

1 December 2010

MINUTES OF THE MOD POLICE COMMITTEE
TUES 16 NOVEMBER 2010
[approved on 15 March 2011]

Members

David Riddle	Independent	Chair
Sir Keith Povey	Police Adviser (England & Wales)	
Andrew Brown	Police Adviser (Scotland)	
Dr Marie Dickie	Independent Member	
Caroline Mitchell	Independent Member	
Dr Parvaiz Ali	Independent Member	
Susan Scholefield	Director General Human Resources & Corporate Services & Agency Owner	
Mark Preston	Director Business Resilience	
Karen Feather	Clerk to MOD Police Committee	Secretary

Attendees

Mr Steve Love	Chief Constable, MDP
Mr Gerry McAuley	DCC, MDP
Mr Robert Chidley	ACC Operational Support
Mr John Bligh	ACC Professional Development
T/Ch Supt Dave Long	Head of Agency Business Services, MDPGA
Mr David King	Agency Secretary
Eamon Keating	Chair, Defence Police Federation
Mr Richard Clancy	DefSy-Physical Security & Policing Policy Assistant Head
Supt Dave Pawley	DefSy-Policing Pol 2
Mrs Dawn Wiggins	APS/DGHRCS
Mr Bernard Hogan-Howe	HM Inspector of Constabulary
Det Supt Dave Moodie	Staff Officer/HM Inspector of Constabulary R
Reesa Rajesh	Def Sy-Policing Pol Coord
Richard Kearns	Def Sy-Policing Pol Co-ord

Apologies

Mr Dave Allard	ACC Divisional Operations
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Chair's Opening Remarks

1. The Chair welcomed HMIC Mr Bernard Hogan-Howe and his Staff Officer, Det Supt Dave Moodie. He also introduced Richard Kearns who was on loan from Defence Estates to cover for Reesa Rajesh, Assistant Clerk to the Police Committee, who is shortly to depart on maternity leave.

2. The Chief briefed the Committee on his constructive meeting with Minister (DPWV), Andrew Rowbathan, on 20 October. The Minister had recognised the excellent job that was being done by the MDP. However, the well documented pressures on the Defence budget meant that the requirement for the Force could be reduced in the future. The Minister had not been able to provide an assurance on the speed at which any reductions to MDP numbers might be implemented, but had stated that Ministers wished to achieve any future reductions to civilian staff numbers through natural wastage and voluntary

release where possible. The Minister had agreed to visit Wethersfield when his diary permitted.

Agenda Item 1: Minutes of the last meeting

3. The minutes of the last meeting (Def Sy 5/2/3 dated 21 Sep 10) were approved. All actions had been taken or were due to be discussed during this meeting.

Agenda Item 2: Chief Constable's report

Operational Report

4. Mr Love briefed the Committee on the MDP's response to an incident at AWE. Several police officers were due to receive Chief Constable's commendations as a result of their actions. The Chair confirmed that the Police Committee would wish to be associated with the commendations for this excellent response.

5. Redacted

6. The Committee wished to ensure that the lessons learned were being shared with the local forces who had defence establishments in their area. The Chief Constable confirmed that some forces had expressed a desire to work closer with MDP and to learn more about their capabilities and any limitations.

7. Mr McAuley drew the Committee's attention to a recent public order incident at Devonport which involved a land side and water side police response. The MDP had provided intelligence prior to and during the event; co-ordinated briefings with key stakeholders, provided a Divisional Support Group response, used constabulary powers, ensured that the routine business of the dockyard was able to continue, provided marine officers to protect the waterborne activity, taken part in protestor removal, liaised with Devon and Cornwall Constabulary, and provided CID support. Twelve arrests were made.

8. Mr McAuley highlighted some of the work undertaken by the force's 79 DCPOs based at 64 locations around the UK. DCPO Beacon and DCPO Edinburgh had recently received awards or commendations for their work with the Nepalese and Fijian communities respectively. DCPO Corsham had been the MDP nominee at the 2010 Police Review Annual Community Policing Awards ceremony. He also mentioned the role played by many DCPOs in the military Freedom Parades held around the country and the continuing contribution of the DCPO RAF Lyneham for his work with the repatriation of fallen service personnel.

9. Redacted.

10. Redacted.

11. Parvaiz Ali again recognised the excellent work done by the MDP's CID and Fraud Squad, but continued to be concerned about the number of theft and fraud cases that were reported in the MoD. He was assured by Susan Scholefield that the Department had a zero tolerance. Andrew Brown suggested that the new Defence Crime Board, which would meet for the second time in January, would provide an opportunity to address this.

12. The Chair asked that the Committee be informed how MDP had become engaged and how police had been deployed in connection with the investigation of the leaked letter from Dr Liam Fox to the Prime Minister in October. The Chair added that the Chief had advised him at the time of MDP involvement, given the unusual circumstances.

