Cumbria Office of Police and Crime Commissioner

**Cumbria Police and Crime Commissioner (PCC) response to inspections of Cumbria Constabulary published by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)**

*Section 33 of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017) requires local policing bodies to respond to recommendations in inspectors reports within 56 days.*

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| **Inspection Title:**  | Getting the Balance Right? An Inspection of How Effectively the Police Deal with Protests  |
| **Date Published:** | 11th March 2021 |
| **Type of Inspection:** | National Inspection  |
| **Key Findings**  |
| On 21 September 2020, the Home Secretary commissioned HMICFRS to conduct an inspection into how effectively the police manage protests. This followed several protests, by groups including Extinction Rebellion, Black Lives Matter and many others. In recent years, increasing amounts of police time and resources have been spent dealing with protests. In April and October 2019, Extinction Rebellion brought some of London’s busiest areas to a standstill for several days. The policing operation for the two extended protests cost £37m, more than twice the annual budget of London’s violent crime taskforce.Protests are an important part of our vibrant and tolerant democracy. Under human rights law, we all have the right to gather and express our views. But these rights are not absolute rights. That fact raises important questions for the police and wider society to consider about how much disruption is tolerable, and how to deal with protesters who break the law. A fair balance should be struck between individual rights and the general interests of the community. HMICFRS inspected ten police forces with recent experience of policing protests and consulted a wide range of other bodies, including protest groups and – through a survey of over 2,000 people – the general public. Cumbria Constabulary was not inspected but was one of the forces that did contribute to the inspection.Having reviewed the evidence, HMICFRS conclusion is that the police do not strike the right balance on every occasion. The balance may tip too readily in favour of protesters when – as is often the case – the police do not accurately assess the level of disruption caused, or likely to be caused, by a protest. Consequently, four areas for improvement were identified and 12 recommendations made, 2 of which were directed to all Chief Constables to ensure they obtain appropriate legal advice and have in place debrief governance arrangements. |
| **Recommendations:**  |
| **Recommendations**1. By 31 December 2021, chief constables should make sure that their legal services teams subscribe to the College of Policing Knowledge Hub’s Association of Police Lawyers group.
2. By 31 December 2021, chief constables should ensure that their forces have sufficiently robust governance arrangements in place to secure consistent, effective debrief processes for protest policing. Such arrangements should ensure that:

• forces give adequate consideration to debriefing all protest-related policing operations; • the extent of any debrief is proportionate to the scale of the operation; • a national post-event learning review form is prepared after every debrief; and • the form is signed off by a gold commander prior to submission to the National Police Coordination Centre.**Areas for Improvement**1. Forces should improve the quality of the protest-related intelligence they provide to the National Police Coordination Centre’s Strategic Intelligence and Briefing team. And this team should ensure that its intelligence collection process is fit for purpose.
2. On a national, regional and local basis, the police should develop a stronger rationale for determining the number of commanders, specialist officers and staff needed to police protests.
3. The police’s protest-related community impact assessments are an area for improvement, particularly those that need to be completed after the event. These assessments should assist the police to understand fully the impact of protests on communities. They should include assessments of the impact of protest on local residents, visitors to an area, businesses, and the critical infrastructure including transport networks and hospitals.
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| **PCC & Chief Constable Response to Report and Recommendation:** |
| The Cumbria Police & Crime Commissioner and the Chief Constable both fully support the recommendations made in this national report. The Chief Constable “We will continue to use our dedicated Improvement Database for tracking and responding to all HMICFRS recommendations and areas for improvement. This is overseen by the Deputy Chief Constable. The Improvement Plan ensures that identified action owners have clarity around roles, responsibilities and processes to ensure their actions are achieved to support the Constabulary in achieving its primary aim – delivering an outstanding police service to keep Cumbria safe”.The Police & Crime Commissioner said “The Chief Constable also provides updates against HMICFRS recommendations at my Public Accountability Conferences. In addition, my office meets with the Constabulary’s HMICFRS Professional Lead on a bi-monthly basis to review and discuss requirements arising from inspections and published reports. This provides an understanding of HMICFRS activity and gives direct assurance against the progress made to address statutory requirements both locally and nationally. This provides additional scrutiny in these important areas.”  |