

my NP.

Prime Minister.

CONFIDENTIAL

Hertley Booth ^{note}, for
information, re the Police
Conference.

MEA 17/5

17 May 1985

PRIME MINISTER

POLICE

I must have a
word with them
about their
charges
- especially the
proposals in the
last para
not

I attended the Police Federation Conference from 13-14
1985.

The delegates met at Blackpool rightly proud of their
tenacity in the face of Scargill's mobs, and wishing to honour
their brave colleagues at Bradford Football Ground. Among
their number was the Chairman of the RUC Branch, whose 21 year
old niece had died at Newry in the last 12 months at the hands
of the IRA.

While the general spirit was to support the Government
that has paid them generously, a current of dissatisfaction
was apparent. This has been much-orchestrated by the media.
In the lead was the Left-of-Centre Greater Manchester Force.
They said:

- Police are underfunded in the wake of DoE cuts.
- Their numbers have fallen by 1,500 during the last year
for the same reason.
- The Police and Criminal Evidence Act will mean more work
without extra "establishment".

CONFIDENTIAL

- The HO have broken faith over rent allowances (circular 90/84). The police say that the rent allowance was agreed in arbitration and subsequently the HO circular changed it without their agreement. HO say it was a trivial matter.

We are adding other duties to the police, not least drug pursuit, public order and more sports crowd control. Although we can encourage local authorities to bring police up to establishment as you did yesterday in PQs, we can also find ways to reduce the police load rather than be driven to the expensive conclusion that we must have more police:

- More civilianisation of the police: providing we do not bring in strike-permitting unions.
- More customs officials, rather than police on drug offences - they are cheaper.
- Remove the last few police from assisting parking ticket administration.
- Privatise the service of Magistrates' warrants and summonses. Police should not be required to deliver bits of paper.

CONFIDENTIAL

- 3 -

Less Attractive Options

- Further reduce traffic police.
- The vain hope to find overall savings of 600 police after the new prosecution service has been created.

Conclusion

Could you have a word with Leon to mend some fences?

Hartley Booth

HARTLEY BOOTH

CONFIDENTIAL

HARTLEY BOOTH

file (57) [signature]

POLICE

The Prime Minister has seen your note of 17 May. She thinks it would be worth having a word with the Home Secretary about the issues you raise.

I think we might try to find a few minutes ^{after a meeting} at which both the Prime Minister and the Home Secretary are present to deal with this. The Home Office would be happy with that. They have asked, however, for a copy of your note so that they can ensure the Home Secretary is properly briefed. I do not see any particular difficulty in this, but perhaps you would consider it and arrange either for a copy to go across or for the gist of its content to be conveyed to Nigel Pantling.

Let us have a word early next week.

MARK ADDISON

29 May 1985

[signature]



HOME OFFICE
Queen Anne's Gate, LONDON, SW1H 9AT
Direct line: 01-213
Switchboard: 01-213 3000

Our reference: POL/84 3/4/3
Your reference:

The Clerk to the Police Authority

The Chief Constable

30 November 1984

Dear Sir

HOME OFFICE CIRCULAR NO 90/1984

- A. POLICE (AMENDMENT)(NO 2) REGULATIONS 1984
- B. POLICE CADETS (AMENDMENT) REGULATIONS 1984
- C. RENT ALLOWANCE
- D. LOSS OF REMUNERATION ALLOWANCE FOR SPECIAL CONSTABLES

A. POLICE (AMENDMENT)(NO 2) REGULATIONS 1984

I enclose a copy of the Police (Amendment)(No 2) Regulations 1984, which give effect to recent agreements of the Police Negotiating Board on the pay of officers below the rank of superintendent and on the dog handler's allowance. The Regulations, which amend the Police Regulations 1979, come into operation on 20 December 1984 but Regulation 2 provides for the increases in pay and in the dog handler's allowance to have effect from 1 September 1984.

B. POLICE CADETS (AMENDMENT) REGULATIONS 1984

2. I also enclose a copy of the Police Cadets (Amendment) Regulations 1984, which give effect to recent agreements of the Police Negotiating Board on the pay of police cadets, board and lodging charges, and the footwear allowance. The Regulations, which amend the Police Cadets Regulations 1979, come into operation on 19 November 1984, but Regulation 2 provides for the increases in pay to have effect from 1 September 1984.

3. The effect of the Regulations is as follows:

Regulation 4 (which has effect from 1 January 1985) abolishes the footwear allowance which was paid, under Regulation 18(2) of the Police Cadets Regulations 1979, to police cadets who were not provided with boots or shoes

1/10

by the police authority, and requires police authorities to provide all police cadets with two pairs of boots or shoes annually.

Regulation 5 (which has effect from 1 September 1984) increases the pay of police cadets.

Regulation 6 (which has effect from 19 November 1984) increases board and lodging charges.

C. RENT ALLOWANCE

4. Following the Police Arbitration Tribunal's recent award on rent allowance, the Secretary of State has reviewed the arrangements under which his approval is given to the maximum limits of rent allowance set by police authorities under Regulation 47(4)(b) of the Police Regulations 1979.

5. The terms of the current Police Negotiating Board agreements negotiated in 1969 and 1974 provide for local agreements on force maximum limits to be based on an assessment by the District Valuer of the rent which a typical police house would fetch if let unfurnished on the open market, taking as an appropriate point of reference the rental value of a selected post-war, three-bedroom semi-detached house, in a locality where rental values are not substantially above the average for the whole police area, and having (or being valued as though it had) both central heating and a garage.

6. Police authorities should not expect approval to be given to revised maximum limits of rent allowance set by a police authority on or after 1 April 1984 unless the selected house meets this description. The Secretary of State will also take into account the rateable value of the selected house and whether it is broadly in line (ie within 10 per cent either way) with the average rateable value of the police authority's housing stock (excluding section houses provided for single officers). When applying for the Secretary of State's approval of increases in maximum limits, the police authority should state whether or not the selected house meets the above description and should give both the rateable value of the selected house and the average rateable value of the police authority's housing stock.

7. The Secretary of State intends to keep the maximum limits of rent allowance under review. In the light of future developments, he may need to consider whether further steps are necessary to limit the additional costs to police funds.

D. LOSS OF REMUNERATION ALLOWANCE FOR SPECIAL CONSTABLES

8. Under the recent pay settlement for police officers below the rank of superintendent, the first point of the constables' scale remains unchanged from the level set on 1 September 1983. Accordingly, the loss of remuneration allowance payable under Regulation 4(2)(a) of the Special Constables Regulations 1965 will also remain unchanged at the rate of £25.72 per day announced in Home Office Circular No 104/1983.

9. An additional copy of this circular is enclosed for the Treasurer.

Yours faithfully

R C Yeates
R C YEATES

Rent allowance

Ho Explanation

The maximum limits of rent allowance for each force are fixed by the police authority, subject to the Secretary of State's approval. Under the terms of the current Police Negotiating Board agreements, maximum limits are reviewed biennially, on the basis of an assessment by the District Valuer of the rent which a police house, agreed by the police authority and the local representatives of the police staff associations to be typical of the force housing stock, would fetch if let unfurnished in the open market.

In recent years, the maximum limits of rent allowance have been escalating rapidly. The 1982-83 round of reviews of maximum limits produced increases ranging from 18% to 69%. In January 1983 the Official Side of the Police Negotiating Board therefore tabled proposals for changes in the method of calculating rent allowances, which would have brought police rent allowances broadly into line with the national average of council house rents. The issue was subsequently referred to arbitration and the Police Arbitration Tribunal decided that the existing arrangements should be retained.

