

federation

West Midlands Police Federation



October/November 2018

Remembering fallen officers

– see Pages 18 and 19

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GeorgeBurrows

Welcome

Welcome to the October/November 2018 edition of *federation* - the magazine for members of West Midlands Police Federation.

We are always on the look-out for good news stories so please get in touch if you have something to share with colleagues. It does not have to relate to your policing role – though we are definitely interested in hearing about what's going on around the Force. Do you have an interesting hobby or perhaps you are involved in sport locally, as a player, a manager, a coach?

Just get in touch and let us know.

We would also be interested to hear what you would like to see featured in your magazine.

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Taser – helping our officers to protect themselves and their communities



By **Rich Cooke**, chair of West Midlands Police Federation

As I write this, I have just returned from Belfast where I attended the annual National Police Memorial Day service.

It is a sombre occasion, of course, honouring as it does, our fallen colleagues. The service is important, not just because it enables people from within the police service and the Government, to come together to honour their memory but also because it shows their families that their loved one's sacrifice is not forgotten.

I hope also that the service demonstrates to those families that they

remain part of the policing family and that we stand shoulder to shoulder with them.

For me, the service exemplifies why the police service has such a unique place in society. Police officers face danger each and every day as they go about their duties serving and protecting their communities and sometimes they pay the ultimate price when doing so.

But, as violence against police officers soars, I, for one, want to see more done to protect them.

As you will read in this magazine, the Police Federation of England and Wales has achieved a success with its Protect the Protectors campaign which was borne out of concerns over the number of assaults on police officers and other emergency service workers.

Sadly, officers – and I am sure ambulance service personnel, paramedics and other blue light workers – were becoming accustomed to being attacked when they stepped into try to help others.

That could not be allowed to continue. It is never acceptable for anyone to consider being assaulted as part of their job.

A new act – and we have to thank Labour MPs Holly Lynch and Chris Bryant and Conservative Philip Davies and other cross-party supporters including Eddie Hughes (Cons, Walsall North) for their determination to bring about a change in the law – does allow for tougher sentences for those who attack emergency service workers.

However, we now need to see evidence of the courts using these sentences not just to punish the offenders before them but also

to send out a very clear signal to others that this despicable behaviour will not be tolerated.

Sadly, in the last couple of weeks, a number of cases where in my opinion these offenders have received quite lenient sentences have hit the headlines, so I am not feeling that reassured. Perhaps we should take some heart from the fact that the media, in covering these cases, seems equally outraged at the sentencing.

We will continue to push for more protections to be put in place and the Federation will use everything in its power to put pressure on the Government and the judicial system to do more to support police officers and our emergency service colleagues.

Meanwhile, I am continuing to campaign for more officers to be issued with Taser.

As I am sure you are aware, there have been a number of serious assaults on West Midlands officers in recent weeks.

Figures have also just been released that reveal almost 50 officers have been bitten by suspected offenders or dogs this year. The Force disclosed 35 of them had been bitten by offenders with 11 of those requiring hospital treatment and one being given a hepatitis vaccine.

These figures should be seen as alarming. But, I am sure, many officers are no longer particularly shocked by them and some will carry permanent scars because someone has taken a decision to sink their teeth into them.

As it stands, less than a quarter (22 per cent) of our front-line officers have access to Taser. We welcome the fact that the Force has agreed to a roll-out to more officers. But,

sadly, that will only account for less than half of our front-line colleagues.

In the most recent survey of our members' views on routine arming, 42 per cent of the West Midlands Police Federation respondents said they were in favour of officers receiving appropriate training and armed at all times when on duty. This compares to 34 per cent of respondents across England and Wales and perhaps goes some way to illustrating how our members perceive the risks and dangers they are facing in policing the West Midlands.

A total of 63 per cent of West Midlands officers taking part in the survey said they would be prepared to carry a firearm at all times, again this was higher than the national average of 55 per cent.

The survey revealed, perhaps unsurprisingly, that officers wanted to be double-crewed more and this is something we would like to see as often as possible for proactive patrol or emergency response. It also highlighted a shortfall in terms of the number of respondents who had access to Taser at all times while on duty (15 per cent) and those who wanted to have the device available to them at all times, a resounding 82 per cent. There was a similar figure in relation to body-worn video – with 80 per cent of West Mids Fed members saying they wanted access to it at all time so I am really pleased the Force is investing in BWV so that all front-line officers will have access to it soon. We need to see a similar approach to Taser.

Of course, in an ideal world, what we would all really like is more officers AND more equipment. We would like to see numbers returned to pre-cut levels at least so that there are enough of us to go around. We would also like all front-line officers to have access to the kit they need to keep them – and the communities they police – safe.

I think, to a certain extent, we accept that is not going to happen – certainly in the short to medium term.

However, while we wait for a long-term solution to the issues and challenges we face due to under-funding and limited resources – both feet on the ground and equipment – we should at least be ensuring that the officers we do have are well-equipped.

We all understand the benefits of having Taser at our disposal as the less than lethal option. We all know that in many instances just warning someone that we may use the device is enough to help us control a situation that has the potential to lead to either an officer or a member of the public being put at risk. We now need to ensure that more officers are given that option.

New national secretary

Alex Duncan has been selected as the national secretary of the Police Federation of England and Wales (PFEW).

His appointment follows a new interview process.

Alex took over his new role on 1 October following the retirement of Andy Fittes who has been an officer for 31 years, 19 of which as a Federation rep and four as national secretary.

The national secretary has overall responsibility for the day-to-day management of PFEW, staff, departments and representatives. They also contribute to setting and supporting the implementation of the Federation's strategic direction and lead on pay negotiations with the Government.



Alex, an Avon and Somerset officer, has 27 years' service, has been a Fed rep for 19 years and took up a role on the Interim National Board in 2014.

Other national post-holders are:

Treasurer - Tim Packham (Kent)

Vice-chair - Ché Donald (Sussex)

Deputy secretary - John Partington (Metropolitan)

Deputy treasurer - Simon Kempton (Dorset)

Head of criminal claims - Andy Ward (Durham)

Head of civil claims - Craig Hewitt (Lincolnshire)

Learning and development lead - Zuleika Payne (South Yorkshire)

Equality lead - Peggy Lamont (West Midlands) – see Page 8.

College of Policing lead - Dave Bamber (Cheshire).

Federation gears up for centenary celebrations

Next year marks the Police Federation of England and Wales' centenary.

And, as part of the celebrations to mark that milestone, the Federation is seeking stories from members, workplace representatives and officials past and present.

In particular, it would like to hear about:

- Officers' experiences of being a rep
- Memories of significant issues they have been involved with while a rep, and
- How the Federation has changed over the years.

It is also seeking Federation at work style photos.

The Police Federation was formed by the Police Act in 1919 following a strike in London when almost every constable and sergeant in the Metropolitan Police refused to go on duty.

They were demanding a big pay increase, a widows' pension, the recognition of their illegal trade union and the reinstatement of those who had been sacked for their union activities.

The Prime Minister, David Lloyd George, gave in to the strikers on pay but within months the police union was smashed and the Police Federation of England and Wales was established.

Since then, police officers have been prohibited from striking by statute, the most recent being the Police Act 1996. It is not a union, but has a statutory responsibility to represent its members, that is all officers below the rank of superintendent, in all matters affecting their welfare and efficiency.

The Federation today represents the interests of around 119,000 police officers, bringing together their views on welfare and efficiency to the notice of the Government and all opinion formers.

The Federation is concerned with all aspects of pay, allowances, hours of duty, annual leave and pensions. It is consulted when Police Regulations are made, dealing with training, promotion and discipline.

It takes an active interest in a wide range of subjects which affect the police service and puts forward its views on the members' behalf. Thus, it not only acts as a staff association, but also as a professional body, able to influence not only living standards, through pay and other benefits, but also the development of professional standards.

If you have any memories to share ahead of the centenary year, please contact Ally Crouch, the PFEW campaigns officer, on acrouch@polfed.org or call **01372 352052**.

Protecting the Protectors - assaults bill clears final hurdle

Assaulting a police officer will now be punishable by up to 12 months in prison - with the news being welcomed by the Police Federation of England and Wales (PFEW).

The Assaults on Emergency Workers (Offences) Bill was granted Royal Assent on Thursday 13 September. The bill makes it an aggravating factor to assault or sexually assault a police officer or any other member of the emergency services and is punishable by up to 12 months in prison.

The Federation said it would like to see the maximum sentence raised further but is pleased the act sends a clear signal that assaults against blue light responders will not be tolerated.

It follows the Police Federation of England and Wales' Protect the Protectors campaign.

Rich Cooke, chair of West Midlands Police Federation, said: "This is the news we have all been hoping and waiting for and, in my opinion, it is long overdue.

"This new law is there to protect the



Supporters of the Protect the Protectors campaign MPs Holly Lynch and Chris Bryant.

very people who, day in, day out, night after night, put themselves in harm's way to protect others.

"The reality is, I find it quite disheartening and sad that we need this sort of legislation to protect officers and other

Timeline for assaults bill

1st reading: House of Commons	19 July 2017
2nd reading: House of Commons	20 October 2017
Committee Debate: House of Commons	15 November 2017
Report stage: House of Commons	27 April 2018
3rd reading: House of Commons	27 April 2018
1st reading (Hansard): House of Lords	30 April 2018
1st reading (Minutes of Proceedings): House of Lords	30 April 2018
2nd reading (Hansard): House of Lords	29 June 2018
2nd reading (Minutes of Proceedings): House of Lords	29 June 2018
Order of Commitment discharged (Hansard): House of Lords	16 July 2018
Order of Commitment discharged (Minutes of Proceedings): House of Lords	16 July 2018
3rd reading (Hansard): House of Lords	24 July 2018
3rd reading (Minutes of Proceedings): House of Lords	24 July 2018
Royal Assent: House of Lords	13 September 2018

PROTECT THE PROTECTORS

emergency service workers, but it is only right that anyone who thinks it acceptable to assault them gets a tougher sentence.

"It should never been seen as part of the job to be kicked, punched, spat at or assaulted in any other way. Tougher sentences are needed to punish those who assault the police to make it clear that it will not be tolerated and act as a deterrent to others."

Recent years have seen an increase in assaults on emergency workers, with 26,000 assaults on police officers in the past year and more than 17,000 on NHS staff. However, the true figure is likely to be significantly higher due to under-reporting.

John Apter, national Federation chair, said: "This has come after an incredible amount of hard work and lobbying by us. Being assaulted – whether you are a police officer, firefighter, prison officer or paramedic – is unacceptable and the sentences should be harsher.

"Whilst we didn't get everything that we wanted in this bill, it is a start and a significant improvement on what we had. We welcome it but our journey to 'protect the protectors' hasn't finished – we will continue to lobby to ensure that when our members and other emergency services are assaulted, those responsible are given harsher sentences than they have in the past.

