

**Police and Crime Panel note – 17/11/22**

**Questions from the public:**

**Arfon Jones:**

“The arrest of journalists covering the Stop Oil Protests on trunk roads and motorways within Hertfordshire force area by its officers is well documented both online and on the mainstream news. As a former colleague of David Lloyd’s I am appalled at this unethical use of Police powers in a disproportionate fashion and I would like to know how David intends to scrutinise Hertfordshire Police action on behalf of the public not only in Hertfordshire but across the country.”

**Response:**

Diloch, Arfon. Sut rydych chi heddiw. It is good to hear from the ex-PCC from North Wales, a former Police Inspector and Plaid Cymru member who will of course understand the operational independence of the constabulary, will understand that decisions made about arrests are operational, also that any actions are local and not national.

As you will know from the statements issued by my office and by the constabulary, it has been accepted that, in retrospect an arrest would not have been necessary. The Chief Constable has requested that an independent force examine the approach to these arrests and to identify any learning that the constabulary should take in managing these challenging situations. The outcome of that review is imminent and the Chief Constable will make a statement on receipt of its conclusions.

In the meantime, the Chief Constable has taken immediate action to put in place additional safeguards around, and understanding of, press freedom. These include instructing officers to conduct full and thorough checks before making an arrest decision as well as consulting supervisors on the circumstances before making a final decision on anyone who is identifying themselves as press.

The advance social media posts from Just Stop Oil simply said that there would be protests on the M25. The M25 is 117 miles long. In Hertfordshire alone there are 93 gantries. As such, the police had no advance knowledge of where the protests would be staged. Whilst I am unable to give details of the individual circumstances behind the arrests, everyone who was already at the scene when the police arrived were questioned as you would expect. I do not believe that the police have behaved unethically, whilst the media coverage may well have given the impression that that was the case.

The press are powerful and they have editorial freedom. However, they are unwilling to accept that what they are doing is facilitating the protests. Of course it is for them to report freely, but I am trying to find a way of pointing out their choice.

**John Hale:**

“The quarter two budget monitor report states that “Prevention First – underspend of £2.347m due to 55 officer vacancies and 2 Staff vacancies against a budgeted establishment of 70 officers and 16 Staff. It is unlikely these posts will be filled during the current financial year due to reduced intake numbers of student officers and other departments taking priority over recruitment resources.

“How is the Prevention First programme being delivered with that level of vacancies?”

**Response:**

This has been raised regularly at our monthly Strategic Executive Board meetings and we are regularly monitoring the situation and plans to address it. I have received an undertaking that, although we won't get to the level this year, it is still important and we will continue to increase the numbers and I have asked for a timeline for completion. It will be further discussed at our Away Day with Chief Officers on 20 December.

The reasons behind the current situation is the level of recruitment required across the Constabulary at present. The uplift programme requires an additional 305 officers to be recruited over the three years, a total recruitment requirement of 1,000 officers over the period, which is the biggest recruitment drive ever undertaken by Hertfordshire Constabulary. You will know from your own experience that there are recruitment challenges across the public sector at present. However, due to the Constabulary's commitment, it is projected that they will exceed their uplift target by 20 officers by the end of the 22/23 financial year.

The scale of the uplift means that over 50% of our officers currently have less than 3 years service. The Prevention First posts cannot be filled by probationary officers, hence the time lag in getting up to establishment.

In the meantime, Prevention First training has been delivered to all supervisors across the constabulary and is being rolled out to frontline officers. All those trained are required to develop personal action plans in response to the training, supported by the Prevention First Academy. The impact of that can be seen in a fall in crime rates across the county when compared to the baseline of 2019 (2020 and 2021 are not used as baselines as Covid lockdowns artificially reduced crime rates).

It was good to hear in our informal debrief following our recent HMICFRS inspection that they considered the Prevention First work undertaken thus far to be the 'most well sustained and comprehensive change management programme [they] have seen in any force'.

**Colin Woodward:**

The Commissioner will be aware of the 43 Recommendations and 5 Areas for Improvement in the recent HMICFRS report, "Inspection of Vetting, Misconduct & Misogyny in the Police Service". Given his commitment and actions to rapidly raise the establishment of Herts Constabulary to its highest ever level does he agree with HMICFRS that, "it is too easy for the wrong people to join and stay in the Police", and how concerned is he that this applies to Hertfordshire? Will Herts Constabulary be able to meet in full the 43 Recommendations and Areas for Improvement within the proscribed timescales?

Does the Force carry out pro-active intelligence collection, on "prejudicial and improper behaviour" or, is it reliant on cases being drawn to its attention?

Is there an Annual Counter Corruption Strategic Threat Assessment and if so, are staff and officers made aware of the assessed threats?

Has Herts Constabulary adopted Annual Integrity Reviews?

**Response:**

It is worth highlighting that this was not a Hertfordshire specific inspection, it was a national inspection, and Hertfordshire was not included in it. The report was published on 2 November 2022 and I will be receiving an full update from the Constabulary's HMICFRS Inspection lead next month when they have worked through the detail of the recommendations and the response. In the meantime, the initial review undertaken by the Constabulary is that the majority of the recommendations are already business as usual in Hertfordshire, a few were already being taken forward prior to the publication of the report, and 2 are new.

