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Custodians of Justice

Police Federation speech 2016

Roll of Honour

Each year the Police Federation pays tribute to those officers who fell in the line of duty in the previous year. The men and women who went to work – to fight crime, put away dangerous criminals, and keep the public safe – but then did not return home. This year, two further names are added to that roll of honour.

PC Sahib Lalli

PC David Phillips

They did their jobs serving their communities and striving to make them safer. And in honouring them we should also remember the families that are often left behind.

Day in and day out, you – and the thousands of police officers and staff up and down the country – do a fantastic job. You do so with a tremendous sense of duty. You do so with courage and dedication not knowing from day to day what you might face.

We must never forget the risks you take or the sacrifices you make so that we don't have to.

So I am delighted that the Police Federation's new campaign, Believe in Blue, will celebrate the difference that police officers make every day to people's lives: protecting the innocent, defusing conflict, and providing comfort. These are not just slogans. They are the daily professional achievements of policing in this country, of which you should all be proud.

Reform of the Police Federation

Six years ago now I stood on this platform and addressed you for the first time.

On each occasion since then, I have talked about the wide-ranging programme of reform I have put in place since becoming Home Secretary. A programme which, let's face it, you haven't always agreed with and which, at times, you have resisted.

But six years on, British policing has changed substantially for the better. We have overhauled inadequate institutions and systems, reduced excessive bureaucracy, and replaced a centralised model of governance with local democratic accountability. Policing is more accountable, more transparent and more effective. And crime is down by well over a quarter since 2010, according to the independent Crime Survey for England and Wales.

But I am not here today to talk about those reforms. I want to focus on one of the biggest challenges facing each of you, and one of the biggest questions for the British model of policing by consent – the response to vulnerable people.

But before I do so I want to talk about you, the Federation.

Two years ago, I delivered a difficult message to the Federation at this conference. I am sure you remember that day well - I certainly do. Not for my remarks or your reaction to them, but for the fact that, shortly afterwards this Federation voted for change when it accepted Sir David Normington's review of the Police Federation in full.

You have made clear progress since then. Police officers now choose to join the Federation voluntarily, instead of paying their subscription fees by default. The IT and change programmes needed to modernise the organisation are well underway.

You have proposed amendments to the Federation's rules and regulations aimed at reforming your structures, governance, and even this conference itself. The Policing and Crime Bill currently going through Parliament will bring the Police Federation within the scope of the Freedom of Information Act.

And just as you – the Federation – asked me to do, I will enshrine a revised core purpose for the Federation in law – making clear your commitment to the public interest alongside your existing duty to your members.

So Steve, Andy, I would like to commend you for your hard work on delivering that commitment to change. I know it hasn't been easy. You have experienced setbacks and delays. But you have both recognised that the Police Federation will be more representative, more credible and more professional as a result.

But that does not mean change can stop here. Of the 36 recommendations in the Normington Review, 24 have not yet been delivered. And some of those you say are now in place, like the Independent Reference Group, have not in any way lived up to the spirit of what Normington prescribed.

Then there are the Police Federation's accounts. For the past two years, I have called these accounts in for review. What they have revealed is spending that has been both questionable and opaque. Branches spending tens of thousands of pounds on presents for retiring Federation representatives – gifts that ordinary rank and file officers would never expect to receive. Other items – like £10,000 on an annual "plain clothing allowance" in one branch - which defy explanation. The fact that some branches own what appear to be holiday homes, within an overall property portfolio worth £31 million.

Members' subscriptions are not a slush fund for the Fed or pocket money for its officials. I am sure ordinary members of the Federation will be as concerned about how their money is being spent as I am. Just as they will be concerned by the arrest of four senior Police Federation representatives, including three serving police officers, for alleged fraud and potentially criminal misuse of Federation funds.

That investigation has now passed to the Independent Police Complaints Commission and remains ongoing, so I will not comment on the details of the case. But I will say this. The allegations could not be more serious. They go to the heart of the self-serving culture identified by Normington and they stand in contrast to the commitment to reform this conference made two years ago. Irrespective of whether criminality has taken place or whether individuals have acted inappropriately or not, they remind us of the continuing need for the Federation to change the way it operates.

So I intend to consult the Federation on amending its regulations; to require that all expenditure above a defined amount – as set by the Federation itself – be agreed by the National Officers of the Federation and the National Board.