A decision of the Police Arbitration Tribunal has the status of a recommendation to the Home Secretary, who accepted their decision. He decided, however, that more positive use should be made of his power to approve maximum limits of rent allowance and Home Office Circular No 90/1984 explained the criteria which would be exercised in future in deciding whether or not approval should be given. The effect of this was to make it clear to police authorities that the Home Secretary's approval would be given to increases in maximum limits only if he was satisfied that the selected house satisfied the terms of the PNB agreements and was genuinely typical of the force housing stock.

Far from setting aside the arbitration decision, the circular had the effect of underlining the PNB agreements and increases in ^{maximum limits} ~~rent allowance~~ based on those agreements have now been approved for 18 forces since the circular was issued in November 1984. Most of the increases have been between 10% and 20%. Applications from 11 forces have so far been refused because they did not satisfy the terms of the PNB agreements - in most cases because the selected house could not be regarded as genuinely typical of the force housing stock.

R.


TOTAL POLICE STRENGTH

ALL FORCES IN ENGLAND AND WALES

(INCLUDING METROPOLITAN POLICE)

		TOTAL STRENGTH	RECRUITMENT	WASTAGE
1983	JAN	121,080	560	427
	FEB	120,946	211	343
	MAR	121,003	480	430
	APR	121,013	452	442
	MAY	121,050	392	359
	JUN	121,158	479	391
	JUL	121,352	547	384
	AUG	121,521	501	359
	SEP	121,100	149	564
	OCT	121,124	535	491
	NOV	121,220	483	392
	DEC	121,003	179	398
1984	JAN	121,166	548	383
	FEB	121,328	510	357
	MAR	121,053	140	415
	APR	121,122	512	437
	MAY	120,940	195	386
	JUN	120,987	430	427
	JUL	121,206	568	391
	AUG	120,923	144	422
	SEP	120,913	606	610
	OCT	120,909	528	512
	NOV	120,745	269	434
	DEC	120,573	284	454
1985	JAN	120,530	414	478
	FEB	120,779	729	475
	MAR	120,116	257	924
	APR	120,364	590	347

Details of Establishment not readily available, but the shortfall nationally is about 1.6% as against 6.6% in May 1979.



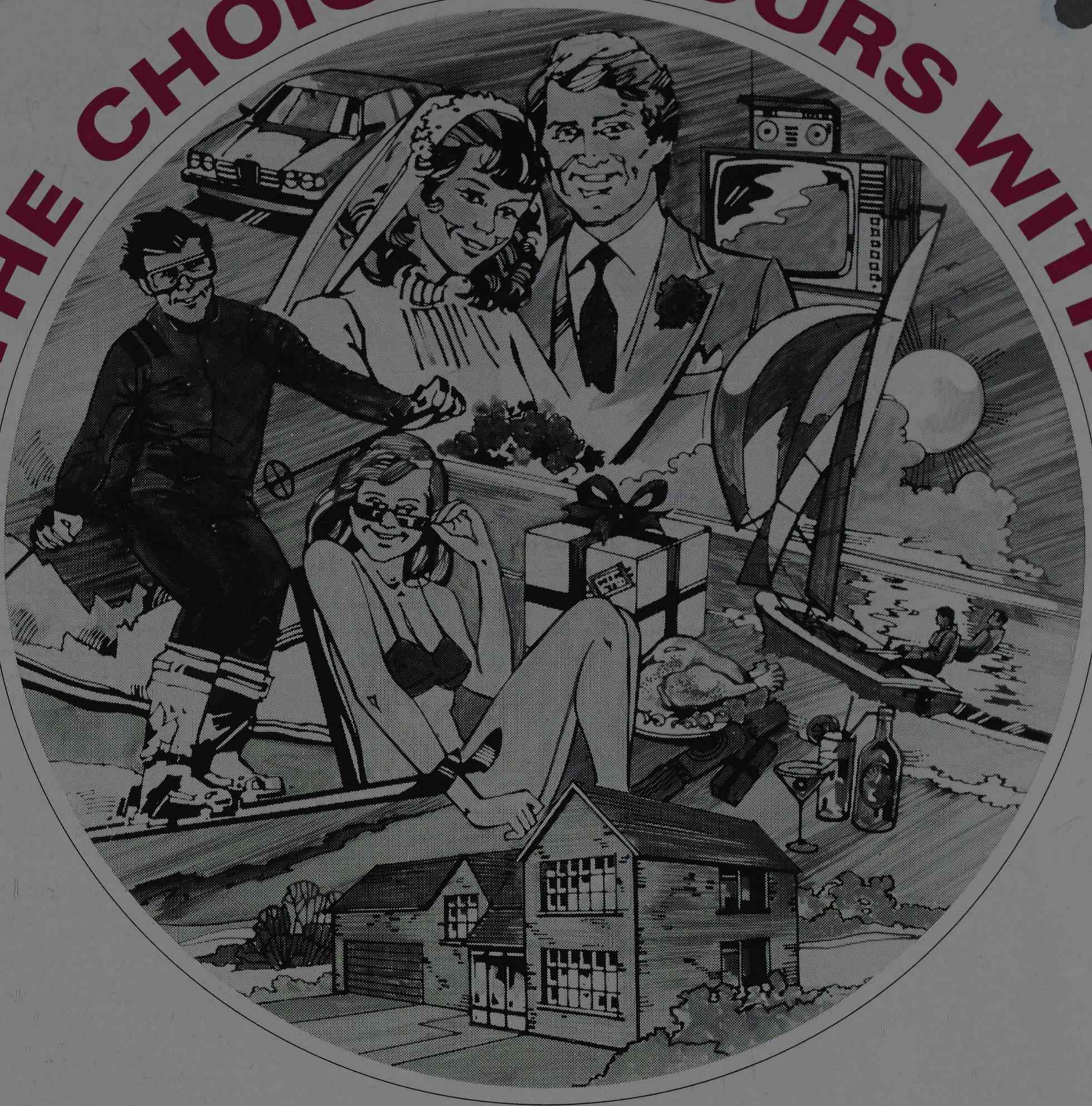
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POLICE

MONTHLY MAGAZINE OF THE POLICE FEDERATION

Vol. XVII No. 10
JUNE 1985

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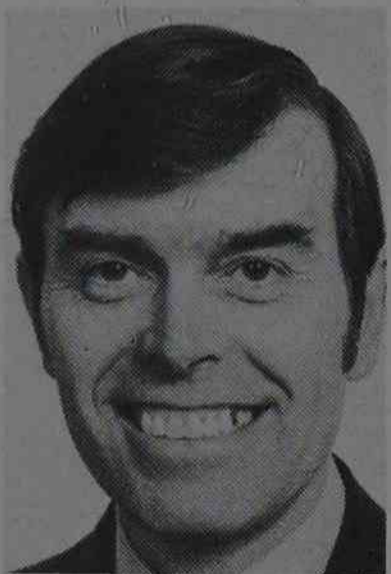
CHANGES!



Barrett



Mannion



Middup



Eastwood

ALAN EASTWOOD, vice-chairman of the JCC was defeated for the post by Peter Mannion (Gloucestershire) when the Committee elected its officers for 1985/6 after Conference.

Paul Middup was ousted from the chair of the Constables' Committee by Steve Barrett of the Metropolitan.

Peter Tanner held off a challenge from Pat Johnson, the deputy secretary, to keep the JCC secretary's post. In turn, Mr Johnson defeated Graham Marsden (Notts) to hold on to his office. Assistant treasurer Norman Appleton also survived a contested election.

South Wales made a clean sweep of the three JCC posts for the Welsh region, thus unseating Ted Simmonds (Gwent) after 13 years membership. The new members are Inspt T Grinter and Sgt J Moseley.

POST HONEYMOON BLUES!