"I would like to extend our sincere thanks to MPs Chris Bryant, Holly Lynch and others from all sides of the political divides, as well as the House of Lords who have supported this bill.

"We will now look to the courts to use their new powers to the fullest and provide the deterrent and protection that police and emergency workers deserve."

And John urged forces to support their officers in coming forward to report assaults so accurate data could be recorded.

He continued: "Steps have been taken to improve the quality of the data, however there is still work to be done to ensure that all incidents are accurately recorded so a true picture can be obtained.

"This responsibility also falls to the individual chief constables to make sure that all officers have the confidence – and support – to report every incident.

"Attacks on blue light workers should never be considered 'just part of the job' and I hope this new law will act as a strong deterrent for those who think that it is acceptable to assault police officers or other emergency service workers and appropriately punish those who do."

Assaults at 'crisis' levels within West Midlands Police

Attacks on West Midlands Police officers are reaching 'crisis' levels – with at least 10 incidents this year where officers have been close to being killed.

West Midlands Police Federation branch chair Rich Cooke has spoken out after a spate of incidents in which officers have been left seriously injured in the course of their duties.

And he has called for more officers to be given the right equipment to be able to protect themselves.

In September, there was an incident where an officer was left with a broken leg after a firearms pursuit and an officer was run over and left for dead with a serious head injury, punctured lung and broken ribs. Just hours earlier an officer suffered back and neck injuries after his patrol car was rammed during a pursuit of a suspect in a shop robbery.

In one 36-hour period, six officers were injured across the Force and, over one weekend in September, five officers were hurt in two different incidents.

The increase in the number of officers being injured coincides with an increase in the number of people carrying weapons, knives and firearms on the streets.

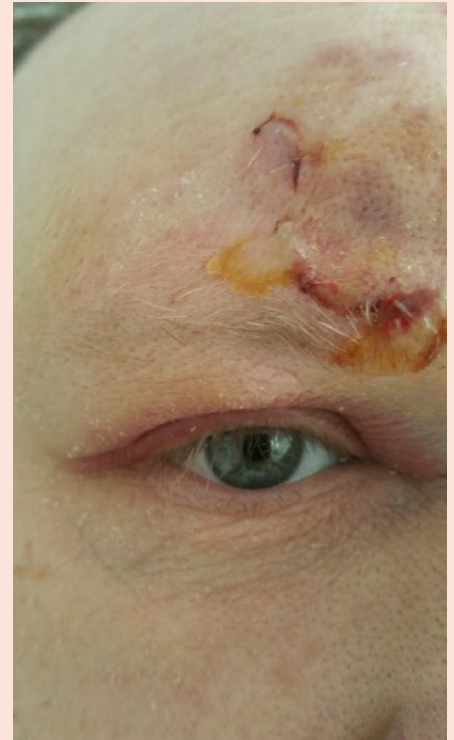
Rich said: "I think officers feel more exposed than ever before. They are feeling like they haven't necessarily got the right equipment to cope with the violence we are seeing in terms of knives and the potential to see a firearm. It seems we're coming across them more regularly.

"We had an incident where we had an officer run over and left for dead, another officer left with a broken leg after a firearms pursuit. There's some really serious injuries.

"We've had 10 or so incidents this summer where if one factor had changed, they could have been fatal.

"The fact is there are more serious injuries of officers and, when there are more serious injuries, there's more chance of someone getting killed."

He continues: "The only way the Force can help us is giving us the opportunity of having Taser available to all front-line officers and having a zero-tolerance



PC Chris Dillon, scarred after being attacked on duty.

approach to people who assault police officers.

"In the short-term, the officers need back-up and if they aren't able to get boots on the ground, there needs to be extra equipment to support them.

"If, longer-term, we won't get more boots on the ground, I think we are increasingly going to be moving towards arming our front-line police."

Of the 3,300 front-line officers on the Force, only around 850 are currently Taser-armed – with 1,400 planned to have the devices by next year, says Rich.

Assistant Chief Constable Chris Johnson had said: "These incidents highlight once again the dangers our brave officers face every day.

"The very nature of the job means officers go into challenging situations and acknowledge the risks they face. Despite this, officers put themselves on the front-line protecting our communities from harm."

Peggy becomes national equality lead

West Midlands Police Federation representative Peggy Lamont is looking forward to helping the Police Federation of England and Wales become more diverse and representative.

Peggy had only been a member of the Federation's new National Board for a few days when she landed the role of equality lead but is unfazed by the role she is taking on.

"I decided to stand to become a member of the National Board as I have always wanted to be able to contribute to the political conversation around the future of policing. I was ready for a new challenge," says Peggy, who has been a local Federation rep for around 10 years.

"I am hoping I can use the negotiating and advocacy skills I have learned so well within West Midlands Police Federation at a national level. I am looking forward to working with my regional colleagues from Staffordshire, West Mercia and Warwickshire as well as maintaining my relationships and friendships in the West Midlands.

"I put myself forward for the equality lead position as I have had a thorough grounding in this area over my time within the West Midlands branch. I feel I have a good practical grasp of the issues and will be able to support colleagues across the country as they help their colleagues.

"I will help the Federation fulfil its ambition to become a more diverse organisation and will contribute to tackling national equality issues."

Peggy joined the Force in 2001 – it was just at the time of a large recruitment drive and at a peak time for encouraging more women to join the police service.

She started her career at Chelmsley Wood on the old response team before moving to the rural section on a neighbourhood team and then, after the birth of her children, moved into the Contact Centre.

A few years later, Peggy decided to act on her ambition to become a workplace representative for the Federation.



Peggy Lamont, the new national Federation equality lead.

She explained: "I had always been interested in being a Federation rep but decided to put myself forward after being told that as a part-time officer I wouldn't be able to build up a sufficient portfolio for promotion. I have been qualified since 2003. I saw it as both a chance to get involved in wider policing decisions being made and to help my colleagues and I was right.

"I was a bit of a mouse when I became a Fed rep! It seems impossible now, but I had a really difficult start to my policing career and, combined with my disability, I was finding it very hard. Gathering the courage to advocate effectively for my colleagues was probably the hardest part of becoming a functional Fed rep, but so worth it.

"I can honestly say West Midlands Police Federation has helped me re-build my confidence in myself and given me amazing support to fulfil my potential which I didn't feel was going to happen in Force. I am so grateful to the Federation as a whole for all the training opportunities and for being my 'policing family'. I have made some life-long friends and done things I never would have imagined."

Peggy was the first female secretary of

“ I will help the Federation fulfil its ambition to become a more diverse organisation and will contribute to tackling national equality issues. ”

the former West Midlands Police Federation Constables' Branch Board and now the individual rank boards have been abolished under the post-review re-structure of the Federation, was its last ever secretary, helping to see it through the turbulent change programme.

While only just starting her new role, Peggy is aware there are plenty of challenges coming up for all parts of the police service.

"I think for most officers at the moment their focus is on continuing to provide the best service they can to the public when they don't feel they have the time and resources to do so. I also think officer numbers need to rise, but that this won't help in the short-term as it takes a while to become a fully competent, confident officer," she says.

"The Force needs to carefully think about how it manages this issue as officers are now really at the point where they can't cope anymore. Sadly, much of the solution lies with Government funding so we have to try to work to raise awareness of this problem with the public and the Government.

"Policing has changed so much in some ways since I joined and in other ways not at all. The issues we deal with in society have remained largely the same - with some obvious growing areas such as cyber-crime. Officers are recruited differently and trained differently. I think it can be easy to become isolated now as we are moved around so much. I would hope new recruits can still find allies wherever they are. People make policing good."

But Peggy is also keen to be upfront about the role and the reach of the Federation, since she feels there is much confusion in this area.

"We are there to make sure policy and procedures are followed correctly, to attempt to influence decisions on pay and conditions and at a local level to provide representation and support when officers are facing disciplinary action or need help with another policy or process," she points out.

"I can honestly say that I have always tried my very best to make sure any officer I am helping has had the best advice and guidance we are able to offer. I know nationally we do everything possible to try to secure the best outcome for officers across England and Wales. It's a trickier balancing act than people realise though.

"I think the best thing the officers who say the Federation doesn't do anything for them can do is come and join us. Then if they still think we don't do anything change it!"

Peggy is keen to acknowledge the mentoring she received from her predecessor, Debbie Hodson – now Williams.

"She is an amazing person who taught me so much and has always been on hand to help. I would definitely have been less of a rep and a person without her support," Peggy concludes.

'Critics didn't think we could change'

The Federation has shown true grit and resolve to overcome its critics and reform, Andy Fittes has said in his final blog as national general secretary.

Explaining that he believes the organisation is now stronger, Andy outlines a number of key successes in his four years as secretary of the Police Federation of England and Wales (PFEW).

"I have been a rep for 19 years and I have witnessed first-hand how hard it has been for us to get where we are today. Critics thought we could not pull off the scope of the much-needed change advised in the 2014 independent review – among those critics was the then Home Secretary Theresa May – but we have," he writes.

"I think we have shown true grit and resolve to move the organisation to a better place. I feel as though I am leaving the organisation stronger than I found it – armed with a new structure and governance that will enable it to be more effective for our members.

"The past four years has not just been about organisational change. We achieve many small things every day for our members, and those things add up to bigger things that make a real impact – for example, we successfully argued to keep the away from home overnight allowance, insisted that forces must adhere to the Children and Families Act 2014, and lobbied for clearer pension benefit statements and an accurate pension calculator."

Andy goes on to argue that the Federation's influence on the Government is the envy of many unions and representative bodies and admits the Federation must nurture its relationship with the Home Office to achieve 'real, lasting change for our members'.

"It is this relationship that means we get invited to the table for consultations and it is also testament to the quality of our research and evidence-gathering abilities – they may not always agree with us, as the Government has its own agenda, but we are listened to," he explains.

"Some may feel that we should wield the strong arm of the law more readily, that we should sue over the things we do not like. But it is through dialogue and negotiation that we achieve the most useful things for our members.

"For example, we had a disagreement with the National Police Chiefs' Council over President Trump's visit in the summer and paying overnight allowance to those



Retiring general secretary Andy Fittes.

officers who were deployed. But we were swiftly able to argue our case and, due to our established relationship, it was in officers' pay packets the following month. Legal action can take years, with no guaranteed outcome."

Andy says to refer to the new elections process, which has now drawn to a close, welcoming new reps and expressing his pride in the positive action provisions: "We must look like the officers we represent, and we had been struggling for some time to attract the diversity of reps that we should. The mechanisms, which are innovative and flexible, go some way to addressing this issue but our work in this area continues. I want to see more women and under-represented groups taking up roles in the PFEW."

He also speaks out in support of the Police Remuneration Review Body expressing his opinion that it could work if free from political influence. The body has, he argues, supported the Federation's recommendations due to the evidence provided, but the Government has never provided a solid reason for ignoring them.

"This needs to change," Andy adds.

He concludes: "The Federation can be a frustrating place to work, but is also an incredibly diverse and rewarding place to work. I am the final general secretary of the Joint Central Committee, a role that is now gone with our new rules and regulations.

