

Surrey PCC Response to HMICFRS Report: Police need to find the correct balance between the rights of protesters and the rights of others

I welcome the HMICFRS response to the policing of protests. This is clearly a topic of great importance at this time, with the background of recent protest in regard to Covid, BLM, Climate Change and, not least, the Policing Bill. It is important that the legislation is clear and that police understand their responsibilities around protests so that protests can be managed fairly and effectively.

I have asked the Chief Constable for his response, particular in relation to the recommendations made in the report. His response is as follows:

Surrey Chief Constable Response

I welcome the HMICFRS's 2021 'Police need to find the correct balance between the rights of protesters and the rights of others report' in relation to the way in which protest is dealt with in the United Kingdom. Although Surrey Police were not specifically referenced in the report, the force recognises the importance of achieving the appropriate balance in relation to protest to ensure the confidence of our communities.

Whilst a number of the recommendations are specific to The Home Office and national activity in support of the report, I am confident that as the regional lead force for Public Order, and with representation on the National Public Order Public Safety and National Protest Working groups that Surrey Police will be able to effectively influence national activity, whilst ensuring that any local recommendations are fully understood and responded to.

Area for Improvement 1:

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.

Surrey Position:

Whilst a national AFI, this has impact upon Surrey who have previously faced challenges in both attracting and retaining Public Order Commanders. Currently Surrey have a number of experienced strategic and tactical Public Order Commanders and are in the process of developing their cadre of operational commanders. Work is under way to ascertain the number of commanders jointly required across Surrey and Sussex and this is reviewed at the Ops Command Oversight Board.

Recommendation 1

By 31 December 2021, chief constables should make sure their legal services teams subscribe to the College of Policing Knowledge Hub's association of Police Lawyers Group.

Surrey Position:

An action has been created for Ops Command to ensure that this is fed back to Surrey Legal Advisors Weightmans LLP for action.

Recommendation 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.*

Surrey Position:

All Surrey Police commanders are trained by the College of Policing and this includes awareness of the importance of debriefing. Debriefs are also incorporated in the Silver commander template form for Surrey Police to ensure that this is given due consideration. Surrey Police have trained debrief staff who can assess and perform these based on the time available and the nature of the matter. This can be either paper based or formal. Their use is based on a Gold/Silver commanders decision as to its requirement for a specific matter and currently tends to be used for the more significant protest activities that come to Police attention, but it is not certain how smaller more local activity is debriefed. All formal debriefs are provided with scope by, and signed off by the event Gold Commander.

An exercise is to be completed with local command teams to establish the extent of use of the debrief process for learning in relation to regular protest. It is proposed that Operations Planners are instructed to include Debriefs in all plans for consideration by Gold/Silver and rationale as to how this is completed (Hot, Paper, formal)

Area for Improvement 2

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.

Surrey Position:

Surrey Police routinely put command structures in place to deal with the small number of larger scale protests in the county. This includes a community bronze who will consider community impact and complete an assessment if required. Currently the completion of a formal assessments is at the request of the Gold commander based on their judgement.

A formal assessment document is available for use and standardised, as is a clear policy and procedure for use of Community Impact Assessments.

The proposal is to review the use of Community Impact assessments for Protest related matters for the previous 12 months. Based on this information, options will be put forward to ensure that assessments are appropriately recorded, which will include reflecting in policy and procedure, and guidance to commanders responsible for protest events both on a local and force wide basis.

The Chief Constable has provided a full response to the recommendations made and I am confident that Surrey Police will meet all the required standards and processes.

David Munro, Police and Crime Commissioner for Surrey
April 2021