Tories 'letting down' the police

MIKE BENNETT, proposing an emergency motion expressing grave concern at the impact of current Government actions on the police service and the fight against crime, told Conference that promises, once made, should be kept. "Unless money is provided to increase manpower and resources," he said, "the quality of law and order will decline still further." He called upon the JCC to send a deputation to Leon Brittan to leave him in no doubt of the present feelings of the membership of the Police Federation.

Mr. Bennett listed seven issues which gave rise to the emergency motion. The first was the effect which Home Office Circular 114/83 is having on manpower. He claimed that the circular was likely to bring civilianisation up to an unacceptable and even potentially dangerous level. Restrictions on police manpower, said Mr. Bennett, were starting to have an adverse effect on morale. Promotions were beginning to 'stagnate'.

The second major issue was the Police and Criminal Evidence Act. The manpower restrictions meant that the procedures would be difficult to operate, in particular, the custody officers. The Act had created more disciplinary offences, providing the opportunity for it to become a complaints charter.

The addition of the racial discrimination clause to the Discipline Code was a "downright insult", said Mr. Bennett.

On the miners' strike, Mr. Bennett condemned the abysmal and squalid state of much of the accommodation provided for officers on picket line duties, and said that when Federationists had tried to rectify the matter, they had been treated with disdain and contempt by authority.

The Federation had secured a major victory on rent allowance at the arbitration tribunal, but the Government had acted dishonourably by interfering in properly-negotiated conditions of service, so that the Federation was having to consider legal action against the Home Secretary.

Local Government Bill

MR. BENNETT condemned the Government for creating doubt and uncertainty amongst members of the provincial metropolitan forces who were threatened with the possibility of reorganisation once the metropolitan councils have been abolished. "At the moment," said Mr. Bennett, "near chaos reigns. There is concern in my force at all levels. For heaven's sake, Government, give us some clear directives."

Another point of criticism was the drive to recruit more special constables in order to offset decreasing police manpower.

This Government, said Mr. Bennett, had in reality done very little in the area of preventing crime. "Crime is on the increase, particularly violent crime against the elderly. We are struggling to protect them now. I shudder to think how we will protect them in the future if police establishments are not increased."

"The police service", said Mr. Bennett, "has always been intensely loyal to the Government of the country, no matter what its political colour, but it is time to tell this Government that enough is enough."

The emergency motion was carried unanimously.

FEDERATION TAKE BRITTAN TO COURT

THE POLICE Federation has applied to the High Court for leave to seek judicial review of the Home Secretary's refusal to approve the Greater Manchester Police Authority's proposed new maximum limit rent allowance in that force.

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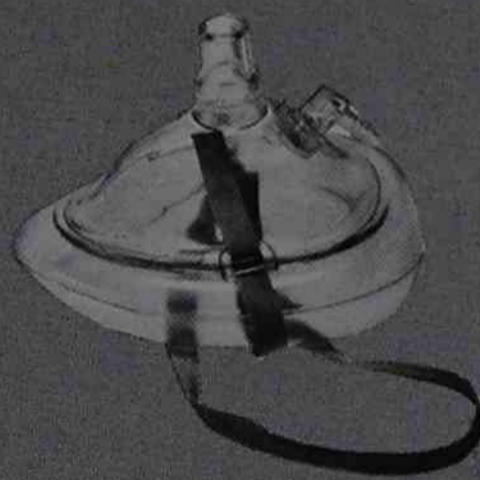
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NO WAY TO TREAT THE POLICE FORCE!

THIS, HOME SECRETARY, is the one day of the year when you can take advantage of a thorough briefing on police problems from the elected representatives of the men and women at the sharp end. No doubt you will be able to contrast what you hear today, with what is said to you by the HMIs, the chief officers, your permanent officials in the Home Office, and even those stalwart friends of the police service, the local authority representatives.

I suspect you will notice quite a difference in emphasis.

Of course, we are not always going to see matters in the same light, and in a moment or two I intend to explain to you where we think, on one or two matters, you have gone wrong. But do not worry, it is not too late for you to start putting them right as soon as you get back to London

Police pay

THERE IS no doubt that the 1984 pay negotiations were the most difficult we have had to face, since the Edmund Davies system of dealing with police pay was introduced seven years ago. At the outset, it was clear to us that the Official Side of the Police Negotiating Board, and of course this most include yourself and the Home Office, was looking for ways to retreat from the categorical guarantees that have been made, by successive

governments, concerning the status of the Edmund Davies standards.

We were, therefore, quite ready for a long and difficult battle over the pay review, knowing that the Official Side wanted to "claw back" what they saw as an element of over payment, and that they wished to make changes to the way in which the Index of Earnings was linked to police pay reviews. But we were shocked to find, when the negotiations opened, that the employers were back to their old double dealing tricks which had, I would remind you, caused the crisis of confidence in police negotiating machinery in the mid-nineteen-seventies.

With total cynicism, the Official Side wanted to postpone consideration of the joint examination of police pay, which had been set up at their insistence, and with which we agreed to co-operate only after a personal warning from you, that it must be undertaken and completed before the 1984 negotiations began.

Now we were being told that, after all, the Report of the review could be dealt with in 1985. The reason, of course, was that over the previous year, the movement in the Index on which police pay was based, had turned out to be much less than had been expected at the time that the joint review was set up. So the Official Side wanted to delay the conclusion of the review to a time when they hoped the factors which had caused the index to slow down, would not be present. In other words, they wanted to

be able, in 1985, to attack a larger pay increase than the one thrown up by the index in 1984.

We would have none of it, and I am glad to say that in the end, wiser counsels won the day.

Probationers

WE EMERGED with an agreement which preserved the status of Edmund Davies for a further period. But it was not an easy decision, because we felt then, and indeed still feel now, that it was an injustice not to give an increase to the young probationers who so often take the brunt of the bitterness shown to police officers.

But, although the negotiations were indeed difficult, and although we felt bitterly angry about the tactics employed at first by our employers, we emerged from the exercise with a satisfactory agreement in which both sides made concessions to the other's point of view.

In other words, we negotiated, and we did not threaten.

Still less did we try to make a case for ourselves by denigrating the work of other groups. When the leaders of the teachers unions keep making comparisons with police pay, they might point out some very significant differences in working conditions as between their members and ours. When they sneer at "nineteen-year-old police constables" getting more than graduate teachers, they might pause to ask themselves about the ages of the young officers of the Royal Ulster Constabulary who were slaughtered at Newry in February, or of other young officers killed and maimed in the course of their duties on the mainland of Britain.

When the emergency is there, and the call must be faced, no one stops to enquire about the age of the constables who risk their lives on behalf of the community.

As police officers, we certainly have no criticism of the teachers unions, or any other groups, which seek to enhance the living standards of their members. We are

Leslie Curtis Chairman of P.F.

CURTIS TELLS BRITTAN: LISTEN TO LOWER RANKS

entitled to ask, that they do not try to do so by making inaccurate comparisons with our members.

Rent

WHEN WE met at this Conference last year, Home Secretary, I made it plain to you that our membership was greatly concerned about the attempts being made by the Official Side to undermine the system of Rent Allowance. We were, therefore, very gratified indeed when the arbitration tribunal, having carefully considered the submissions of both Sides, entirely rejected the case put forward by the Official Side, and entirely supported — I stress — entirely supported — the detailed arguments of the Staff Side

In our experience, the award from the arbitration tribunal was unique in the emphatic language used by the tribunal in making its decision.

We were, therefore, surprised and disappointed when we discovered that you were seeking, by administrative action, to introduce a system of approving changes in local rent allowances by applying factors which the arbitration tribunal had agreed, with us, were irrelevant.