"I am leaving behind an organisation with the structures in place to be a flexible and agile representative body for its members. Cultural change is the next step – we are already on the road to a more united and co-operative PFEW, but we must continue to build trust with our members."

High-rise, hair-raising event helps charities

West Midlands Police Federation chair Rich Cooke was among a group of more than 40 people who abseiled from the top of the 200ft high Holiday Inn Express in Snow Hill, Birmingham to raise money for charity.

Rich was joined by workplace representatives Roy Teague and Sid James and they all raised funds for Care of Police Survivors (COPS), the charity providing vital support to the families of fallen officers.

"I felt very nervous as we climbed the stairs to the top but when it came to it I just focused on the wall, never looked down once, and it was soon over! If I'd have looked down, I fear I would not have gone over – 'tunnel vision'," says Rich, "I remember nothing going down apart from focusing on the wall in front and the rope.

"I felt really proud I'd overcome my fears and relieved I hadn't bottled it with my kids watching and let down my sponsors. I raised £510 and my wife, who was roped in at the last minute, raised another £80 or so. I've got no plans for further fund-raising at the moment but the next will definitely be with my feet firmly on the ground."

Also taking part was former Wolverhampton deputy neighbourhood policing commander Keith Fraser who retired in October last year after 32 years' police service and was the driving force behind the fund-raiser.

The Using Your Challenges To Achieve event aimed to raise £20,000 to be split between COPS and M. A. D., a Birmingham Sport youth engagement programme that aims to turn around the lives of young people in some of the most deprived areas of the city using activities, such as sport, to tackle social issues.

Keith, who admits to being scared of heights, says: "The closer it got to the event the more scared I was getting but on the day



Keith Fraser, second from left, and other fund-raisers.

of the event I was that busy running about and helping to make sure that things run smoothly that I didn't have time to be frightened until my name was called.

"Being at the top of the building and preparing for my descent was probably one of the most terrifying moments of my life, that's quite scary given the things I faced during my 32 years of policing. The staff from abseiling company Redpoint were really supportive and reassuring and if it wasn't for them talking me through every step, literally, I definitely would not have been up to complete the abseil.

"I also thought that the company was having a bit of a laugh when they put me alongside Dominic Cunningham, one of the country's top gymnasts, to complete my

descent. He descended the building like a chimp whilst I was still struggling at the top."

Luckily for all those taking part, the weather was perfect – not too hot and not too cold, and it was a clear day though Keith did not look around to admire the view.

Nevertheless, he still had some hairy moments.

"Some of the scariest times for me were obviously climbing out onto the ledge and then realising that there was nothing stopping you from falling, apart from a rope attached to your waist and you had to put complete faith in strangers. I already had a strategy in my head and that was that I wouldn't look down and I wouldn't admire the view and I would just look straight ahead at the hotel wall," he explained.

"I must admit to shouting one expletive at the manager of Redpoint when he told me to look down as I was climbing over the edge, I did apologise to him afterwards.

"I do remember being part way down and glancing to my right and seeing Lloyd House and because it's all white, I thought I was almost the bottom and I lost my bearings. It was at that point I glanced down and I nearly filled my Pampers, I was nowhere near the bottom and I had a serious wobble. The nerves got to me and it was extremely scary.

“Some of the scariest times for me were obviously climbing out onto the ledge and then realising that there was nothing stopping you from falling, apart from a rope attached to your waist and you had to put complete faith in strangers.”



Rich Cooke (centre) preparing for the descent alongside WMP Federation reps Archie Murphy (left) and Roy Teague (right).

"I had to take a few moments to control and compose myself, before I could start to descend again."

Keith remained focussed thanks to the voices he could hear shouting out his name, giving him words of encouragement.

"Those voices were surprisingly clear and one little but very powerful voice which stood out was my four-year-old nephew shouting 'Come on, Uncle Keith'. Hearing his voice really gave me the determination that I was going to do it."

Back on the ground, Keith felt a massive sense of relief and a huge sense of achievement, particularly since the fund-raisers had raised more than £10,000 with funds still coming in.

He is already making plans for further fund-raising events, joking he won't give the Federation too much notice so they can't back out!

Keith has said a huge thanks to West Midlands Police Federation for its support, the member with a committee who turned up to steward and also their committee members and family members who took part.

He has also thanked West Midlands Police Superintendents' Association, the Holiday Inn Express, Snow Hill, Birmingham and Redpoint the abseiling company 'who were fantastic', COPS and Sport Birmingham, volunteers from Sport Birmingham who helped in relation to stewarding, the detention officer from the Metropolitan Police who provided admin support and attended on the day, a member of the public from London who is big on Twitter and supported him behind the scenes, the many family friends and supporters who made the day a success, Video Track who made a free publicity video of the day, Dominic Cunningham (a Brummie born and bred) and Tommy Owens, a boxing promoter who also attended and brought many supporters.

"Given some of our challenges, this event exceeded my expectations, thank you everyone. I think we all lived up to the title # using your challenges to achieve," Keith added.



The fund-raisers are briefed.



One brave fund-raiser makes their way down the building.

Promotions process not fit for purpose, says Federation

West Midlands Police Federation says the promotions process is not fit for purpose and needs to be over-hauled.

One of the key criticisms is that the system for promotion is focused on its own flawed process rather than the skills required to do the job applied for. It may fail to recognise skills outside of Neighbourhood Policing roles especially those in specialist posts. Learning to pass the process does not in isolation make you a good candidate for promotion the evidence suggests.

On the back of a number of complaints about the promotions process from members, Tim Rogers, deputy secretary of West Midlands Police Federation, put himself through it to establish how it worked in practice and to gain a better insight into where the issues were arising.

Tim has spearheaded the Police Federation's national campaign for a change in the law to recognise the particular skills and training of police pursuits drivers who can currently be prosecuted simply for following Force procedures and carrying out their duties.

"This work has led to me working closely with chief officers, the National Police Chiefs' Council lead on roads policing, the Home Office, the police minister, MPs, senior Government officials and a wide variety of other interested parties and yet there was no mechanism in the promotions process to recognise this work and I was unsuccessful in my bid to be promoted to inspector," says

“ I have worked at a strategic level, taking the lead nationally on this and yet I am not seen as being capable of being an inspector within the Force. ”



Tim.

"I have worked at a strategic level, taking the lead nationally on this and yet I am not seen as being capable of being an inspector within the Force."

Of course, on the other side of the coin, there are some officers who are making their way successfully through the promotions process because they have extensive experience and skills in neighbourhood policing.

But difficulties are presenting themselves because the Force appears to be encouraging people to pass a process, placing the emphasis on this rather than the

role and the challenges that they would face actually in that role.

"Some officers may, for example, have never worked in PPU or may have quite a narrow area of expertise. The danger is then that they are potentially skilled within the promotions process itself, carefully picking out the competencies required and demonstrating these in the three sessions designed to test this but then not actually able to fulfil their role. We have already been contacted by a number of members who are struggling mentally as a result."

Under the current process which was introduced following the advice of the College of Policing, every qualified officer can apply for promotion regardless of where they are working or importantly who they are working for.

Under the previous system, there were concerns that conflicts between an individual and their line manager, who would need to support their application, could cause issues.

But, while this may have been addressed,

the ability for any officer to apply means that even those with unsatisfactory performance at their current rank can seek to climb the promotion ladder.

"Clearly, this could lead to medium to long-term issues for the Force but also for individuals who may work their way through the promotions process successfully only to find themselves floundering out of their depth when they take up the higher rank," says Tim.

That said, support for those engaging in the process is initially good with those officers seeking promotion being able to attend sessions run by 'Pearl Catchers'. The expectation is clear for the individual, stations are mapped out for the candidates and the tested competencies are made clear.

However, senior managers, and officers who have progressed, have reiterated some of the feedback the Federation has received in terms of some officers with a lack of ability being progressed to the next rank and also some with complaints for bullying being allowed through.

Comments have included:

"The system is flawed due to officers on a development plan for underperforming in the rank of sergeant being able to apply and progress. I have seen an incompetent sergeant on an unresolved development plan promoted into an inspector's role who is now incompetent in that role also."

"The system appears to focus on wanting NPT inspectors, dedicated and skilled specialists, for instance, may present evidence that will be beyond the knowledge of the assessor and thus may be scored down."

The Federation has at least two examples of an evidenced poor performer progressing to the next rank then having issues there too. All have been promoted under the new scheme.

It is concerned that the Force, in being committed to procedural justice and fairness in policing in terms of the service it provides to communities, is failing in its duty to treat its own staff fairly.

Another issue has arisen to the first come, first served approach for applications to the assessment centre. For example, with a chief inspector assessment centre in January, the link was sent out inviting officers to apply, the slots were all taken within a very short timeframe.

Yet, it was sent out during a peak holiday period when officers were on leave due to school holidays so only those lucky enough to be at a desk top at the time were able to get one of the allocated spaces.

Tim explains: "I believe it took in no due consideration to equality of opportunity,

"At West Midlands Police we believe everyone is a leader"

"For many of us policing is more than a job, it's a vocation.

"We come from all walks of life, bringing our unique qualities to work with us every day and using these qualities to support, protect and offer reassurance to others. It's a great honour and brings with it an even greater responsibility – after all, our communities depend on us.

"That's why at West Midlands Police we believe everyone is a leader, with a responsibility to act and behave in a fair and inclusive way, reflecting our values and demonstrating our commitment to everyone who lives, works and visits the West Midlands region.

"As a valued member of the team we encourage and empower you to continually develop your leadership capability, to seek out learning opportunities and collaborate and connect with others – both internally and externally – who can support you on your career journey.

"At West Midlands Police our Leadership Promise is a blueprint that we can all live by, creating a supportive environment where you can do your best and be your best at work regardless of the level of responsibility you hold or walk of life you may come from.

"Our Leadership Promise is our commitment to you.

"Thank you for being part of the team"

Dave
Dave Thompson
 Chief Constable at West Midlands Police



disadvantaging 24/7 workers on days off or on nights, those away from the workplace for a short time, flexi and part-time workers.

"If the Force is really committed to developing future leaders and in doing so attempting to be inclusive, then allocating assessment slots on a first come, first served basis which solely depends on who can be at work and click a button at the quickest time does not sit right with me.

"On this occasion, the Force can't claim to have the best people applying for the promotion process within that assessment centre but the best people from the first 40 who were lucky enough to apply and be at desk for a short period of time and successfully secure a slot. On the basis of our submissions, the Force has now delayed this assessment centre.

"I think the main drive around the great work accomplished in developing the promotion process and building the foundations around fairness and being inclusive has taken a severe knock because of this."

But, even if this element of this process

is reviewed and changed, the Federation remains unconvinced that the Force has the right people in place to carry out the assessments and questions how an officer could be assessed correctly if their work and evidence was from a different area of policing, one in which the assessor had no experience. The candidate could then have to spend some of their time re-explaining certain issues and would then lose time for other elements of the process.