This report builds on the recommendations of the HMICFRS, CoP and IOPC report into the Centre for Women's Justice Super-Complaint, published at the end of June 2022. All of the recommendations in that report have been implemented as part of the PSD VAWG delivery plan, which independently identified and implemented 11 additional areas for improvement specific to Bedfordshire, Cambridgeshire and Hertfordshire.

I have always undertaken close scrutiny of the work of the Constabulary's vetting, anti-corruption and professional standards teams. In October I held a special Quarterly Performance meeting specifically focused on sexual misconduct and received assurance that VAWG is the top priority in the PSD control strategy, which is the means by which Strategic Threat is measured and addressed.

Proactive work is done by PSD. Clearly we can't go into the detail on that, but significant investments has been made to increase that proactive capacity and capability. Updates come to via the PSD performance board, which OPCC staff attend to monitor progress. High risk individuals are proactively identified and managed through a dedicated programme and

the Constabulary fully complies with the abuse of position for sexual purpose guidance issued by the Independent Office for Police Conduct and the National Police Chiefs Council direction around VAWG under the three pillars of building trust and confidence, relentless perpetrator pursuit and safer spaces.

Annual Integrity Reviews have been in place as part of the Performance and Development Review process for a number of years, and that specific recommendation will be reviewed and an assessment made as to whether any improvements need to be made to the current process.

The Constabulary are currently rolling out prevent training for all officers and staff and there are 60 PSD champions across the Constabulary maintaining an emphasis on ethical behaviour and rooting out misogyny and misconduct where it is observed.

I recognise that the vetting system should be improved and the Chief Constable is clear that vetting is just one part of ensuring that we get the right people into the Constabulary as Police Officers. We have put additional resources into the vetting team to ensure that the process is efficient and effective. 30% of applicants fail at vetting. During the recruitment process, applicants are questioned about their motivations for becoming a police officer, their attitudes and ethical decision making. Those who do not share Hertfordshire Constabulary's values and ethics are rooted out throughout the training programme.

The Constabulary has a local ethics board and is seen as a regional leader in terms of the focus on ethical decision making and continual training and development that is delivered to staff and police officers. There is currently a live 'call it out' campaign highlighting the importance of reporting inappropriate behaviour which builds on the work of the ethical leadership and decision making campaign which ran earlier in the year.

**Colin Woodward follow up question to the Panel:**

Post Covid it was reported that the Chief Constable awarded all of his officers and staff a Covid service bonus. How much was the total cost and was this payment funded by Govt/some other source or was it drawn from the annual budget for that year?

If the latter, and it was not a specific heading in the Pre-Covid budget submission agreed by the Panel, is the Panel satisfied that the Commissioner's then budget proposal (presumably for 'contingencies') was in hindsight appropriate/sufficiently justified and if not, will it seek ways to make scrutiny more robust in the future?

**Note:**

The service bonus was £100. Does Colin not believe that police officers and staff deserved a £100 bonus for their work during Covid?

Of course, Covid had a huge impact on budgeting and planning and fell in the middle of the police uplift programme recruitment activity of which the Panel and Colin are aware. Due to the phasing of recruitment, there was an underspend in the salary budget for officers and

staff. The decision on the total amount of the bonus awarded was a matter for the Chief Constable as the total spend fell well below the scheme of delegation limit of £500,000.

**Questions from the Panel:**

**Question:**

"How far does the bleak assessment by HMICFRS of vetting, misconduct and misogyny apply to Hertfordshire Constabulary, and what will the Commissioner be doing in the light of this report?"

**Note:**

As I have detailed in my previous answer, Hertfordshire Constabulary and I see police legitimacy, and that includes addressing vetting, misconduct and misogyny, as well as other issues such as ethics, integrity and transparency, as a top priority. We are not, and never will be, complacent and recognise that we will never stop being able to improve in this area. We will always have attempts to infiltrate the Constabulary, we will always have the wrong people attempting to become Police Officers and staff, and we will always have to be on our toes throughout recruitment and vetting and beyond. I hope the Panel can see that we are on top of this, and in fact we are seen as one of the leaders across the country in identifying and tackling these issues.

**Questions:**

Is the recruitment process for new officers in Hertfordshire sufficiently probing?

Is there enough clarity in Hertfordshire over decision-making as to termination of service of poorly behaving probationer officers?

Is Hertfordshire one of the forces where some digital devices are being used without any traceable attribution?

Are allegations of improper behaviour being reviewed (in line with Recommendation 28 of the HMICFRS report)?

**Note:**

As I have said, we can't rest on our laurels and are continually tightening and improving the recruitment process. The Chief Constable and I discuss this regularly, as well as the process of investigating allegations of improper behaviour and termination of service arrangements. Hertfordshire has the highest proportion of dismissals for gross misconduct across our Bedfordshire, Cambridgeshire and Hertfordshire collaboration, demonstrating the emphasis we put on ethics, integrity, and the importance of the public perception of policing. All force issued digital devices are controlled and monitored, and the use of What's App is no longer allowed on those devices.