We were even more angry to read that you proposed, if costs continued to rise, to take unilateral action to alter the system, and thus, virtually, to overrule the arbitration tribunal. That was the only interpretation we were able to place upon your action.

If what I say is not the case, then I must tell you that we will welcome your assurance, here and now, that we have nothing to worry about. And if there has been a misunderstanding, then it is entirely your fault, and the fault of your officials, for acting in such a high handed manner without any attempt at all to consult the negotiating body — the forum appointed by Parliament to deal with these very matters.

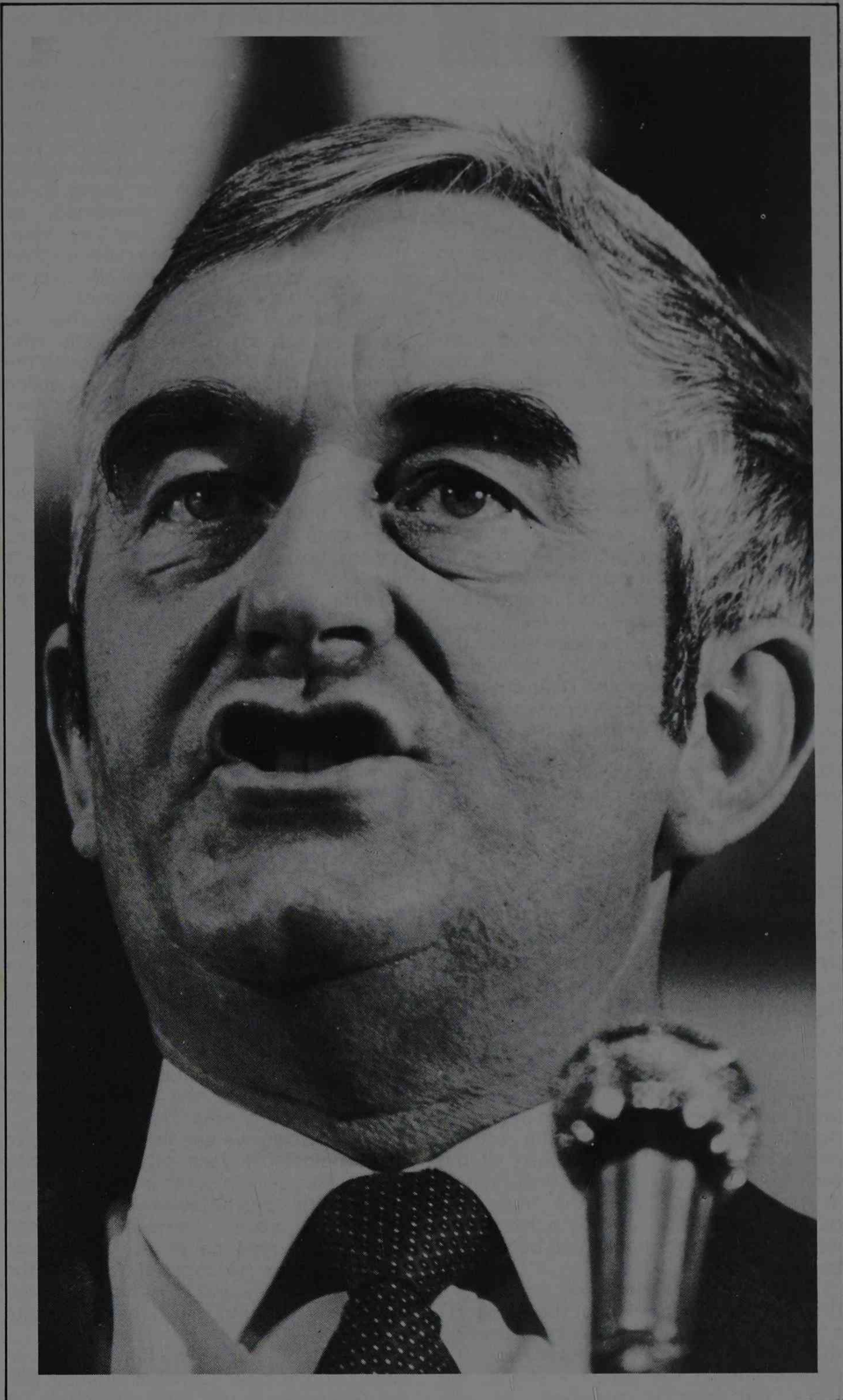
Consultation

ON THIS question of consultation, I have to say for the second year running, that we are disturbed about an increasing tendency on the part of the Home Office to ignore the consultative process, and even to ignore the statutory body, the Police Advisory Board, set up by Parliament to advise you on police professional topics.

Last year, our complaint was about Circular 114, with all its implications for police manpower, and its concern with new working methods, technology, and so on. That Circular was introduced without a word of consultation with the Police Federation, nor the Superintendent's Association, and without any discussion at the Police Advisory Board.

That was a grave error on your part, Home Secretary, because it meant that our consideration of the most effective use of police manpower, an aim which we happen to share with you, got off to a bad start. We had hoped that the protests we made last year about lack of consultation would have produced improvements. Sadly, in some key areas, this has not been the case.

Home Secretary, as the message did not get home last year, I must say it again: Where the law of the land requires that Police Regulations are made after consultation with the Police Advisory



Board and the police staff associations, we will insist that proper consultation takes place. Where the obligation to consult is not statutory, but there is a clear moral imperative that there should be consultation, then we shall protest every time that we are ignored.

What has happened on a number of recent occasions makes a complete nonsense of the Edmund Davies report on the role of the Federation and the status of consultative machinery in the police service.

Racial discrimination

THERE WAS not the slightest pretence at consultation with the police service, merely a last minute warning of what had been decided, when the Government, last year, performed a staggering

somersault on the question of police discipline and racial discrimination.

It was in 1981 that Lord Scarman revived the idea, previously considered and rejected by a Labour Home Secretary in 1969, that there should be a specific offence of racial discrimination to be added to the fifty-plus other sins that a police officer can commit, which are set out in the discipline code.

Even Lord Scarman accepted that the kind of conduct by a police officer, which would give rise to a complaint of racial discrimination, was already covered in the code. The Police Advisory Board (at least it was consulted in 1981) came to the unanimous conclusion that there was no need for such a clause, and that its inclusion might be unhelpful to the cause it sort to promote — racial harmony and better understanding between the police

(continued overleaf)

and ethnic minorities. Your predecessor, Lord Whitelaw, told Parliament that he accepted this advice.

When the first version of the Police and Criminal Evidence Bill was before Parliament, you and your ministerial colleagues persuaded the House of Commons and the House of Lords to reject amendments which would have made the Scarman proposal a part of the Bill.

When the amendments came up again on the second version of the Bill, the Government caused it to be voted down in the Commons but it was carried by six votes in the House of Lords, against the strong advice of the Government spokesman in that House.

Then came the bombshell. We were told that later on the same day, the Government would announce that it would accept the amendment after all. It was the price to be paid for buying off two other amendments which the Government opposed.

We are entitled to wonder about the commitment of those who proclaim their support for the police and their desire to see police officers properly equipped with power to deal with crime on the streets, and then put a halter labelled 'racial discrimination' around the necks of every young Bobby policing the inner city.

Police & Criminal Evidence Act

IN THE past year, your Government has succeeded (some would say "at last") in getting the Police and Criminal Evidence Act, Mark 2, through the House of Commons. It may well go down in history as the Act of Parliament which had the longest Parliamentary sittings of all time. But I have to say to you, more in sorrow than in anger, that it is not the Act the police are looking for on behalf of the ordinary public, which would ensure that, at long last, we had the legislative backing to enable us to tackle crime without having our hands tied behind our backs.