Two years ago, this Federation took the bold decision to change. I know that you, for the sake of your members and for the public you serve, want to finish that job. As I have said before, if you stall, if you falter, or if the Federation turns its back on reform, I will legislate to do it for you. But for as long as you are making progress, I will listen and I will help you because you are doing the right thing.

Hillsborough

When I delivered that difficult message two years ago, it was not just the Federation that I said needed to change. It was the police in a much broader sense. I was clear that the series of damaging events and revelations we had seen, put not just the relationship between the public and the police at risk, but called into question our very model of policing.

One of those damaging revelations was Hillsborough.

It is now three weeks since the jury at the fresh Hillsborough inquests gave its determinations and findings. When time and again, the jurors answered “yes” to questions of error or omission on the part of the police.

Police planning and preparation; match-day operations; commanding officer decisions; orders from the control box; and the fateful decision to open the gate of the Leppings Lane exit: all contributed to what happened that day, leaving ninety-six men, women and children "unlawfully killed" and the fans blameless in the disaster.

For the survivors and families who lived through the horror of losing their loved ones, who suffered the injustice of hearing those victims being blamed, who were not believed, and who have seen the authorities that they should have been able to trust instead lay blame and try to protect themselves - the fight has been long and arduous. Throughout, they have remained steadfast, showing an extraordinary courage and a passion for justice for those who died - and I pay tribute to them.

There are currently two ongoing criminal investigations: one by the Independent Police Complaints Commission, which is examining the actions of the police in the aftermath of the disaster, and a second criminal investigation led by Jon Stoddart, the former chief constable of Durham - so I do not propose to go into this in detail.

But I do not believe there can be anyone in this hall who does not recognise the enormity of those verdicts. Nor can there be anyone in policing who does not now understand the need to face up to the past and right the wrongs that continue to jeopardise the work of police officers today.

Because historical inquiries are not archaeological excavations. They are not purely exercises in truth and reconciliation. They do not just pursue resolution; they are about ensuring justice is done. Justice: it's what you deal in. It is your business. And you, the police, are its custodians.

We must never underestimate how the poison of decades-old misdeeds seeps down through the years and is just as toxic today as it was then. That's why difficult truths, however unpalatable they may be, must be confronted head on.

And let's not forget, when we look at Hillsborough, the principal obstacle to the pursuit of justice has not been the passage of time. The problem has been that due

process was obstructed and the police, the custodians of justice, failed to put justice first.

The response to domestic abuse

So we must not let the lessons of Hillsborough and other past injustices go unheeded, and we must not be afraid to face up to the challenges of today.

There are issues that we have the opportunity to resolve now, where you have already shown that change is possible, but where reluctance or obfuscation could set back the relationship between the public and the police. Today, I want to talk about one such issue in particular - the police response to domestic abuse and vulnerable victims more widely.

Because for years the violence, rape and emotional abuse that takes place every day behind closed doors was simply not being taken seriously enough, and all too often treated as a "second class" crime. Claims neglected and ignored, suffering dismissed, and blame and recrimination cast back at victims, rather than those responsible. In many cases, brutal violence was downplayed as "just a domestic" and too little was being done to protect victims.

And in neglecting victims, the impact of those crimes on families and children was also overlooked. Research clearly shows that children who grow up in this environment, who know nothing else but conflict and control, can go on to incorporate abuse into the families and homes they eventually build for themselves. The consequence of inaction is not therefore just continued abuse today, but the possibility of new perpetrators and new victims tomorrow.

It was a scandal I was clear could not continue when I became Home Secretary in 2010, however long it might take to address. That's why shortly after coming to office I published my strategy: a call to end violence against women and girls. And why in 2013, I commissioned Her Majesty's Inspectorate of Constabulary to inspect every police force on their response to domestic abuse.

On leadership, management and investigative practice – even for routine tasks such as the collection of evidence at crime scenes - inspectors found significant failings that were letting victims down. Officers who couldn't spot dangerous patterns of abuse. Victims who weren't treated with dignity and respect. And the shameful attitude of some officers towards victims who had suffered violence and psychological abuse.

The officers who accidentally recorded themselves calling a victim "a bitch" and "a slag." The victim who overheard the responding officer say: "It's a DV, we'll be a few minutes and we'll go to the next job."

In that context, it is not surprising that, in the words of one Independent Domestic Abuse Adviser, many women were made to feel like "they were making mountains out of molehills and that they also are to blame."

I told you then those attitudes have no place in policing, and they threaten the good work that all of you do. It was clear to me there needed to be a change of police culture, from the top down.