Some evidence suggests that a number of assessors are doing assessments while on development plans themselves or not even substantive in the rank they are assessing.

The Federation has evidenced examples of officers sitting the assessment in January having scored well in the CBI yet not so in the 1-2-1 thus failing then have presented the same evidence to a new assessor in July and gone from threes or fours to ones or twos.

As Tim suggests: "This is likely more about the assessor than the officer who, in three examples given, has presented in

Continued on Page 15

“The system is flawed due to officers on a development plan for underperforming in the rank of sergeant being able to apply and progress. I have seen an incompetent sergeant on an unresolved development plan promoted into an inspector's role who is now incompetent in that role also.”

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precisely the same way the exact same evidence.”

And he asks: “What are the issues with consistency? How are these being addressed and, in the examples given and being challenged, what is the process? Is this an acceptable level of variance due to subjectivity?”

“What about the wash-up sessions? Are these attended by all assessors? If this is the process, is this adhered to? If not, why not? Evidence suggests this is inconsistent despite the claims to the contrary.”

Another major concern has been that the overall score of candidates is not recorded, only an average in the required competence areas. This means some higher scoring officers fail while lower scorers are going through.

The Federation wants officers who don't succeed to have access to the notes taken by assessors, to help them with any future applications but also in the interests of transparency. This feedback should also be given in a reasonable timeframe whereas currently some candidates are waiting for months with some assessors admitting they are ill-equipped to deliver subjective feedback.

Finally, the appeals process is, according to the Federation, unclear and inconsistent.

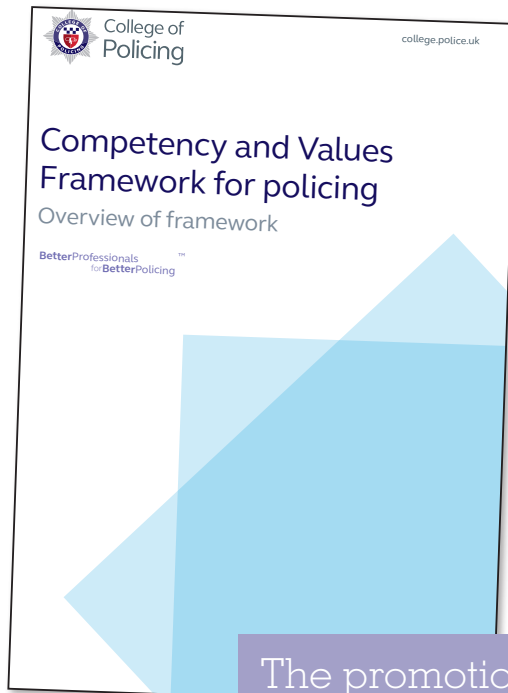
“What are the terms of reference for the panel? Scope is also important as is timeframe. Evidence supports the assertion that there is a long delay between submission of concern and action; it is currently an average of eight weeks. This is a time sensitive process so this is poor,” says Tim.

The promotions process remains live, with many officers currently making their way through it despite the unresolved issues that are outstanding.

The Federation is raising its concerns with the Force and calling for further changes to be made to the promotions processes.

But it is also sounding a note of caution about some of the positive action features of the process.

Tim explains: “The Force and Federation are committed ‘to increasing representation at all levels in the organisation’. The Force has an obligation to all of its staff and should be mindful of well-intended positive action being illegal positive discrimination.”



“The Force and Federation are committed ‘to increasing representation at all levels in the organisation’. The Force has an obligation to all of its staff and should be mindful of well-intended positive action being illegal positive discrimination.”

The promotions process

Competency-based interview

- Candidates are asked specific questions looking for behavioural evidence across six competencies
- There are no warm-up questions
- There is a single question for each competency, with further probing questions from the interviewers
- This lasts 60 minutes.

Briefing exercise

- This measures the six competencies
- Candidates have to review a brief and identify key issues and make recommendations – 40 minutes
- They then present the analysis to assessors – 20 minutes
- Assessors ask questions to probe deeper – 15 minutes.

1-2-1 meeting

- Measures five competencies
- Looks at dealing with an individual performance issue
- Uses professional role players
- Candidates have to review a brief and prepare for the meeting – 25 minutes
- They then have to conduct the meeting – 25 minutes
- Role players will provide verbal and written feedback to the assessors afterwards.

Wash-up

- This gives an opportunity for assessors to share ratings and behavioural examples – and then come to common, agreed view of participants' strengths or development needs
- They review positive and negative evidence
- Discussions focus on observed behaviours, trends, strengths and development needs
- This, in turn, provides input for candidate feedback.

At the end of my money I still have some month left!

Do you need support with your budgeting?



Let the Federation help you with a free confidential one-to-one Financial MOT.

Your meeting with Caroline Harris could help you manage financial issues that may arise throughout your police career and into retirement.

If you're struggling to understand what workplace benefits are available to you and your dependants, George Burrows could help. They have arranged for Caroline Harris, a financial welfare specialist with over 25 years' experience, to work alongside the Federation and provide detailed information on the range of pensions and schemes available to you.

Contact the Federation to arrange your free, confidential one to one support.

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Appointments take place at Guardians House

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See what your colleagues say:

"Not only did she help me to understand how the new pension will affect me but she also helped me save money!"

Wayne Bennett, serving police officer, 2018

"Visiting Caroline Harris was well worth the time. She helped put my mind at rest with informed information rather than guess work."

Ian Skidmore, serving police officer, 2018

"Caroline cleared up any doubts about my pension and helped me understand my tax code better, which has resulted in a tax refund. I highly recommend any officer who is close to retirement come and speak to her."

Simon Shippam, serving police officer, 2018



GeorgeBurrows



BAPA prepares for awards ceremony



It is nearly time for the annual Black and Asian Police Association awards ceremony.

The ceremony will take place at the West Bromwich Albion Football Club on Saturday 20 October and will celebrate the immense contribution of black and minority ethnic officers, staff and community have made to policing the area of West Midlands.

There will also be an awards ceremony with a total of eight awards being presented including community champion, unsung hero, police officer of the year and inspirational police and community award.

Kin Devi, vice-chair of West Midlands Black and Asian Police Association, said: "This year we have achieved some great things both internally and externally. We broke the glass ceiling in promotions with success at sergeant, inspector and chief inspector rank.

"These have also been some of the significant milestones and partnership working with our community which should also be acknowledged and celebrated. Together we marked the 20th anniversary of the death of Stephen Lawrence, celebrated Vikhaski and Diwali and most recently the 70th Windrush Anniversary which has been recognised locally and nationally."

Tickets can be bought by emailing Kin Devi – k.devi@westmidlands.police.pnn.uk

Police Officer of the Year

Insp. Mohammed Yousaf
DC Marcia Francis
Insp. Khizra Dhindsa
PC Sue Rai
Raid Abdo

Police Staff of the Year

Anthony Burnett
George Smalling
Judith Hutchinson

Outstanding Police and Community

Black and Asian Police Association
Javed Iqbal
PS Michelle Ugwueze
Insp Mohammed Yousaf
Imran Hameed

Life-time Achievement and Driving Diversity

Teresa Farrell
Mohammed Ali
PS Michelle Ugwueze

Unsung Hero

Teresa Farrell
Imran Hameed
Mohammed Ali

Ifzal Hussain
Mrs Mariam Khan
Lynne Baird – Unite
Steven Agho
Pauline Wright

Inspirational Police and Community

PS Hanif Ullah
Aisha Sultana
Neesha Patel and Tariq Karim
Mohammed Zafran BEM,BCA

Community Champion

Imran Hameed
Mohammed Zafran BEM,BCA
Sally Bynoe
Muskaan javed
Alum Rock Community Forum (ARCF)
Lynne Baird – Unite
Steven Agho
Giani Sukha Singh
Mrs Mariam Khan
Imran Hameed

Inspirational Young Person

Adam Shaikh
Shantel Smith
Imran Hameed

Light the Lakes in support of COPS

West Midlands Police officers are being urged to take part in the Light the Lakes event next year and help raise vital funds for the Care of Police Survivors (COPS) charity.

The event, which runs from Friday 21 to Sunday 23 June 2019, sees supporters from all over the UK travel to the Lake District in Cumbria and in the early hours of the Saturday morning light a blue flare or a beacon to remember fallen officers.

Organiser DS Vinny Wagjiani from Surrey Police explains: "With each year, Light the Lakes continues to grow and develop, drawing ever more participants from police forces around the UK and the wider public. Since its inception, it has raised in excess of £30,000 for COPS, and provided those who take part with a valuable opportunity to reflect and remember their fallen friends and colleagues in the police force.

"My dream is to see all of Wainwright's 214 peaks illuminated. This year I scaled Ill Bell with a different team from my usual crowd, in order to gather new ideas and feedback to continually improve the event.

"This year over 350 people took part, climbing 90 peaks, which is double the number we had in 2017. We are growing steadily and I'd like to think Light the Lakes is becoming a permanent calendar entry for many people.

"The event is open to everyone, and the great thing about it is that anyone can participate, whatever level you are at. We have the serious hill walkers who want to do the highest peaks, and we have family groups with young children doing the smaller fells.

"I find it hard to explain to people in words what it feels like to light a peak – a photo doesn't really do it justice. You need to experience it yourself."

Already 23 forces have signed up to take part but the organisers would like all 43 forces in England and Wales plus those in Scotland and Northern Ireland to be represented.

HOW TO GET INVOLVED

- Book the peak you want to climb by visiting: lightthelakes.org.uk/book/
- You can find out more about the 214 peaks at walkhighlands.co.uk/wainwrights/wainwrights-height
- The lighting of the peaks takes place between 2.30am and 3am on Saturday 22 June. It is up to you when you climb your peak. Some choose to climb on the Friday evening and descend in the morning, spending the night at the top, while others choose to climb later on and come down in the dark following the beacon-lighting.
- The event is based at Brathay Hall, Ambleside. On Saturday 22 June, there is a food available and a get-together at the hall for participants.
- Participants taking part in Light the Lakes are asked to raise money for COPS. Join the Light the Lakes fund-raising team on justgiving.com/campaign/lightthelakes2019. Sponsorship forms are also available.
- Any other questions? Visit lightthelakes.org.uk/faq or email the organisers at lightthelakes@surrey.pnn.police.uk

Memorial day hon

Thousands of police officers who have died or been killed in the line of duty were honoured at the annual National Police Memorial Day service in Belfast.

Families, friends, colleagues, senior officers, and Government officials – including the Home Secretary - were welcomed on arrival at the Waterfront Hall by a guard of honour formed by representatives from forces in England, Wales, Scotland, Northern Ireland, and uniformed officers from overseas forces.

Rich Cooke, chair, and Steve Grange, secretary, represented West Midlands Police Federation at the service which rotates between England, Northern Ireland, Scotland and Wales.