The Police Federation made its dissatisfaction very clear at the outset on a large number of points. In examining the problems that could arise on the streets and in the police stations, we were not simply speaking as the Federation. We were sharing the views of many, many experienced police officers of all ranks, including ACPO, who have the strongest reservations about the Police and Criminal Evidence Act.

For example, we were alarmed at the massive extension of privilege to all kinds of groups, including journalists and social workers, which gives protection to evidence and documents in their possession in a manner that we cannot conceive to be in the public interest.

Just as importantly, we find the ludicrous restrictions that have been placed on some powers, quite incomprehensible in terms of the problems that the police encounter in their fight against crime.

Every police officer knows by now that he can ask a person to remove his coat and his gloves (it sounds like a song from *Oklahoma*) but can't ask him to take his hat off in the street.

Bureaucratic nightmare

WHERE police powers have been standardised, they have been saddled with a bureaucratic nightmare of time keeping and record making. We are anticipating that, at least in the first few years following the full implementation of the Act, criminal trials are going to be extended rather than shortened, as defending lawyers go, step by step, through the codes of practice in their desperate search for some slight error or omission on the part of the police.

We believe, also, that now that the dust has settled, the very people who spent two years attacking the Act as the biggest step ever taken towards a police state in Britain, will now regard it as their Bible for making allegations against the police.

Our verdict on the Police and Criminal Evidence Act must be, that whilst it has some advantages, on balance it represents, not just a missed opportunity, but a clear example of what happens when a Parliament full of practising lawyers, gets to work on its specialised subject.

Criminal Justice Bill?

HOME SECRETARY, you said in the House of Commons the other day, that we might be able to look forward to a new Criminal Justice bill in the lifetime of the present Parliament.

I hope, in fact I implore you, to take the opportunity, along with your colleagues, the Law Officers of the Crown, to tackle some of the major abuses of justice which have become established in our criminal trial procedure. Anyone who is a daily observer of contested trials in this country, will tell you, that on far too many occasions, the public contest to win victories on legal technicalities, wholly supersedes the requirement to establish exactly what happened.

All too often we see lawyers trying to score points off each other, as if they were taking part in some kind of civilised board game, played between gentlemen for their own amusement and considerable personal profit. The system seems to have no concern at all for the victim of crime, and it is time that the pendulum swung in the opposite direction.

Is it too much to hope that, in discussing a new Criminal Justice Bill, the Government will look, yet again, at the Criminal Law Commission Report on the right of silence, and the question of whether or not those who choose to exercise the right of silence, should be immune from criticism or comment?

Is it not time to do something about the indiscriminate tactical use of electing to go for trial, simply as a delaying mechanism, in cases where the matter could be disposed of sensibly, and justly, at magistrates' courts, without incurring the enormous bills for criminal legal aid which result from pointless trials or, worse still, from cases where the defendant promptly pleads guilty at the higher court?

The police service was bitterly disappointed at the outcome of the Police and Criminal Evidence Act. We hope, and trust, that the Government will not miss the opportunity it now has, to make a major impact on the Criminal Justice System.

The coal strike

NO ONE can deny that, last year, by side with the issue of the coal strike itself, the question of pit closures and the problem of the divisions within the ranks of the mineworkers, there was the huge problem of massive law breaking, involving serious intimidation and violence on the part of a sizeable section of the strike's supporters.

And it soon became obvious that the British police service faced the most serious threat to the rule of law in Britain that we have seen this century. An industrial dispute degenerated, almost from the outset, into what can only be called, systematic and prolonged law breaking. The demands that were placed on this service, and on our resources, were enormous. It is to the great credit of the British police service, and I say this without any question of false modesty, that we met those demands without calling upon any outside assistance.

The police service throughout that period was battling to maintain the rule of law, knowing full well that the situations we were facing, and which the working miners and their families were facing, were the result of planned, organised and orchestrated actions on the part of the national and area leaderships of the National Union of Mineworkers.

Thousands of arrests were made. Many of them for very serious offences. But police officers found themselves, yet again, wondering why those in the front line were arrested and, in some cases, are now serving long terms of imprisonment because of their misguided actions, whilst the law appears powerless to deal with those who do the planning, send out the "troops", and insist that, if they act violently, their only crime is that they are fighting for the right to work.

No victories

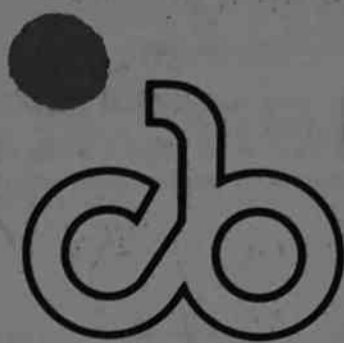
WE ARE not claiming a great victory over the miners. Everyone in this hall believes, that there have been no winners, only losers all round. And I have to ask again, as I asked from this platform last year, only eight weeks into the strike, why was there such reluctance on the part of the National Coal Board to use the civil law to deal with the problem of secondary picketing and other illegal actions that were taking place at that time, and continued throughout the strike?

A stage was soon reached where it was no longer possible to claim that civil action would make a bad situation worse. What is more, in those cases where the civil law was used, it was significant that illegal picketing was called off, and that even the NUM leadership, at the end of the day, was forced to obey the law of the land. Throughout the strike, at each opportunity that presented itself, I asked the question again and again, and no answer was forthcoming.

Government stood aside

WE CANNOT accept that this is a matter in which the Government could remain entirely aloof. It was abundantly clear to all that the Government was involved in so many ways, in their policies, financially and in its mandate on law and

(continued on page 14)



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My Employer is _____ My occupation is _____ I enclose two monthly pay slips.

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The name of my Bank is _____ Approximate Mortgage £ _____

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Name and address of Creditor	My Reference Number	Date of commencement	Term	Monthly Payments
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Have you ever been Bankrupt or had any judgment made against you? _____

I understand that if I am in good health, under 60 and make my payments when due, I will have the benefit of free Life cover. I confirm that I am in good health.

Name and address of my doctor _____
(who I authorise to confirm the above statement)

I declare that the above information to the best of my knowledge is true and this application shall form the basis of the contract.

Signature _____ Date _____

PF/6/85

order, and I find it incredible to this day, that the Government will not say whether it believes it right or wrong that the civil law was not used.

After all, this Government came to power on a promise that the nation would be spared the sickening scenes we witnessed during the winter of discontent of 1978-1979, and the law was amended in order to bring about an end to those scenes.

What is the good of a law, we must ask, if there is no will, to implement it?

We are convinced, Home Secretary, that the result of not using the civil law was that the police were left to fill a legal vacuum that was thus created.

I have to say that we sincerely hope that all sides have learned the lessons of this strike. It must not become the norm that, when a union embarks on a major strike involving massive disregard for the civil law, the Government's response is to expect that chief officers will pour policemen into the breach.

That is not our job. Our job is to uphold the criminal law, and prevent crime.

But where the civil law is designed to deal with such a situation, then it is the civil law to which the Government and society should turn in the first place.

Police and politics

I CANNOT move away from the issues surrounding the coal strike, without referring to the serious difficulties that arose between some chief officers and their police authorities.

I do not wish to dwell on the issue for any length of time, except to say this: Many of the actions taken by a number of police authorities during the strike, amounted to a deliberate attempt to sabotage police operations by the use of the fiscal powers of those authorities. I think that the personal courage, and that is the right word, shown by chief officers who faced this challenge, is worthy of our commendation.

I think the strike has shown how real would be the dangers if the efforts of some people to bring about what they call, greater democratic accountability of the police service, were successful. One of the lessons of 1984 must be that the rule of law can only be maintained in an impartial and non-partisan manner, by a police service that is not subject to political direction of its operational role.

