised as a significant risk and remains a priority for the Senior Management Team at Sussex Police and is being monitored on a weekly basis. MR confirmed that Sussex Police are the 16th force to introduce Niche and are adapting to the change quicker than other forces have done previously.

MR acknowledged that the figures up until August had been unsatisfactory but the latest figures for September are demonstrating that the system is bedding in and have improved to 69% for the month. MR anticipated that the Force is unlikely to be back to the previous levels of performance until the end of autumn but confirmed that additional

training, the introduction of temporary staff, the recruitment of more call handlers and the movement to a single site by April 2014 should all contribute towards improving this performance further still.

MR concluded by stating that 999 call answering performance has been maintained and continues to exceed the Force target and agreed to provide a further update at the next Performance & Accountability Meeting.

RESPONSE TIMES

Q. I am still concerned with the deterioration in the Force's response to Grade 1 emergency calls which has reduced by 14% over the past three years. This is clearly a concern to the public relying on the service.

A) What assurances can you provide me that the problem is understood and that an appropriate corrective model has been implemented?

B) When do you expect to be able to demonstrate an improvement in these response times?

MR provided the Commissioner with assurances that the Force's ability to respond to Grade 1 emergency calls is understood and that plans are in place to improve these response times. MR explained that Sussex Police are currently exploring the reasons behind the reductions in performance across three areas: technical, staff deployment and call handlers.

Technical – MR explained that previously officers were automatically registered when attending a scene but this is no longer the case and Sussex Police are looking to eradicate this technical fault. However, MR emphasised that this does not affect the ability of officers to deal with a situation. Staff Deployment – MR stated that Sussex Police need to make the best use of resources and consider whether single or double crewing is appropriate. Call Handlers – MR also confirmed that call handlers need to be making the right decisions in terms of staff deployment through their initial assessment of calls to enable them to distribute officers to emergency responses appropriately.

MR agreed to provide a further update at the next Performance & Accountability Meeting.

VALUE FOR MONEY

RECRUITMENT

Q. I was pleased to be able open the recruitment process for police officers and special constables to increase the resources at your disposal, Chief Constable.

A) Can you give me an update on the progress made to date for each of the processes?

In terms of police officer recruitment, MR explained that Sussex Police have raised entry standards to the Force to A-Level or better, raised the pass rate to 55%, focussed on attracting under-represented groups and implemented a more sophisticated online recruitment process. MR confirmed that Sussex Police are on course for a first intake of 40 officers in November and a further 80 will complete a theory and law based 'Certificate in Knowledge of Policing' to start in May.

MR confirmed that special constables complete the same entry process as regular officers and that an intake of 40 special constables will also take place in November, with

a further intake of 120 planned for 2014 (across three separate intakes). MR also stated that the recruitment of special constables will be a continual and ongoing process that is not going to close.

MR concluded that the recent recruitment processes mark a better news story than has been the position in previous years.