Steve explained: "The memorial day service is one of the key events in the policing year and gives us the opportunity to remember those officers who died in the line of duty.

"During the service, I took time to reflect and remember those West Midlands colleagues who sadly never returned to their families after their shift."

Steve added: "This year's service had the added poignancy since it is the 100th anniversary of the end of the First World War so we also remembered the brave officers who either lost their lives after enlisting to serve their country or died shortly after the end of the war as a result of injuries sustained in the conflict."

The congregation was welcomed by the Lord Lieutenant of Belfast, Fionnuala Jay-O'Boyle CBE.

Home Secretary Sajid Javid gave a reading at the service and later said: "It was



Photographs courtesy of Anderson Photography

The Home Secretary, Sajid Javid (second from the right) with Federation chair John Apter to his right.



Sid Mackay from the Police Roll of Honour Trust, lays a wreath to mark the centenary of the end of the First World War.

an honour to help pay tribute to the thousands of police officers and staff who have given their lives while serving and protecting us all, including those who died in the First World War.

"The National Police Memorial Service is an important and poignant reminder of the courage shown by the police each and every day."

The sermon was given by The Right Reverend Dr Charles McMullen, Moderator of the Presbyterian Church in Ireland, before prayers were read by Denis Gunn, father of PC Richard Gunn of Surrey Police and Pearl Marshall, mother of Constable Michael Frederick Leslie Marshall of the Royal Ulster Constabulary (RUC).

Canon David Wilbraham, National Police Chaplain, led the act of remembrance during which Sid Mackay, chair of the Police Roll of Honour, laid a wreath to mark the centenary of the end of the First World War and in memory of the police officers who lost their lives.

Candles from each of the four nations of the United Kingdom of Great Britain and Northern Ireland were lit by family members of fallen officers to signify the undying flame of devotion and commitment.

Representing Northern Ireland: Joseph Ferguson and Susan Ferguson O'Neill, brother and sister of Constable Michael John Ferguson (21) of the RUC who was murdered by the IRA in 1993.

ours fallen officers

Representing Wales: Jayne Griffiths, wife of PC Terence John Davies (34) of Gwent Police, who was killed in 1990 when cycling home after a tour of duty. He was hit by a stolen car which failed to stop.

Representing Scotland: Callum Alcock, son of PC John Alcock of Grampian Police, who died last year aged 54 after being in a coma for 14 years following a road accident while travelling to Royal Protection duties at Balmoral.

Representing England: Samantha Dixon and Parker Cameron James Dixon, wife and son of PC James Dixon (39) of Thames Valley Police, who died when his police motorcycle was involved in a road accident.

Samantha later said: "I think it's a really important thing to do to remember all police officers who have fallen over the years.

"They go to work to protect the public and they don't ever come home, and it's us that are left behind.

"It's a really lovely day and to know that they're never going to be forgotten and they'll always be remembered by their immediate family but also by their police family."

Mark Lindsay, chair of the Police Federation for Northern Ireland, read the names of the officers who have died in the last year:

PC Steven Richard Jenkins, Gwent Police.

PC John Alcock of Grampian Police.

PC Constable James Dixon of Thames Valley Police.

PC David Fields of South Yorkshire Police.

There was silence at the end of the service as green, blue and red petals of remembrance fell from the gallery before the Last Post was sounded.

Chief Constable of the Police Service of Northern Ireland George Hamilton said: "The National Police Memorial Day is a fitting tribute to police officers everywhere who have died in the course of their duties to protect the public.

"It is important and indeed only right that we take time to pause to remember our colleagues and friends who have given the ultimate sacrifice and lost their lives on duty protecting their communities.

"It is a privilege for the Police Service of Northern Ireland to have been able to welcome so many visitors to Belfast for this year's National Police Memorial Day."

John Apter, chair of the Police Federation of England and Wales, said: "National Police



An emotional moment, after Samantha Dixon lit the memorial candle with son, Parker Cameron James.

Memorial Day is an incredibly important day in the policing calendar, it's a day where we come together to remember those of our colleagues who paid the ultimate sacrifice.

"I hope today brought some comfort to

those families who have lost loved ones, it is important that they know they will never be alone, we are a policing family and their loved ones will never be forgotten."



The standards are lowered in honour of fallen officers.

Outstanding detectives in line for national awards

Two West Midlands detectives have been nominated for national awards.

DC Shane Saunders, based at Birmingham Central police station, has been nominated for the Detective Recognition Award at the Police Federation's National Detectives' Forum Awards, while DC Nicholas McCulloch, based at Birmingham South Police Station, has been put forward for New Trainee Detective of the Year.

Shane is based on the Force Priorities Team. In his nomination, by colleague and Federation rep DC Jon Nott, it states: "Shane is what would be called a proper old school detective.

"Throughout the whole time I have known him, I have never heard him moan or complain about any work and attacks each investigation with determination and doggedness.

"His knowledge and experience is almost second-to-none and he is always willing to share and pass this on to detectives younger in service or with less investigative experience.

"As the number of officers and detectives has continually decreased throughout the last few years this has not had a detrimental effect on Shane. In fact, it has caused the opposite to happen. He has set about his investigations with a dogged, determined mind-set, doing his utmost to provide an exceptional service to the public and ensuring offenders are brought to justice.

"He quietly gets on with his workload even though this is ever-increasing, often staying on duty after his scheduled finish time and changing shifts at short notice to be able to complete overt and covert enquiries.

"He is constantly praised by senior officers and counsel alike for the knowledge of his cases and exceptional quality of his files."

Shane has also helped to secure lengthy prison sentences for numerous criminals - the most recent of these being Operation Glimmer, an investigation into an urban

street gang in Birmingham.

Offences in this investigation included attempted murder, firearms conversion, and firearm discharge and at trial the six defendants were sentenced to a total of 41 years in prison.

He was also instrumental in Operation Transmission, a team set up to investigate the huge increase into keyless car thefts. He took the uniformed officers attached to the team under his wing and guided and advised them on how to progress and develop investigations, as they had very little investigation experience. The team jailed more than 50 offenders and recovered hundreds of stolen cars.

DC McCulloch has been nominated by his supervisor, Detective Sergeant Dave Bebb.

His nomination states he has 'excelled' while being the OIC for two major investigations while still a trainee investigator.

One of these incidents was a modern-day slavery - where a Romanian victim came to police and said he had been brought in to the country by another man with the promise of work.

The victim told how they were housed in squalid conditions and worked through an agency in a pork scratchings factory for less than £2 an hour. Nick co-ordinated an approach with the National Crime Agency, Gangmasters and Labour Abuse Authority, and the Department of Work and Pensions.

This led to him running an enforcement day with the execution of six warrants across two force areas and involved the co-ordination and briefing of more than 100

staff and managing a large reception centre.

As a result, Mihai Varga was arrested for human trafficking offences.

Officers located a house in Handsworth where the victims were living, with multiple men sharing rooms and blankets and slept on the floor in shifts. Six victims came forward to provide evidential accounts of how they were treated. As a result of the operation, Varga was charged with human trafficking offences and remanded in custody as he posed a flight risk.

DS Bebb explains: "The subsequent investigation was an immense piece of work he ran almost completely on his own. It involved working closely with the Salvation Army, Romanian Embassy, Romanian Police, other forces, the Gangmasters and Labour Abuse Authority (GLAA) and National Crime Agency. He faced huge difficulties managing disclosure issues with the materials held by all of these groups and tracing a fraudulent operation to launder the money made.

These continued right through the trial where the difficulties of looking after vulnerable witnesses and tracing a number and getting them back from Romania were overcome.

"As a direct result of his efforts during the trial, Mihai Varga changed his plea to guilty and was sentenced to five years imprisonment. We believe this is the Force's first conviction for human trafficking offences in relation to economic exploitation. Other suspects are facing prosecution for gang master licensing offences."

Nick also led an investigation into a gunpoint abduction in Winson Green,

“Throughout the whole time I have known him, I have never heard him moan or complain about any work and attacks each investigation with determination and doggedness.”

Birmingham. The victim was taken to wasteland where a mock execution took place and he was beaten so severely his jaw was shattered before, at gunpoint, his home was robbed.

It became clear early in the investigation that all three of the named offenders were prominent local gang members and the victim and his family were clearly terrified. Nick persuaded the victim to provide an early and full account of what had happened and built up a trusting relationship with him and his father.

All three men were charged and remanded in custody, however, a sustained campaign of intimidation and violence was then run against the victim and his family who lived in the heart of the area the gang sought to control. These involved threats to murder family members and again the production of firearms.

Nick managed the risk and carried out an investigation including CCTV and forensic phone work which supported the victim's account. He also had to deal with more senior officers casting doubt on the victims account and the investigation being undertaken.

In the first trial, associates of the victim through his own brother, forced him to write a letter detailing how the initial allegation was untrue. As the trial looked to collapse, Nick arrested the brother and a suspect's uncle, a girlfriend and a prosecution witness.

He refused to accept defeat and found an exact copy of the letter which had been sent to the victim's brother in a text message from the defendant's uncle. He co-ordinated the victim going into the witness protection scheme and looked after his immediate family.

This work ensured the judge adjourned the case and in the subsequent trial a conviction was secured despite having no victim or prosecution witness willing or able to attend court.

Akeem Ivey-Foster (20), Kash Wallace (24) and Ricardo Davis-McCann (23) were all found guilty of robbery at Birmingham Crown Court and sentenced to a total of 48 years' imprisonment.

DS Bebb said: "Nick has demonstrated the skills and determination of an exceptional detective in running these jobs to two fantastic conclusions. His work has been highly praised by the CPS and counsels.

"He has coped with an immense workload and some unbelievably stressful moments during this period. I would ask that this superb work is recognised."

The winners will be announced at this year's National Detectives' Forum seminar, which takes place on Thursday 11 and Friday 12 October at the Renaissance Manchester Hotel, Manchester.

Honouring our war heroes

The 650 West Midlands officers who served with the armed forces during the First World War will be commemorated on a roll of honour commissioned by West Midlands Police Federation and the Benevolent Fund to mark the centenary of the end of the conflict.

The roll of honour will be unveiled at a special remembrance service on 9 November and will be displayed at the Force's police museum.

The officers, who served with the Birmingham City Police, Coventry City Police, Wolverhampton Borough Police and Walsall Borough Police, enlisted to serve in the 1914 to 1918 war.

Tragically, 145 were killed during the conflict or died shortly afterwards as a result of their injuries.

The custodians of the Force's police museum are now on a mission to locate relatives of all those brave officers so they can be invited to the unveiling of the roll of honour. They also want to hear from descendants of officers who served in the Second World War.

Corinne Brazier, from the West Midlands Police Heritage Project, said: "We are appealing for relatives of those who left the police to fight in World War I and II to get in touch.

"Building on years of research by museum volunteers, we have compiled a

list of officers who left the police to join the armed forces for each war and did not come home, with details of which force they served with. But we would love to find out about the person behind the name and are asking direct descendants to get in touch to share their stories and their photos.