Manpower worry

FINALLY, I want to mention our anxieties about police manpower.

It was a remarkable feature of 1984 that, at a time when the service was facing unparalleled and unprecedented demands on our manpower resources, the number of police officers in England and Wales actually fell by more than five hundred. And, as we understand the position, there is still a steady drain.

We understand the present financial difficulties of police authorities, and the problems they face in reconciling the Government's insistence that law and order is a priority, with the demands of the Department of the Environment and the Home Office, for massive economies in all areas of local government.

What is the good of a law if there is no will to implement it?

We also understand the temporary problem faced by police authorities who have to meet, at least in the first instance, heavy additional costs brought about by the strike. In that respect, of course, we welcome and appreciate the additional spending from Central Government. But we would say that, in future, a major police operation of this kind should be wholly funded by the Central Exchequer.

Far worse than any temporary problems of finance, the Home Office is pursuing its quest for economies, to a point where it could begin to endanger police strengths to a permanent and impaired police efficiency.

Home Secretary, we are not at all satisfied that, simply because they are cheaper, police civilian employees are better.

The events of 1984 must have brought home the fact that there is a major gain to the police authorities and the public in having police officers who can be taken, at a minute's notice, from one kind of duty and put on another. You just cannot do that with civilians. They have such things as contracts of employment, trade unions and statutory rights, including industrial action.

That is part of the cost equation between civilians and police officers that appears to have been lost sight of in the feverish hunt for short term economies.

We will look to you for an assurance that the sensible needs of chief officers for additional strengths, will continue to be met. All our experience tells us that, once the tap starts dripping and manpower resources begin to trickle down the sink, it soon becomes a major

leak and then a flood.

During those difficult months of the miners' strike, when many hundreds of officers maintained that thin blue line between anarchy and freedom; when many young officers' wives and families lived under the constant fear of hearing that their loved ones had been injured, perhaps maimed; when the threat of intimidation and violence threatened to overwhelm public tranquility; when a paragraph of police history was being written, there was no question of seeking reinforcements from the army; we had no permanent para-military riot force, thirty thousand strong as it is in France.

The men who faced the violence on the picket lines and in the pit villages, were the ordinary local policemen and their colleagues from other forces. They were taken away from their normal policing duties and, using the benefit of experience, organisation and training, resulting from the lessons of previous industrial disputes and the riots of 1981, they did their job.

They saw it through to what, sadly, was the bitter end. And then, as suddenly as they had assembled, the PSUs departed and the police service in the mining areas was left to start immediately on the task of reconciliation.

Home Secretary, that was the measure of how the police service faced up to the test, and we defy any of our critics, even the hysterical, lying propagandists who backed the NUM leadership without reservation, to think of one other country in the world where such an achievement would have been possible by the use of such minimal force.

Tanner hits at rent block

PETER TANNER JCC Secretary, told Conference of the problems in forces where increases in rent allowance had been agreed following last year's Arbitration Tribunal victory, but the Home Secretary had turned them down under the terms of Home Office Circular 90/84. "That Circular is an effort to overturn the arbitration award", he said.

In each case where the Home Secretary had acted in this way, the Federation had sent the papers to its lawyers and legal actions would follow.

In West Midlands the situation was worse than anywhere because the Police Authority had declared UDI, saying it had opted out of all PNB agreements. The Chairman of that Police Authority was also the Chairman of the Metropolitan Authorities Police Committee. "I don't know why he still turns up at meetings of the PNB when the Police Authority won't abide by its agreements", said Mr Tanner. As a result of the conduct of the West Midlands Police Authority the Federation had gone back to the High Court to accuse them of contempt of court, because they had failed to carry out the instructions of the court in an earlier case.

PSU CLAIM

THE STAFF SIDE of the PNB has decided to go to arbitration on the dispute concerning compensation for members who performed PSU duties during the coal strike, and were not provided with proper accommodation. Where members are not provided with proper sleeping accommodation the PNB agreement states that they will be paid for all time spent on such duties away from their forces, including travelling time. The Official Side, said Mr Tanner, had said that, as far as they were concerned, so long as a member was given a bed under cover, that was adequate accommodation for police officers under any circumstances. "We set our standards rather higher than that", he said.

DEATH BENEFIT

IN HIS Treasurer's Report, Trevor Laws said that death benefit, which is paid to the dependants of deceased contributors, would be increased to "at least" £1,250 from 1st January next. It went up at the beginning of this year from £750 to £1,000, and in 1984/5 105 such benefits were paid.

Mr Laws said that the Federation may be facing heavy financial commitments in providing legal representation at disciplinary hearings, but he was confident that this could be met without affecting other services.



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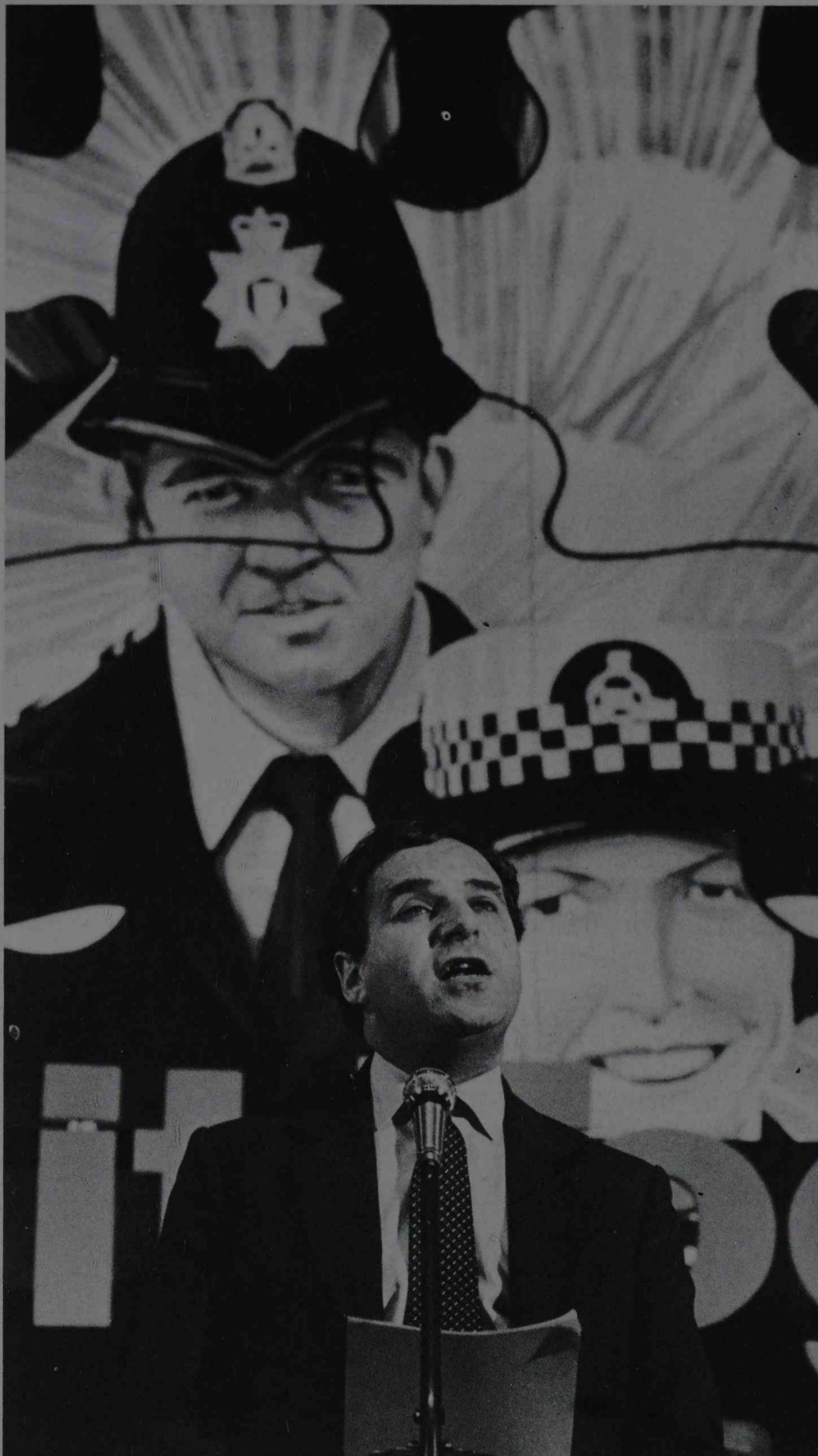
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LOOKING BACK, 1984 was a quite exceptional year for the police service. Not just because of the unprecedented length but because of the unprecedented strains of the miners' dispute. Not just because of the physical hardships — the violence, the injuries, the long hours, the sometimes difficult living conditions, but because of the additional strains caused by separation from families, by working in a hostile environment, sometimes sheer tiredness. There were strains, too, on those officers who were not directly involved in policing the dispute, but who were working long hours to police the rest of the country. Because of this, the effects of the dispute were felt by all police officers and by their families. But throughout the dispute you displayed the qualities of patience, common sense and good humour which have come to be regarded as the hallmark of police officers in this country. As a result, in very difficult conditions, you upheld the highest traditions of the police service. I am glad to have this opportunity to say publicly "thank you" to you all.