And the truth is, you listened and you acted.

In the last two years, real improvements have been made. Today, every police force in England and Wales has an action plan in place to tackle domestic abuse. For the first time, forces are collecting data against a national standard on all domestic abuse recorded crimes. The use of body worn video is improving the collection of evidence. In the recent police and crime commissioner elections, domestic abuse was mentioned more than any other crime as a priority in candidates' manifestos.

We are seeing more victims coming forward, more crimes being properly recorded and more convictions. In 2014/15, the Crown Prosecution Service recorded the highest number of police referrals, prosecutions and convictions for domestic abuse ever. And I have also been encouraged to see the first convictions for coercive control, and the many cases that are currently pending. They demonstrate that

officers are recognising that patterns of continuous psychological abuse can be just as devastating as a single act of violence.

So I want to commend all those who have shown a real commitment to protecting vulnerable people from appalling violence and abuse. You should be proud of your work. You have shown that improvement is possible; that difficult truths can be faced up to; and that the trust of those who have been failed in the past can be regained.

The continuing need for reform

But there is still a long way to go. Victims of abuse are still being let down and reports are not being taken seriously enough. The right skills, training, and commitment to protect the vulnerable are still not held by every single police officer. And while the new powers that we introduced are effective, they are not being used anywhere near as systematically as they could be.

We continue to see examples of the same shameful attitude that HMIC uncovered in 2013. We know of officers who develop inappropriate relationships with victims of domestic abuse. They have ignored their professional duty and their moral responsibility, and instead abused their position of power to exploit victims.

We do not know the true scale of this, but everyone in this room will know it goes on far more than we might care to admit. So today I have written to Sir Tom Winsor to ask HMIC to investigate this issue during their Legitimacy inspections later this year.

Or the officers who put victims of serious domestic violence into a room with their attacker in the name of restorative justice, with no consideration of the psychological and emotional damage that can cause. I know that restorative justice is meant to be victim-led and I know that guidance says it should be considered in all cases.

But I simply do not believe it follows either the evidence or common sense to sit vulnerable victims across from perpetrators who for months and years may have destroyed their confidence, manipulated their mind, and beaten their bodies.

Victims of domestic abuse are not the only vulnerable people who have been neglected by the police. Think of the victims and survivors of child sexual abuse. Of

rape, stalking and harassment. Young girls who have been trafficked and held as slaves. These crimes are still investigated with different tools and often less urgency than crimes you are more accustomed to or more comfortable with, but which pose much less risk to individuals and communities.

As HMIC found last year, not a single police force in England and Wales is outstanding at protecting those who are vulnerable from harm and supporting victims, and 31 forces are judged to be either inadequate or requiring improvement. That suggests that substantially more police forces are effective at tackling drug dealers or stamping out anti-social behaviour than are effective at protecting vulnerable victims from rape, domestic abuse or modern slavery.

I do not say this to chastise you or to lecture you. I know that the vast majority of you joined policing precisely to help vulnerable people and to protect them from harm. You work hard, and you want to do the right thing.

These cases are difficult and complex for all the reasons we know about. They involve people who do not always know they are being exploited. Those for whom changing their story may indicate that they are being coerced or controlled, not a sign that they are an unreliable witness. Victims who may view perpetrators not as criminals but as their family, their loved ones, and those they rely on for love and protection.

Investigations will often be more time-consuming and evidence less straightforward than for other crimes. Your superiors may be unsympathetic to the demands on officers and the sheer volume of cases involved.

Often, you will be forced to come to terms with abhorrent forms of criminality and look through harrowing images, which can weigh heavily on morale and have consequences for investigating officers' mental health.

And for crimes that happened twenty, thirty, forty years ago, the challenge of launching successful prosecutions when memories have faded, documents have been lost, and witnesses may have died, is undoubtedly incredibly tough.

I know that, at times, you must feel damned if you do, and damned if you don't. Because in spite of the complexity and the sensitivity of these crimes, the margin for error is smaller – and the risk of recrimination far greater – than for almost anything else you do.

And because when you get it right, you are – yes - rewarded with the satisfaction of a job well done. But you also then see even higher numbers of cases and greater levels of responsibility as victims gain more confidence in the system.

But we must not let increasing caseloads and complex investigations slow improvement or hinder further change. Or let the failure of your superiors to find efficiencies elsewhere pile pressure on officers already stretched and overloaded. There is no excuse for investigative teams not being resourced effectively. And because the number of people now coming forward demonstrates just how much was previously hidden, neglected, or ignored, and how many people are now starting to trust the police once again.