"In return, we would like to invite the relatives to the unveiling of a new roll of honour on 9 November that will be displayed at our police museum."

West Midlands Police was formed in 1974. During the two World Wars it would have been made up of other forces including Birmingham City Police, Coventry City Police, Walsall Borough Police, parts of Staffordshire County, Warwickshire Constabulary and Worcestershire Constabulary.

The new roll of honour commemorates fallen officers from Birmingham, Coventry, Walsall and Wolverhampton.

If a relative of yours was a serving officer for any of these forces and fought in the World Wars please get in touch with Corinne for more information about the remembrance service.

Corinne can be contacted at c.brazier@west-midlands.pnn.police.uk or through the [@WMPHistory](https://twitter.com/WMPHistory) twitter account.

Soldiers during the war.



Officers take the bus in pioneering road safety scheme

Reckless drivers who use mobile phones at the wheel risk prosecution thanks to a pioneering West Midlands Police road safety initiative in which officers film offenders from buses.

Operation Top Deck, the first of its kind in the country, has been launched by the Force's Road Harm Reduction Team and sees plain clothes officers equipped with video cameras peering down at passing motorists on the look-out for distracted drivers. It particularly aims to deter mobile phone use while driving.

The officers involved, on spotting drivers using their phones or engaged in other distracting behaviour, radio information

to police bikers who divert offenders to a designated site where they are given advice and shown a hard-hitting, virtual reality video highlighting the potentially devastating consequences of using a phone while driving.

It's the first operation of its kind in the UK and follows other initiatives introduced by the unit – including Operation Close Pass, targeting motorists who endanger cyclists – which have been embraced by police forces across the country.

Bus passengers can also support Operation Top Deck – a joint project with National Express and Transport for West Midlands – by supplying their own video

evidence of offending drivers via a dedicated self-reporting site on the Force website.

PC Mark Hodson said: "Using mobile phones while driving is proven to be as dangerous as drink-driving; it can devastate lives and people need to understand this isn't acceptable. We want to create a credible, constant threat of prosecution to induce wholesale driver behavioural change and make our roads safer.

"The buses are 'borrowed' from National Express and will look like any other bus in service – but they will be driven by Safer Travel officers who are qualified bus drivers and the passengers will be police officers or PSCOs equipped with video cameras.

Issuing a ticket.



“Buses give us a perfect vantage point into cars and also the cabs of lorries and trucks. Offenders will be given a roadside educational input on the dangers of distracted driving and also face the prospect of a hefty fine plus six points on their licence.

“We will look at particular circumstances but there will also be some drivers, ones who’ve been particularly reckless, who we will be charged and taken to court.”

A total of 45 drivers were caught using a phone at the wheel on Day 1 of Operation Top Deck which was launched to coincide with National Mobile Phone Week (17 - 21 September) and saw traffic cops in police forces across the country targeting dodgy drivers.

At the start of the operation, officers caught 45 motorists using phones behind the wheel in just a few hours on the A34 Birmingham Road near the Scott Arms pub.

Thirteen of them – ones who were using devices in stationary traffic – were given on-the-spot guidance on the dangers involved. Their details were taken and they face prosecution should they be caught a second time. The rest face the prospect of a £200 fine and six licence points adding to their licence.

One man was caught using his phone while on the way to a speed awareness course while a woman was prosecuted for driving without due care and attention after officers found her eating from a bowl of cereal in her lap. A disqualified driver was also pulled over and arrested.

PC Hodson said: “The launch run was really successful and has shown that, despite all the warnings and public safety messages, there are still drivers who can’t resist picking up their phone at the wheel.

“Most offenders were reading or sending text messages... being online and staying in touch seem to get in the way of people’s driving. It’s simply not worth the risk of causing a collision or potentially being banned from the roads.

“The bus’s elevated vantage point helps officers spot phone-at-the-wheel offences. Our plan is to ‘upskill’ neighbourhood PCs so that whenever they’re on a bus they can use their mobiles to film offenders and secure prosecutions.

“All officers have a part to play in policing

“ All officers have a part to play in policing the roads, not just specialist traffic officers, and we’re always looking for opportunities to use our resources more efficiently to tackle road safety issues. ”



The ‘Top Deck’ team.

the roads, not just specialist traffic officers, and we’re always looking for opportunities to use our resources more efficiently to tackle road safety issues.

“Everyone needs to pull together to show that using phones while driving must stop... we need to make it socially unacceptable; persistent offenders need to recognise that they run the very real risk of prosecution.”

Between April 2017 and March 2018, a

total of 990 people were killed or seriously injured on roads in the West Midlands – during the same period 1,251 drivers were prosecuted for using phones at the wheel.

West Midlands Police and Crime Commissioner David Jamieson, who brought in the original ban on driving while on a mobile phone back in 2003 as a transport minister, said: “The reason the ban was introduced was to keep the public safe. Motorists who use their mobile phone while driving are four times more likely to crash. This campaign is about saving lives.

“Those who continue to use their mobile phones whilst driving are in a minority, but they put the lives of every road user at risk.

“I am glad West Midlands Police are leading this campaign. It will help us stop drivers who choose to endanger not only their life but the lives of other drivers and pedestrians.”

Home Office ineffective and detached on police funding, says Audit Office

The National Audit Office (NAO) has said police forces are struggling to cope with the impact of funding cuts.

The report - Financial sustainability of police forces in England and Wales 2018 – accuses the Home Office of having a 'light touch approach' to overseeing policing and states it is 'ineffective and detached' when it comes to distributing funding, meaning it does not know if the police system is financially sustainable.

The Police Federation of England and Wales (PFEW) has said the report just reinforces what it has been saying for some time.

John Apter, Federation national chair, explains: "This report echoes what we have been saying for some time and must serve as a wake-up call to the Government. For too long it has turned a blind eye to the crisis in policing that has occurred on its watch and is of its own making.

"We've seen funding reduced across the board without consideration for the growing list of demands on police time, or the ability of forces to raise funds locally through council tax.

"Now we hear that the Home Office is so detached from reality that it does not know if policing is financially sustainable – and lacks a clear picture of the funding levels that are required to maintain the essential policing service that the public has a right to expect.

"Since 2010 we have lost almost 22,000 police officers and, of that figure 80 per cent have gone from the front-line. Neighbourhood policing has all but vanished and, combined with the closure of hundreds of police station front counters,

means it is not surprising that more people are reporting that they rarely see police officers. This is unsustainable.

"The responsibility of any Government is to secure the safety of its public – for this Government to sleep walk into this very predictable crisis is shameful."

The report outlines the real term cuts to policing in the past few years – stating forces have managed financial pressures by reducing workforce sizes.

Total funding to police forces, from central Government and council tax, has fallen by 19 per cent in real terms since 2010-11. Consequently, officer and support staff numbers are down 18 per cent, by almost 45,000 in the same period.

The Home Office is responsible for assessing how much funding police forces need, deciding how much the policing system receives as a whole, and allocating grants to police and crime commissioners.

The report states: "The Home Office's light touch approach to overseeing police forces means it does not know if the police system is financially sustainable. It lacks a long-term plan for policing and significant gaps remain in its understanding of demand for police services and their costs.

"The way the department chooses to distribute funding has been ineffective and detached from the changing nature of policing for too long, and it cannot be sure overall funding is being directed to the right places.

"With plans to reform the funding formula on hold, and no systematic approach to ensuring forces are financially sustainable, we cannot conclude that the Home Office's oversight of the police system

is value for money."

The report highlighted concerns that while crime recorded by the Crime Survey for England and Wales decreased by 36 per cent between 2011 and 2018, at the same time police forces have been facing a recent upsurge in reporting of low volume and high harm crime which are more expensive to investigate, such as sexual offences, and an increased threat of terrorism.

The NAO said there was early indications that the sector is struggling to deliver an effective service and there is strong evidence the police are facing increased pressure compared to 2015. While it believes the level of pressure is currently manageable, it recognises that a number of forces are at high risk in terms of future resilience.

The report highlights that since 2010, there have been fewer breathalyser tests, motoring fixed penalty notices and convictions for drugs trafficking and possession. The time it took to charge an offence increased from 14 days for the year ending March 2016, to 18 days for the year ending March 2018.

Furthermore, the proportion of crimes which resulted in a charge or summons fell from 15 per cent in March 2015 to nine per cent in March 2018.

And, it stated that as the Home Office was failing to measure all demands for police services it does not have the ability to allocate funding in a way that fairly takes account of forces' local circumstances.

It has recommended that the Home Office improves its understanding of whether forces' funding is adequate to enable the delivery of an efficient and effective police service, and monitors for emerging signs of financial stress to ensure forces are able to meet the growing and changing demands they are facing.

Amyas Morse, the head of the NAO, said: "The financial sustainability of police forces and their ability to deliver effective services is reliant on the Home Office understanding national and local demands and allocating funds fairly.

"There are signs that forces are already experiencing financial strain and struggling to deliver effective services to the public. If the Home Office does not understand what is going on it will not be able to direct resources to where they are needed, with the risk that the situation could get worse."

“This report echoes what we have been saying for some time and must serve as a wake-up call to the Government. For too long it has turned a blind eye to the crisis in policing that has occurred on its watch and is of its own making.”

Pay award: 'a punch on the nose'

Metropolitan Police Commissioner Cressida Dick has said the Government's decision to give police officers a two per cent pay rise was 'a punch on the nose' given that the pay review body had recommended a three per cent increase.

Speaking at the Police Superintendents' Association annual conference in Leicester, Ms Dick explained she was extremely disappointed at the decision.

"I don't want to be disrespectful to the political process or the Government, but I do feel disappointed by the decision and I will keep on saying so," the Commissioner said.

"Meanwhile I need to think, how can I recruit and how can I retain and how can I make my officers and staff feel that I really value them? Because I feel this is a punch on the nose."

Rich Cooke, chair of West Midlands Police Federation, has welcomed the Commissioner's stance.

"All too often, it is left to the Federation and the Federation alone to speak up for officers on the issue of pay," says Rich, "So I was really pleased to hear the country's most high profile and senior police officer put on record her views on the disgusting way in which the Government has treated officers in terms of their pay rise this year.

"Once again, the Government ignored the findings of the pay review body it set up to consider our pay award and, of course, the Federation has already condemned that decision.

"But now Cressida Dick's comments

show that she shares our concerns and accepts the knock-on effects of the Government's rejection of the pay review body's recommendations.

During her speech, the Commissioner said she thought the decision would not only affect officer morale but also have an effect on recruitment and retention and told delegates that she did not want police to be hit by understaffing issues like the prison service.

She argued that the two per cent pay award flew in the face of evidence and rational argument.

"I am extremely disappointed by that outcome," Ms Dick told officers, explaining the police service had worked with the Home Office and Police Remuneration Review Body (PRRB) to set out the case for fair pay for officers.

She concluded that the decision of the Government to ignore the PRRB recommendations had left the pay review process 'in tatters'.