13. The Chief Constable and Mark Preston responded, confirming that following a request from the PUS, the Chief Constable had agreed to provide skilled MDP resources to conduct an inquiry into an alleged breach of security under the oversight of Mark Preston. The Chief Constable explained that these officers were not exercising policing powers in performing this task.

14. The Cabinet Office was fully sighted and being kept updated by Mark Preston. The Chief Constable stated that in the event there appeared to be any evidence of a crime, and in line with established procedure, approval would be sought from Cabinet Office before any further action is taken.

15. The Committee discussed the matter and its ramifications. The Chair said that part of the role of the committee was to provide assurance that the MOD's use of the MDP is appropriate in relation to the exercise of policing powers and authority, and to validate that that MDP's use of its authority is responsible, proportionate and impartial. The explanations given by the Chief Constable and Mark Preston were helpful in that regard, and it was also important to consider if there were any general lessons to be drawn about the way that MDP responds to extraordinary requests from MOD. The Committee agreed that the Chair should follow this up with Mr Love at the appropriate time with a view to a further report to the committee to ensure that sound policy and procedures were in place to safeguard MDP's impartiality and operational independence from the MOD in practice.

Action: Chair/CCMDP

Key Management Developments

16. CCMDP reported that the total MDP complement was currently under borne by 226 officers (9% of the force) due to the PR09 ongoing constraints. Sir Keith Povey welcomed this visibility as it would assist the Committee's assessment of whether the shortfall compromises the overall operational integrity of the force. Mr Love confirmed that this would continue to be reported to the Police Committee. **Action: CCMDP**

17. The Committee noted with pleasure that the MDP's Drugs and Alcohol Policy (which covers recruit testing, random testing of officers in safety critical roles and "with cause" testing), would be implemented on 1 Dec 10. Mr Love confirmed that the DPF were now in agreement.

Agenda Item 3: Reviews

PR 11 options and Review of MOD requirements for defence wide MDP services

18. Richard Clancy reported that he had given to the Force his draft report on the review of the future requirement for the services and capabilities that the MDP provides on a Defence-wide basis, and had received the Force's response which would inform the submission and recommendations that would shortly go forward to the Agency Owner for consideration.

19. The various civil policing and guarding savings options that had been presented at the last Police Committee meeting in September had now been consolidated into five consolidated options that would shortly be issued for formal costing as part of the PR11 Stage 3 process. Mark Preston confirmed that he would give the Police Committee Chair sight of his covering submission before it goes forward to the Defence Operating Board (DOB) during early 2011. **Action: DBR**

20. Susan Scholefield said that any safety related concerns associated with the PR11 options should be flagged up through the appropriate channels and, if necessary, raised at the Defence Environment and Safety Board. It would be for the DOB to decide which options would be taken, having given due consideration to their appetite for any increased security or safety risk.

MDPGA HQ Review

21. Mr McAuley said that the AMB had received options from the Study Team which identified savings of between 25-33% from HQ, Divisions and Regions. These will be discussed in further detail at the AMB Strategic Seminar on 13-14 Dec. It was agreed that the Police Committee should be briefed in sufficient time to express any views before the proposals go forward to the AMB meeting on 25 January for agreement. Ch Supt Long would contact Karen Feather to organise a Committee briefing and dialogue. **Action: MDP Hd ABS/Clerk**

National Infrastructure Policing Strategy

22. Richard Clancy informed the Committee that Def Sy had provided comments on the Home Office's draft Infrastructure Policing Strategy that was commissioned by the NSC(Nuclear) meeting in July. This response had included comments received from CCMDP. Other stakeholders being consulted by the Home Office were DECC and CPNI. The draft Strategy had also been circulated to ACPO, HMIC, CNC and OCNS.

23. It was likely that the Strategy would recommend closer working between the MDP and CNC in the short term with further work required to assess the most appropriate, economic and effective structure for defence and civil nuclear policing in the future. Mr Hogan-Howe recognised the many similarities between the MDP and CNC that would make a potential merger of the two Forces an option in the longer term. CNC were currently enhancing its number of armed officers and were in discussion with MDP on a number of operational issues.

Agenda Item 4: MDPGA Key Priorities

24. The Committee noted the Agency's position at then end of Quarter 2 of FY 10/11 against the backdrop of financial constraints.

Agenda Item 5: HMIC's Public Order inspection of MDP

25. HMIC had conducted a public order inspection of MDP at the end of 2009. Their report was produced in March 10 and had been tabled at the last Police Committee meeting. MDP had subsequently produced an Action Plan which assessed each item as Amber and in progress.

26. Mr Hogan-Howe said while he recognised the dilemma of some ACPO standards being imposed on non HDPFs, he firmly believed that some of the areas identified for improvement could be resolved and implemented quickly and at local levels, despite the uncertainty over the MDP's future footprint. Mark Preston confirmed that the MDP would still be required to provide significant capabilities for public order across the Defence estate, while he accepted that the issue of quantum would not be agreed for some months. The Chair considered that the areas for improvement needed to be driven forward based on the force's current business. It could then be re-visited at a later stage.