The rule of law

AS ALWAYS, your difficulties were increased by the misrepresentations of those whose constant aim is to erode public confidence in the police. They said that you were taking sides in the dispute: that you were being used as strong-arm squads by the Government — or indeed by the Conservative Party. That was a lie. You were not acting as the agents of the Government. You were certainly not acting as the agents of a political party. You were acting, as always, as servants of the community and of the law. You were performing your traditional duty of maintaining the peace and upholding the rule of law. And you were performing that duty by traditional methods. Despite pressures for the use of more extreme measures, you chose to rely on the traditional strengths provided by discipline, training and common sense.

It was because you were upholding the *rule of law* that I was determined — throughout the dispute — to ensure that the country knew that in carrying out that duty you had the Government's full support. We were able to help in a practical way — by providing, for instance, police authorities with financial assistance to meet the unprecedented demands being made on forces. But I was also determined, Mr Chairman, that your critics should not go unanswered when they misrepresented what you were doing and what you were saying in support of your actions. And I took every opportunity during this period to make my views known to the country. I

I'M ON YOUR SIDE

continue to believe that you have every reason to be proud not only of what you did but also of the way in which you did it, upholding the rule of law in 1984.

This is not to say that there are no lessons to be learned from the policing of the dispute. Of course there are, and we should all be failing in our duty if we did not consider what improvements might be made if we had to deal, God forbid, with such a situation again. The operational lessons to be learned will be studied both by individual chief constables and by ACPO, with the Home Office being involved as necessary. But the one lesson we have already learned and which we are, I believe, putting into practice more and more is the benefits to be derived from listening to officers on the ground, those who actually have to put policies into practice. The experience of your members, Mr Chairman, is a valuable contribution in considering the lessons to be learned from the miners' dispute or from any other aspect of operational policing. I am therefore very pleased to know that you have agreed to let ACPO have your views on the lessons to be learned from the miners' dispute. I know that you will have a most important contribution to make.

One issue which did arise during the dispute — and which your representatives are now pursuing in the Police Negotiating Board is the need to provide adequate sleeping arrangements quickly in such circumstances — and the associated question of the compensation to be paid if the accommodation does not reach an acceptable standard.

Public order

THE GOVERNMENT has recently concluded its review of public order law, against the background of events such as the miners' dispute. The review goes back a long way: it was set up in 1979 following the disorders in Southall. Its context is therefore much wider than the miners' dispute. The period of the review takes in the 1981 riots and other public order problems in recent years.

The maintenance of public order and the Queen's Peace is one of the fundamental duties of the police. It is one which you perform extremely well, but which the rest of us citizens all too often take for granted. I hope that the miners' dispute may have jolted us out of that complacency. It should have brought home to *everyone* how much we owe to the police for the preservation of the peace and the protection of our freedoms.

From society, therefore, you are entitled to full support in your task of maintaining public order. From politicians you are entitled to something more: adequate legal powers to do the job. But we would be doing the police no service if we sought to confer upon you powers which were unenforceable. My aim throughout the review of public order law has been to modernise the law in a practical way.

Police and Criminal Evidence Act

WHEN I spoke to you a year ago, the Police and Criminal Evidence Bill was still before Parliament. It was coming to the end of its Commons' marathon but there was still some rough water ahead in the

House of Lords. Now the period of intense Parliamentary debate about police powers is effectively over. The changes to the complaints and discipline system have been implemented, and we can look ahead to the implementation of the other main provisions of the Act at the beginning of next year. The Codes of Practice have been finalised, after an extensive round of consultation in which the police service at all levels has been closely involved. In some forces, trials are already underway on individual provisions of the Act; in all forces and for all officers the rest of the year will be marked by the training necessary to enable smooth implementation on 1st January next.

I can well appreciate that at a time when the bulk of the training has not yet begun, and when the Act's provisions appear to most officers to entail a complex and extensive range of new responsibilities, the prospect looks daunting. I do not for one moment wish to underestimate the learning task which lies ahead. The provisions of the Act are indeed complex and wide ranging. But time has been set aside for familiarisation and training. And extensive training material has been prepared. Although it is undoubtedly formidable, I do believe that the task will prove less difficult than it appears at first sight. And once officers begin operating the Codes' provisions, I am sure they will recognise that much of what they are being asked to do is not greatly out of line with the way in which best practice has developed in the past.

There is anxiety, I recognise, over the fact that breach of any of the provisions of a Code of Practice will render the officer concerned liable to disciplinary proceedings. That is essential if the Codes are to have the force needed to provide the balance of powers and safeguards which is integral to the philosophy of the Act. But I do not believe that in practice the provisions will offer the threat to individual officers which some fear. I have no doubt that disciplinary authorities in forces will approach these new provisions with due care, and will not resort instantly to discipline for genuine mistakes by officers honestly attempting to come to terms with the requirements.

Civilians

I CAN understand your concern and I can give you a firm assurance that I shall never allow civilianisation to be carried to the point where a force's efficiency is adversely affected. There are certain jobs which only police officers, because of their training and experience, can do. There can be no question of civilianising such posts. But equally there are jobs in the police service which do not require police powers, training and experience. It is those jobs which need to be identified and considered for civilianisation, so that police officers can be redeployed to other posts in which their skills can be used to better advantage. This is something which must be examined carefully in each force, with the aim of ensuring that police officers are used to the best effect, on duties for which they are trained and paid.

Pay and rent allowances

YOU MENTIONED the belief that the

purpose of the PNB pay review was to find an excuse for getting away from arrangements recommended by the Edmund-Davies Committee, which had served since 1979 to ensure that police pay increased in line with increases in average earnings elsewhere. I can, however, give you an assurance that I was as determined as you were to ensure that you were fairly paid for your difficult job and that your pay would not be allowed to fall behind as it has in the past. I believe that it is essential for both the police and the public to be satisfied that the police rates of pay are fair.