Home Secretary Sajid Javid said, in response to the comments, that the Government had to consider pay recommendations across the board for public sector workers and had to balance affordability, the recommendations and fairness to taxpayers.

"This is a reflection of trying to strike that balance and I'm not pretending it's easy. I recognise, and it's something I recognised early on before I was Home Secretary, that there is a need for more resources," Mr Javid explained.

Historic helmet returned to Force

A rare helmet dating back 100 years has been unearthed and returned to West Midlands Police to preserve for generations to come.

The historic helmet was worn by an officer from Birmingham City Police during the early 20th Century.

The distinctive headwear has been traced to a PC Ernest Tipler who served with the Force for almost 30 years before retiring in the 1940s.

It is synonymous with the early 1900s due to having a spike which was replaced with a rounded top after that period.

The helmet - along with two old badges from Wolverhampton Police - were recently acquired by Nick Davis, who has kindly handed them to the West Midlands Police Museum.

The Wolverhampton Borough Police badge is believed to date back to the Victorian period while the Wolverhampton Special Constabulary one is thought to be more than 60-years-old.

They were recently presented to Chief Constable Dave Thompson and will form part of the fascinating collection of items and artefacts from the Force's heritage.

The rare helmet will go on display at the police museum.

Inspector Steve Rice, a Force heritage lead, said: "We are extremely grateful to receive this historic helmet which will feature greatly within our collection.

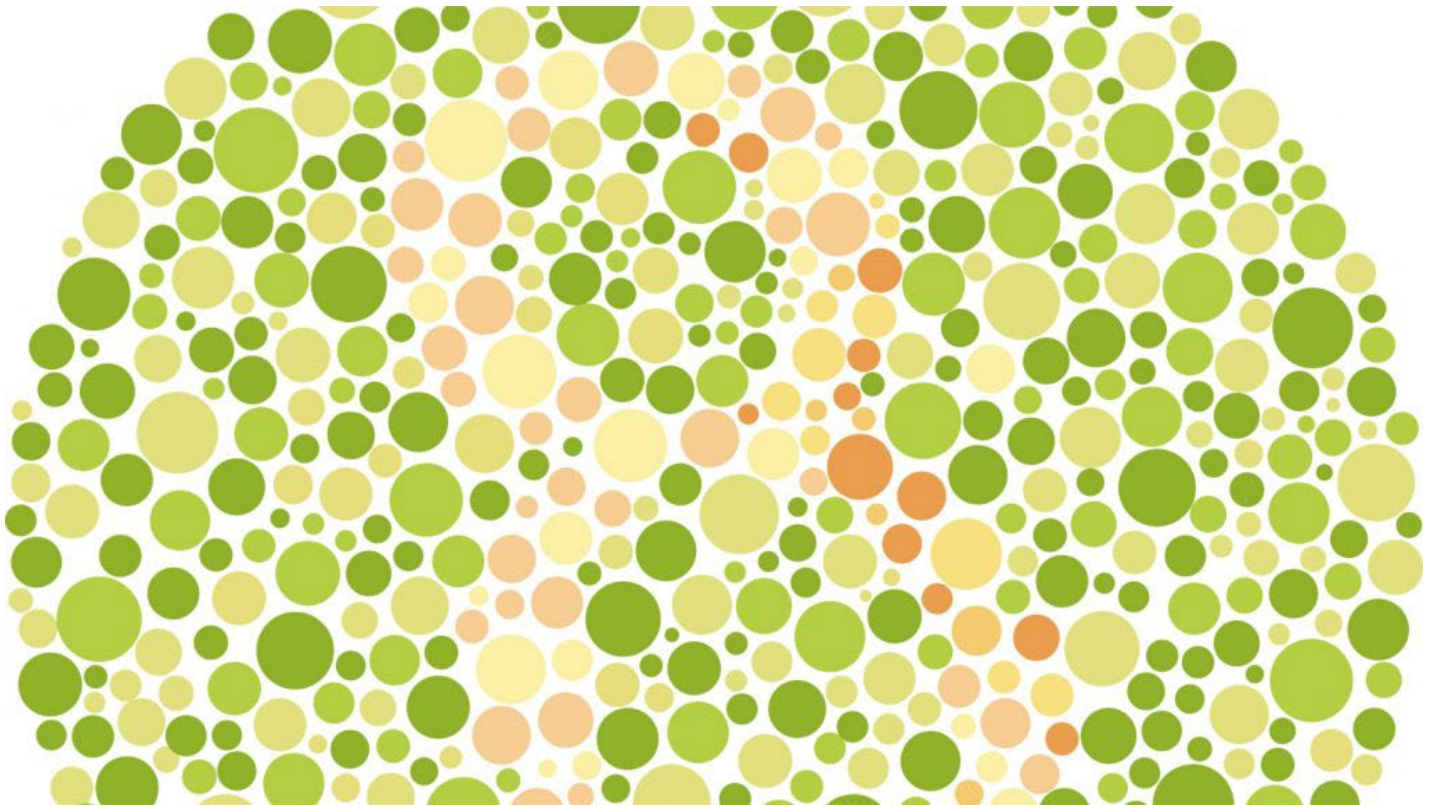
"It reflects back to a period of policing many, many decades ago and it is always intriguing to see how times and equipment changes.

"We don't believe there are many of these still in existence and both the helmet and badges will help to further showcase our heritage."

The museum, based at Sparkhill Police Station, is due to move to a new location where the collection can be more widely viewed by the public.



Colour blindness tests could hit firearms officers



Firearms officers will now have to pass two tests which detect for colour blindness instead of one – meaning officers could be told they can no longer do the role.

The Police Federation of England and Wales has said the new rules, which have been introduced by College of Policing, could be discriminatory and seriously reduce the number of armed police officers in the country.

It says the regulations could be discriminatory on grounds of disability and gender, because most of the 6,459 armed officers in England and Wales are male, and men are much more likely than women to suffer from Colour Vision Deficiency (CVD).

Federation vice-chair Ché Donald said: “The test is intended to screen out CVD sufferers, yet we know from extensive research studies that the tests used are unreliable and do not achieve the objectives set out by the college and are not a proportionate means to achieving a

legitimate aim.

“Previously, officers were required to pass on one of two CVD tests; they now need to pass on both. Retrospective testing is also taking place for those who previously undertook these tests and identified with mild CVD.”

In 2016, the Government announced it was boosting the number of armed officers by 1,500 in response to the increased terrorist threat. However, this uplift has not been met with the latest figures showing the total is some 700 officers short of that.

Ché continued: “This single-handedly could destroy the uplift. Hundreds will be affected. This is because CVD is mainly prevalent in the male population and firearms units are still predominantly composed of male officers and CVD affects one in 12 men and one in 200 women. Firearms officers are absolutely distraught.”

Currently, the rules have caused issues in a number of police forces including Devon and Cornwall, West Yorkshire, South Yorkshire,

Essex, Humberside, Leicestershire, Nottinghamshire, Lancashire, City of London, the Ministry of Defence and the Metropolitan police.

And it’s reported that at least one police officer is already taking legal action over the new tests for CVD or colour blindness.

A spokesperson from the College of Policing said: “The key points which the standards establish are the ability to identify a subject based on a description, of which colour could be a significant factor, particularly where this may lead to pre-emptive use of force or officers using lethal force or firearms, and the ability to operate firearms with a red dot sight system.

“However, the testing which officers have to undergo if they fail screening, was updated last year. The changes do not exclude all officers with colour vision deficiency but only those below a certain threshold. The standards were reviewed based on the role, equipment and expert technical and medical advice on colour vision deficiencies.”

Help get our fund-raising off to a flying start!

WMP Benevolent Fund has enlisted the amazing support of its members to take part in the Great Birmingham Run on Sunday 14 October.

Serving and retired officers, police staff and friends of members will be put through their paces as they tackle the half marathon and raise vital cash for the fund.

Every month WMP Benevolent Fund offers help and support to members in their hour of need. So far this year, more than £50,000 has been awarded in grants and benefits to aid members suffering financial hardship or distress.

By donating just a small amount, you will be helping the fund to generate much needed funds to provide continued help to those in need.

Please show your support by donating to their Just Giving/Crowdfunding page <https://www.justgiving.com/crowdfunding/wmpbenevolentfund>

For more details about the work of WMP Benevolent Fund, including how to join visit www.wmpben.co.uk

Help support our team taking part in the Great Birmingham Run
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West Midlands Police Benevolent Fund
Here to help you

Federation roadshow travels to Wolverhampton

West Midlands Police Federation
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Members were able to meet Federation representatives and member service providers at the last West Midlands Police Federation roadshow.

The roadshow was held at the Old Bar, Wolverhampton Police Station on 13 September and gave members the chance to raise concerns with Fed reps or discuss the services offered by partner organisations.

Free merchandise was on offer and members could also enter a prize draw with a £50 Amazon voucher up for grabs.

"It was really nice to be able to meet members and speak to them about the services and support we can offer," says Chris Cooper, member services team leader.

The next roadshow is being held in Stechford on 20

November. Please keep an eye on our website and social media for further updates.

Approaching retirement in 2019?

The final West Midlands Police Federation retirement seminar of 2018 will be held next month.

The seminars are designed to help officers in the last three years of service prepare for leaving the Force.

The final seminar of 2018 will be held on **22 November** at West Midlands Police Federation's boardroom in Guardians House (this seminar is now fully booked).

Further seminars will be held next year as follows:

- 7 February 2019** - fully booked
- 14 March 2019**
- 11 April 2019**
- 23 May 2019**
- 18 July 2019**
- 15 August 2019**
- 12 September 2019**
- 17 October 2019**
- 21 November 2019**
- 19 December 2019**

To book your place, please email westmidlandspf@polfed.org with your name, collar number, work and personal email addresses, personal phone number, dietary requirements, proposed retirement date and the number of places required since you are welcome to attend with your partner.

Please put 'retirement seminar' and the date you wish to attend in the email subject line.

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'Nowhere has closer scrutiny than custody' seminar told

Officers from across England and Wales have attended an annual seminar to discuss key issues affecting police custody.

Delegates heard from a range of speakers drawn from stakeholders and partner organisations as well as the Police Federation of England and Wales' National Custody Forum and lead representatives.

Assistant Chief Constable Nev Kemp, the National Police Chiefs' Council's custody lead, used the platform to urge the Federation to host national custody awards at its 2019 seminar.

The suggestion came after the results of the latest Federation pay and morale survey revealed a high number of custody officers want to leave the role as they feel undervalued by the service and by the public.

ACC Kemp said: "There will always be a risk in custody but you have to remember that custody officers are responsible for some of the most challenging and difficult people in society, often in very frail physical and mental health.

"Nowhere else in the world has closer scrutiny on custody – it's difficult to see how we could be more open and transparent. Being a custody sergeant is the only role in policing where you have to go right up to superintendent to be over-ruled.