27. Mr Hogan-Howe asked for a revised Action Plan which highlighted items that could be actioned with timelines and with more definition before the next HMIC visit in January. It should also address policy development which was vital for training.

28. Mr Chidley confirmed that a more detailed version of the Action Plan had been developed and agreed this would be sent to the Chairman and both Police Advisers at the earliest opportunity in order that they could review it and identify any areas where further work by the Committee may be helpful by way of assurance. . The detailed Action Plan should then be presented at the next Police Committee meeting clearly indicating where progress had been made. **Action: ACC Ops Spt.**

Agenda Item 6: Future Role of HMIC

29. Mr Hogan-Howe briefed the Committee about the Police Reform and Social Responsibilities Bill, which will reduce bureaucracy and result in a power shift from central government to local areas. While he noted that this would not affect the MOD Police Committee, he confirmed that the Bill will include the introduction of Police and Crime Commissioners (PCCs) and Police and Crime Panels with effect from May 2012.

30. The detail of the future HMIC role was still to be defined by Home Office Ministers, but future inspections would be risk based and the HMIC focus would be on Value for Money, CT and organised crime, which was beyond the boundary of the PCCs. HMIC would need to decide which forces to inspect and the level of scrutiny required. He expected it would also be responsible for the integrity of data published by police forces.

31. He suggested that the Police Committee and MDP might consider engaging HMIC on the following subjects: VFM, the MDP link with CNC, and the consistency of firearms doctrine across police forces. He also thought that the development of a Committee/Force inspection policy would be very helpful. The Chair thanked him for these recommendations and agreed to consider these and inform HMIC of the outcome early next year. The Agency Owner also added her thanks to Mr Hogan-Howe and agreed to reflect on his suggestions.

Agenda Item 7: MOD Police Committee Work Plan 10/11

Drugs and Alcohol Policy

32. The Chair confirmed that the CC's report under Agenda Item 2 now met all the recommendations from the Police Committee's scrutiny of November 2009. Members might wish to conduct a review of the implementation towards the end of the next FY. The DCC confirmed that the management of the Drugs and Alcohol policy would move from ACC PD to PSD under his portfolio following implementation in December.

Temporary Promotion

33. Mr Bligh explained that due to the impending reductions in the force's footprint, the use of TMP was impacting across all ranks. The use of LTTP and TMP had reduced from 91 to 87 from Apr 10 to date.

34. Sir Keith Povey sympathised with the MDP's position as a result of the PR09 measures, but felt it could address some of the issues through the early publication of the policy on Sgts-Inspector promotion policy. Mr Bligh confirmed this work was still ongoing in HR Dept but undertook to keep the Clerk informed of progress. **Action: ACC PD**

Agenda Item 8: Diversity

35. The Committee noted the progress on the Agency's Diversity Action Plan at the end of Qtr 2. Mr Love said that the work to determine which MDP posts were suitable for Reasonable Adjustment had been suspended until the PR11 option is agreed. The Chair said this was reasonable in the circumstances.

36. Marie Dickie briefed the Committee on her attendance at the Agency Diversity Board on 18 Oct. An area of interest will be the change of refresher diversity and equality training to the MOD's model, which would be taken every 3rd year. She wished to ensure that this would be adequate for police officers given the level of their interaction with the public.

Agenda Item 9: Professional Standards

37. Mr McAuley reported that number of complaints recorded from members of the public had decreased by 25% from the previous quarter. There was evidence that MDP Divisions were now using more local resolution to address such complaints.

38. The number of conduct cases had grown. This appeared to illustrate that officers were more confident in the new conduct procedures. Low level misconduct was being addressed in Divisions by Management Action. Following the recent PSD audit, Caroline Mitchell reported there was now evidence that officers seemed more willing to accept when something had gone wrong and accept that management action would be taken. This was exactly what the Taylor reforms envisaged and it was encouraging that the new conduct regulations which took effect in MDP almost a year ago were having this effect.

39. The PSIU was proactively focussing on the Agency's Critical Risk Register, in addition to providing a statistical and analytical facility for complaint and conduct related issues.

40. The Committee asked for their thanks to be passed to the PSD for this comprehensive report and also welcomed the publication of the recent Lessons Learned Bulletins which they hoped they were used by managers across the force to develop staff awareness.

Agenda Item 10: Any other business

41. The Chair made a presentation to Mrs Reesa Rajesh who was soon to begin her Maternity Leave. On behalf of all the members, he thanked Reesa for hard work in supporting all of them over the last 3 years including organising travel and visits, providing sets of committee papers and processing their paperwork. They wished her well for the future until she returns to work in January 2012.

Agenda Item 11: Date of the next meeting

42. Tues 15 March 2011 (or a date to be determined in February if the Annual Strategic Seminar takes place on 15 March).

[signed]

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