Katy Bourne OBE
Sussex Police & Crime Commissioner

Tel: 01273 481561
Email: pcc@sussex-pcc.gov.uk
www.sussex-pcc.gov.uk

The Office of the
Sussex Police &
Crime Commissioner
Sackville House
Brooks Close, Lewes
East Sussex, BN7 2FZ

Sussex Police & Crime Commissioner

Mr Roy Wilsher OBE QFSM
HM Inspector of Constabulary
His Majesty's Inspectorate of Constabulary and Fire & Rescue Service
6th Floor – Globe House
89 Eccleston Square
London
SW1V 1PN

4 November 2024

Dear Roy

HMICFRS – An inspection into activism and impartiality in policing

I write in respect of the recently published findings from His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) following your inspection report into activism and impartiality in policing and have carefully studied the constructive recommendations contained within.

Sussex Police have considered the findings from the report thoroughly because of the importance that is placed on the police service in terms of being seen to be impartial and acting with impartiality, both internally [amongst the workforce] and externally [amongst the communities the police force serves].

I discussed the content of the inspection report with Chief Constable Shiner at my webcast monthly Performance & Accountability Meeting (PAM) on 18 October 2024 to understand better the extent to which police involvement in politically contested matters may be having an impact on operational policing, by influencing policing policy, priorities and practice in Sussex. This PAM session is available to view on my website through the following link: www.sussex-pcc.gov.uk/get-involved/webcasting/

A Culture & Standards Board sets the strategic direction for Sussex Police in this important area with operational practices, procedures and guidance cascaded to the rest of the workforce to ensure a consistency of approach. This is further supported by an Equality, Diversity and Inclusion (EDI) Policy which ensures that individuals are treated fairly, respectfully and with impartiality, alongside the Code of Ethics and Code of Practice for Ethical Policing which provides practical direction for the workforce around promoting and supporting ethical and professional behaviour within police forces.

I appreciate HMICFRS' concerns that "forces find it difficult to maintain the appearance of impartiality. It is not always easy to assess whether the police are being impartial. It is even harder to judge how effectively forces maintain the appearance of impartiality. There are differing perceptions of what impartiality is across various groups and communities."

I recognise the subjective decision-making that exists around this area of policing and I am reassured to note that Sussex Police will continue to try and be impartial and be seen to act with impartiality across all areas of policing in an open and transparent manner, maintaining the highest standards of honesty and integrity as part of this process. I also acknowledge that, whilst the Force will not always get things right in this challenging area, it remains committed to learning from and reflecting on all experiences to try and improve the policing response provided to the residents in Sussex.

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I am encouraged that Sussex Police celebrates and welcomes all forms of individualism, with police officers, staff and PCSOs recruited to the Force for who they are, what they stand for and how they represent local communities, and that all members of the workforce are encouraged to be themselves whilst undertaking their professional duties.

The Chief Constable has provided me with assurances that the workforce is provided with clear policies, guidance and direction around the use of visible representations as a form of communication and expression, to show membership and support of specific groups, create a sense of belonging and community, and to reflect their beliefs and affiliations. This includes highlighting some of the badges, lanyards and patches on uniforms which would not be appropriate in terms of maintaining an appearance of impartiality, accepting that these judgements can often be subjective too.

Sussex Police and Surrey Police have a joint Uniform Policy which applies to all uniformed staff and is guided by the Code of Ethics and Code of Practice for Ethical Policing. The policy confirms that police officers are permitted to wear small badges and pins on their clothing, whether this is uniform or not, providing that this does not: support an identified political party; support any proscribed organisation; contain any symbol or other material that is racist, sexist, homophobic, transphobic, violent, crude, lewd or rude, is associated with crime or gangs or is intimidating.

It was also highlighted that the placing of any such badge, pin or flag should not obscure any other fixed thing or required element of the item of clothing. For example, a small pin should not be placed on a police badge or on the blue and silver chequered band on body armour. It should also not damage any police property, must be capable of being easily removed and must not be too large or interfere with the operation of that item of clothing. A copy of this joint policy can be viewed on the Sussex Police website through the following link: https://www.sussex.police.uk/SysSiteAssets/foi-media/sussex/policies/uniform-policy-surrey-and-sussex-1219.pdf

Ahead of the publication of this report, I am pleased to confirm that Sussex Police had already adopted the authorised professional practice (APP) around the Code of Practice for Non-Crime Hate Incidents (NCHIs) and that the workforce are expected to complete a mandatory National Centre for Applied Learning Technologies (NCALT) package around this area of policing.

All NCHIs recorded by the Force are subject to formal validation by the Crime Management Unit and any risk assessments created because of these incidents are reviewed by the ASB and Hate Crime Coordinators on each of three policing divisions to identify any vulnerable individuals, those being victimised, and anyone who may need safeguarding. This process is further supported by the creation of bespoke flags and markers on the police records management system and is recognised to be contributing positively towards the delivery of a consistent and improved policing response throughout Sussex. I am reassured to note that the safeguarding of victims continues to remain an intrinsic and integral part of the policing response delivered in this important area.

At the PAM, the Chief Constable explained that Sussex Police is recognised to be one of the more progressive police force areas in England and Wales in terms of the information that is recorded around crimes and incidents locally, including shared access to data held by other partner agencies. The Force uses Microsoft Power BI – an interactive data visualisation software product – to identify, map and analyse all the crimes and incidents recorded in Sussex, alongside the proactive identification of any hotspots that may exist across the county where there is an increased prevalence of offending behaviour and/or any apparent increase in community tensions.

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Sussex Police has assessed each of the 8 recommendations identified for chief constables and police forces in the inspection report which seek to provide clarity for forces to be, and appear to be, impartial, and to improve the public trust and confidence in the ability of the police to respond effectively when involved in politically contested matters. I am pleased to confirm that the Force has already addressed 88% of these recommendations [7/8] with updates submitted through the HMICFRS Monitoring Portal which are awaiting formal sign-off.

The only area that currently remains outstanding is Recommendation 20 and the need for forces to make sure they clearly define the requirements for recording personal data for NCHIs in policies. The Force will continue to monitor the progress made against this recommendation through its Organisational Reassurance Board until this is marked as completed.

In my role as Sussex Police & Crime Commissioner, I will scrutinise the performance of Sussex Police in this important area to ensure that the Force continues to remain impartial and is being seen to act with impartiality across all areas of policing, maintaining the highest standards of honesty, integrity and transparency as part of this process.

Yours Sincerely

Katy Bourne OBE
Sussex Police & Crime Commissioner