"They are charged with sometimes making unpopular decisions to deprive someone of their liberty and are a critical and pivotal part of the criminal justice process, with a role also in protecting the public, for example, when deciding bail

conditions."

Delegates also heard from grieving father Tony Herbert whose son, James (25) died after being restrained in police custody in Avon and Somerset in 2010.

Police were called after James was spotted running and shouting in a road in Wells, Somerset looking 'dishevelled' during a mental health crisis.

The circumstances surrounding James' death have since been subject to two Independent Police Complaints Commission (IPCC) investigations and an inquest.

Mr Herbert outlined his personal utopia for how deaths in custody would be dealt with, including the Crown Prosecution Service being involved much later, with officers involved obligated to fully report to the Independent Office for Police Conduct (IOPC) within six months of the death.

In September 2017, the then IPCC (now IOPC) published a report into James' death, which pinpointed how a different approach to policing people with mental health needs could have prevented James' death in custody.

Inspector Tony Maggs, one of the leading experts in cell design, also spoke at the seminar, about how the design of the design of police custody suites is vital to both help prevent self-harm by detainees, and protect the welfare of custody officers.

Highlighting the results of a five-year Good Police Custody Study by the University of Sheffield's Dr Layla Skinns, he revealed that staff in 39 police forces had been quizzed about welfare.

He said: "The study showed that 43 per cent of staff in custody experienced psychological distress, compared with 20 per cent of the general population. Additionally, 33 per cent of custody staff experienced exhaustion or burn-out."

He said: "Acoustics are important, especially with virtual courts and live link facilities. And there are conversations to be had around TVs in cells. A few years ago people were saying we were bonkers but you have to remember that a lot of people who are arrested lose their sense of time – we take their watches from them.

"There can be a degree of self-loathing, a sense of shame and embarrassment both for themselves and their families, so the custody environment is really important. We need to put operational users and detainees first in the design of custody suites."

He said new facilities in Hampshire incorporated a glazed atrium, flooding the charge room with light. "We had lost our way in terms of staff, who have to operate in that environment for 10-12 hour shifts – we need to think about their wellbeing."

The event was held on 11 and 12 September in Daventry and also heard from Dr Meng Aw-Yong, medical director for the Metropolitan Police, about how better understanding of the dangers of Acute Behavioural Disturbance (ABD) in custody detainees is needed among healthcare staff. Miranda Biddle, North East regional director of the IOPC, told delegates that 'timeliness is still our biggest single criticism but we are working hard to address this'.

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Supporting you

Thank you
THANK
thank YOU
Thank YOU
THANK you
Thank you
thank
YOU

Our Federation reps and officials are keen to offer help, advice and support to all members.

It is always satisfying to find out that they have been able to make a difference. Here are a few of the messages of thanks we have received in recent months.

I am a serving police officer who has, over the last two years, been going through a long, very stressful and serious investigation brought on by false allegations.

A friend recommended contacting Federation rep George McDonnell who I contacted on a number provided to me. George answered my call for help and, to cut a long story short, came to my aid, providing advice and support throughout the whole process from then on.

George has been an absolute rock to both me and my family throughout these extremely hard times and I can't thank him enough for everything he has done for us. He has put himself out so much to be there for us and has been so amazing.

I would like to officially record with you my gratitude and appreciation for the exemplary

work that George has done for me and for him just being there when I need him.

Also, I would like to pass on my heartfelt thanks to West Midlands Police Federation for allowing George to support me and my family as my Federation representative. I will never forget what you and George have done for us.

The criminal case is now over and I was found not guilty in crown court but the disruption and anxiety of the last two years is still raw in my mind. However, I am in a much better place than I would have been without your help.

Thank you so much again and I hope that someone make sure that my thanks can be passed one to George on my behalf.

Member thanking George McDonnell

Thank you once again, always good to know someone with a clear thought.

Member thanking Fed rep Paul Ford

Thank you so much for your support over the last year; you have been amazing and I wish you the very best and a happy retirement!

Member thanking Fed rep Paul Ford



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Police pensions on divorce

By **Lorraine Harvey**,
principal lawyer in family
law at Slater and Gordon



Here at Slater and Gordon we often get asked a lot of questions from officers about their police pensions. Understandably officers are usually keen to protect their pensions.

When parties are going through a divorce a spouse will be entitled to know how much an officer's pension is worth. An officer can find this out by calling their pension administrators and requesting their cash equivalent transfer value. This is the total value of your pension at the date you make the request and the value that your pension would be given if you were able to transfer it to a new pension scheme. If your pension is in payment you would need to obtain a cash equivalent benefit statement instead.

Once the value of your pension is known we'll then be in a position to consider what your spouse's claim is likely to be and how this claim can be settled. If

your spouse has a pension then this will also need to be valued and taken into account when considering your spouse's claim against your pension.

When the courts are required to decide how parties' finances should be divided, statute sets out what the court has to consider. In addition to this, there are key principles in case law such as a party's needs (which can include housing needs and incomes), sharing and compensation.

Only once parties' needs have been met will the court consider contributions based arguments. For example, if an officer joined the police service in 1995, began co-habiting with their partner in 2005 and then married in 2006 should the pension that officer accrued between 1995 and 2005 be excluded?

This is a scenario which commonly arises for many of the officers which we represent. Unfortunately, there's not a simple answer to this question. Generally speaking, pensions are more likely to be a significant issue if the marriage is long and if there are children of the marriage. Pensions will be less important if the marriage is short, the parties are relatively

young and there are no children.

If we can show that parties' needs have been met and they have no genuine need for pension accrued outside of the relationship, then we're more likely to be successful in protecting years of a pension accrued outside of the relationship. However, we cannot offer any guarantees with this approach and if the parties are older, and the spouse has little or no pension provision of their own, then these arguments are less likely to be successful.

The best advice we can give officers is to deal with their matrimonial finances including their pension when they separate. For example, an officer separated from his spouse 13 years ago but did not deal with finances on separation. If the officer had dealt with his finances 13 years ago, the pension share which his spouse needed would have been a 14 per cent share, however, 13 years on the pension share which his spouse is now looking at achieving is 32 per cent.

If you would like specialist advice on your finances from a family lawyer, please contact Slater and Gordon on **0808 175 7710** and we will be happy to help.

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The treatment of injury pensions on divorce

By Chris Fairhurst from
McAlister Family Law

A police officer's pension is more than often the most valuable asset on divorce, especially for those with longer service in the latter part of their career. On occasion, it can be worth considerably more than any equity in a family home, due to the way that police pensions are valued, and how benefits become payable upon retirement.

It is not surprising, when faced with the breakdown of a marriage, that many officers see protection of their hard-earned pension fund as a priority when determining how the matrimonial assets are divided. However, comparing the equity in a home, or cash in a bank account, is like comparing apples and oranges.

Is money in the hand now 'worth' more than the prospect of receiving a gratuity and an income in the future? Inevitably, a great deal of confusion surrounds pensions and how they might be dealt with.

One area that causes particular confusion is how a police 'injury pension' is dealt with on divorce and so it is important to distinguish between what is available and how that might affect how it is taken into account during divorce.

First, there is the Ill-health Award which is payable to an officer who retires because they are permanently disabled from performing ordinary police duties. The pension is calculated the same way as the ordinary pension but is considered 'better' than an ordinary pension in that it is enhanced, is payable immediately even if the officer is under 50-years-old and is index linked. In theory, an Ill-health Award being a pension in the normal sense, although enhanced, can be made subject to a pension sharing order.

An ill-health award must be distinguished with 'injury awards' payable because of The Police (Injury Benefit) Regulations 2006 which makes provision for payments to police officers who are permanently disabled, but not necessarily required to retire, as a result of an injury received without their own default in the execution of duty as a police officer.

Entitlement to an award for injury during service is not dependant on the police officer being a member of the 1987 or 2006 pension schemes because injury benefits are compensatory payments for

those officers who suffer an injury in the execution of their duties that is not because of their own omission or fault. The injury award is payable on its own or in addition to an ordinary pension, a short service award, an ill-health award or a deferred pension.

The Police Authority has a statutory duty to review 'injury awards' at suitable intervals to consider whether a person's degree of disablement has substantially altered and, if so, to revise the pension accordingly and therefore its continued payment in the future at the same rate, or at all is not guaranteed and subject to possible later variation.

This means that these benefits cannot be subject to a pension sharing order, as they are not a pension in the ordinary understanding of the word.

When considering a pension fund, the court can make various orders including: sharing, whereby a portion of the funds are effectively ringfenced for payment to the other spouse at aged 60; earmarking or attachment, where a specific portion of a pension in payment can be directed to a recipient, but the fund remains in the name of the officer; or offsetting, which is when the spouse may receive an additional lump sum over and above their fair share in other assets which effectively 'buys off' the others interest in the officers pension entitlement, which can be difficult in light of the likely assessed value of the fund as against the value of other assets, which might lead to more limited funds for re-housing an officer if imposed.

To determine what is fair, the court will have reference to various 'criteria' which take account all the circumstances of the case which can include, but not be limited to any disability of either of the parties to the marriage and capacity to work now or in the future.

In a situation of ill-health or disability, an officer is likely to have been forced to retire or will be receiving a payment in addition which was to have the effect of compensating for an injury received during employment, effectively putting the officer in the position they might have been, but for the injury.

Although an ill-health pension could be shared, it may be the case that the officer is unable to obtain other employment, or if so, the income capacity is more limited than might have been. Whether a pension is shared may well depend on the extent to which either parties' needs can be met from

other resources. If a marriage is considered short, a court might prefer to offset any interest by way of a smaller lump sum.

When determining whether to order a pension share, the court will likely have regard to the age of the intended beneficiary and the time until they are able to receive any benefits because contrary to common misunderstanding, the recipient of a Police Pension – Pension Sharing Order does not receive an immediate lump sum equivalent to the 'share' and will have to wait until their 60th birthday to receive any income payable.

This, combined with the fact that the officer having their ill-health pension has already retired, they will experience an immediate deduction in any income they are already receiving, proportionate to the share deducted. Therefore, an officer who might have received their ill-health pension prior to their 50th birthday would be faced with losing an important share of their income while their former, and possibly younger, spouse might not receive their benefit for a considerable number of years.

Both ill-health pension and injury awards would be considered as income in the hands of the recipient and therefore, could be subject for consideration in the context of child support and/or spousal maintenance payments, or as an income that could be considered in the context of a re-mortgage or additional borrowing.

Because of the various options available for the division of pensions on divorce, there are myths and misunderstandings and in complicated divorce cases, particularly when the pension is already in payment due to retirement or ill-health, it is likely to be necessary to seek expert pension advice about the implications and benefits of the various possible outcomes which will be critical in informing a court as to how pension assets should be dealt with.

No two situations are the same and you should have a lawyer who understands these complexities and who is confident from the outset, able to ask the right questions and robustly challenge any misconceptions or assumptions representing the other party and ensure your interests and pension benefits are properly protected.

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