Last year, police forces in England and Wales received more than 100 calls an hour about domestic abuse and domestic abuse cases made up around one in three violent crimes with injury. Police officers recorded more than 100,000 sexual offences. And there were more prosecutions and more convictions for rape than ever before.

I know there are some people who say that the pendulum has now swung too far the other way. That after years of under recording, disbelief and an unwillingness to investigate, the police are now overcompensating. That when it comes to the past we should let sleeping dogs lie to concentrate on crimes in the here and now.

I understand those concerns. But I disagree.

Victims and survivors of domestic abuse, child sexual exploitation, or modern slavery cannot resolve to forget. They live with the effects of those crimes every day of their lives and they deserve authorities that protect them and police who listen and act.

Their children need to know that it doesn't have to be this way; that not all relationships are abusive; and that it is possible to have a better life and a loving family. And perpetrators must never be allowed to think that their horrific acts will be overlooked or go unpunished.

So let me be absolutely clear. Domestic abuse is a crime. Sexual assault is a crime. Child sexual abuse is a crime. Modern slavery is a crime. And the victims and survivors of those crimes deserve to be heard now, just as they should have been years ago, and they deserve justice, just as they did then.

Renewing our model of policing by consent

I recognise that this is not easy or straightforward. Changing a culture is hard and it will take time. Gaining the confidence of victims and survivors and their families will take longer. But by facing up to the past we can begin to renew the model of policing by consent and to restore the relationship between the public and the police.

I know policing is listening, and is starting to change. The College of Policing has already rolled out domestic abuse training for every new recruit, revised Authorised Professional Practice, and increased specialist capability too, training 1,160 additional child sexual abuse investigators in the last year alone.

And I am committed to doing my bit to help. I know chief constables are already considering how best to transform the police response to vulnerability, with proposals due to be presented to the Police Reform and Transformation Board shortly. Today I can announce that, alongside the work to increase police capability around firearms and digital investigations, and subject to that board's views, I will support these proposals for new training to address vulnerability and improve the response to victims.

To ensure that the police have access to specialist interviewers trained to reduce victims' trauma and achieve best evidence from vulnerable victims and witnesses. And to make sure that every force has supervising officers trained specifically to deal with vulnerability, so that warning signs are spotted, victims are prioritised, and each shift of frontline officers and staff is briefed and debriefed properly. This is a proposal the Federation called for in response HMIC's 2013 report on domestic abuse, and something I wholly support.

And, as the Police Reform and Transformation Board becomes established and begins to consider where to invest to transform policing in the future, I believe it is right that the Federation is included in that process. Because the cultural change needed will only come about if everyone in policing is able to contribute, just as you and other staff associations have contributed on the board of the College of Policing.

Alongside this investment, I will bring forward proposals with the College to develop minimum training and standards for certain specialist roles and to give the College responsibility to enforce those standards through a system of national accreditation. This will deliver higher standards for specialist investigators, including for domestic abuse and child sexual abuse, and ensure that these are as rigorously and as consistently applied in protecting the vulnerable as they are in other critical areas like firearms and public order.

These reforms will mean that, in future, victims can have confidence that the police take these crimes as seriously as any other. And it will mean that you - as police officers - are not forced to take on the risk and responsibility of investigating crimes for which you have not been prepared or trained professionally.

And if any of you still doubts whether this is possible - whether policing really can change - just look back at the last six years and consider what you have achieved.

Crime down and public confidence maintained. Police forces that are more diverse, more professional and better qualified than ever before. More targeted and proportionate use of existing powers, like stop and search, and the first successful convictions under new laws, including for modern slavery and coercive control.

You have achieved all of this while delivering significant savings. There is no doubt you can deliver meaningful change in the years ahead at a time when your budgets are being protected.

Conclusion

I would like to end by saying this, to every police officer in this hall, and to your colleagues in forces across the country.

Remember Hillsborough. Let it be a touchstone for everything you do. Never forget those that died in that disaster or the 27 years of hurt endured by their families and loved ones. Let the hostility, the obfuscation and the attempts to blame the fans serve as a reminder of the need to change. Make sure your institutions, whose job it is to protect the public, never again fail to put the public first. And put professionalism and integrity at the heart of every decision, every interaction, and every dealing with the public you have.

Because if you do, you will renew the model of policing by consent in this country, and you will truly be custodians of justice for those who have been denied it for too long. Thank you.