The days of the underpaid police officer are gone. I am determined to ensure that they do not return. But no Government could justify a situation, if it did arise, in which police rates of pay became so high that police officers came to be regarded by other workers, quite wrongly, as a privileged group.

The review conducted by the Police Negotiating Board last year was therefore designed to take an objective look at the way in which the Edmund-Davies arrangements had worked during the previous five years. It demonstrated clearly that the rates of pay were fair. It is therefore right that the arrangements should continue, and this was reflected in last year's pay settlement. But it is also right that there should be an objective review from time to time. That is why it was decided that the Police Negotiating Board should conduct a further review after the 1987 pay settlement.

You also — quite fairly — drew attention to the finding of the Police Arbitration Tribunal on the rent allowance system which recommended to me that the existing arrangements should continue. I accepted that recommendation. I decided, however, to review the arrangements under which my approval is given to increases in maximum limits determined by police authorities and my conclusions were announced in a circular issued last November. But it is not the case that in doing this I was setting aside the Police Arbitration Tribunal's decision and introducing the Official Side's proposals through the back door. Nothing could be further from the truth. *Where the selected house genuinely meets the description in the PNB agreements, police authorities will have no difficulty in securing my agreement to increases in maximum limits: 16 have already done so. As with police rates of pay, the test of fairness must be applied. To the man in the street, rent allowance looks like a privilege. I accept that it is not. But I can justify it only if the arrangements for fixing maximum limits are seen to be fair.*

Government policy

WE KNOW what the public — and all of us — would like to see. They want to see more conspicuous success in the fight against crime. They want to see more effective prevention and detection of violent crime, burglary, street crime and football hooliganism. They want to see police action hitting hard against the drug menace. They cannot tell you how to do it; nor can I. Operational policing is best left in the hands of the police. But I am very well aware of the implications for practical policing of Government policies and action in the criminal justice field and I believe that the measures we have taken as part of our criminal justice strategy should help you in your tasks.

Eldon tells Leon: 'You're out of touch'

In his Parliamentary Report, Eldon Griffiths MP told Conference:

IT HAS been a year of successes, and failures. The pay rise was successfully negotiated — though in a petty little gesture of cheeseparing, the probationers were left out.

Rent had to go to arbitration, but thanks to some nimble footwork by Peter Tanner, the Federation won hands down. What a pity the Home Office spoiled it by suggesting that if, in future, if arbitration doesn't turn out to their taste, they might change the rules to suit their side of the argument.

The threat of taxation on lump-sum retirement pensions was successfully averted in the Budget. I am grateful to the Home Secretary for backing up our case with a very strong letter to the Chancellor.

PACE

1985's parliamentary blockbuster remains that gem of clarity and simplicity, The Police and Criminal Evidence Act. Overall, I think this will be more of a help than a hindrance, but its weaknesses are disturbing. For instance:

Stop and Search. It is absurd that the police henceforth will not be permitted to require a suspect to remove his hat in the street. For it is frequently under a balaclava that a knife, or drugs or fireworks can be carried; under a flat cap that stolen banknotes may be concealed; under a hat that shoplifters might hide small items of jewellery. Policemen asked to check whether football fans are carrying knives, coshes or smoke bombs through the turnstiles now face a situation where young hooligans have only to carry these items under their hat and the police are helpless. Absurd!

Miners Strike

NO MATTER what was hurled at you, the police made it possible for any miner who wished to go to work, to do so. And you did this with the minimum of force, within your own resources. Anywhere else in the world they would have called in the riot squads and armoured fighting vehicles. Here in Britain, the police held the line, mainly with your own bodies. No other police force could or would have done this. The nation owes you its gratitude.

The police also won the battle of public opinion. For while the strike went on, attacks were launched against you by those in city halls and in certain sections of the trade union movement, and Parliament, who likened the police to Nazis. At one point, it looked as if some of this muck would stick. But as the public saw for themselves what the police had to put up with; when they heard the moderate language of police

officers on the spot, opinion swung against your detractors. Every poll since the end of the strike confirms that the police overwhelmingly have retained public confidence. It is not for me to comment on the operational lessons of the strike, but I offer two broad observations:

The police must never be used as the normal answer to industrial relations problems, when negotiating procedures break down. Nor should anyone suppose that our nation can absorb further bouts of industrial violence more or less as a matter of course, simply because the police, having successfully mounted this year's extraordinary operation, can be called upon to do so repeatedly. It is not the job of the police to do this. It is not what the police are for.

We shall need to study very carefully proposals for a new Public Order Act. But no amount of legislation will work unless those who have to enforce it have the necessary resources to do so. And the police, on present evidence simply do not have these resources.

It is a sobering thought that three or four months after the police quite literally saved democracy in this country, the Force is 1500 men below establishment. There is a serious manpower problem in all Metropolitan Forces. And this is not going to be helped by the inclusion in the Local Government Bill of power to disband these forces! The Home Secretary says he doesn't expect to use this power, but its inclusion is an open invitation to the successor authorities to start knocking the present Metro forces in order to pave the way for demands that they be broken up and returned to the control of the big city halls.

The Government

THE MAN who holds the key to police resources is of course, the Home Secretary. And nothing I say today can take away the very real gratitude I feel towards Mr Leon Brittan for the stalwart manner in which he comes to the aid of the police whenever they are publicly attacked. It therefore pains me to have to make this unflattering assessment of the Government's present relationship with the police. To put it in one sentence. Ministers have said and done most of the big things right, but in far too many of the smaller matters that affect the man on the beat, they have seemed in recent months to be out of touch, out of step, and out of tune with the Service.

Take Circular 114 on civilianisation. There was no consultation whatsoever with the Federation before this was promulgated. A case of rank bad manners! Or take the new discipline perhaps. It is a major gain that accused officers now have access to a lawyer, if they risk being sacked or demoted; a statutory right for the Federation to represent them; guidelines to Chief Officers ensuring that the tenets of natural justice are upheld; a far better appeals Tribunal; and a requirement that the Home Secretary must give reasons for his final decision. All these reforms are welcome. Yet having concluded them, the Government has taken much of the gilt off the gingerbread by silly little actions such as abandoning the requirement that all allegations of criminal activity by a police officer

should go to the Director of Public Prosecutions, and worse, by refusing to allow the Federation to recover its costs when its lawyer demonstrates that the accused man is wholly innocent!

Above all, Home Office Ministers spoiled the discipline package by imposing the new and deeply offensive racial offence. Those who know the inside story of this shabby episode are bound to have some sympathy with the Home Secretary. For the advice to him was that if the racial offence was knocked out in the Commons, the Government would face not one, but two serious risks in the House of Lords. First, that in the full glare of publicity of a clash between the two Houses, Ministers would be accused of siding with racial prejudice. Second, that since Parliamentary time was rapidly running out, the entire Police Bill might be lost.

The police service every day has to put up with absurd allegations. So indeed do Government Ministers. And in both cases the best advice is to take such rot in its stride. The Government could and should have done this on behalf of the police service. It could and should have put the Whips on the Lords; if necessary, it could and should have extended the session to enable the Bill to go through. What no government should have done was to allow the police to be smeared as racials! They will not be easily forgiven for allowing this to happen.

The Opposition

FROM THE performance of the Government, I turn to that of the Opposition. During the Miners strike it was in a word, lamentable.

Since then, Mr Kinnock has more or less disassociated himself from violence. Mr Kaufman has accepted an invitation to be your guest in Blackpool, and I unequivocally join in welcoming that. But there are things I say plainly to the Labour Party. To vote against the Prevention of Terrorism Bill in present circumstances is irresponsible. Think again. To pledge yourself to repeal the Police and Criminal Evidence Act is folly on civil liberties grounds. Think again. To have any truck with the London Labour Party's commitment to abolishing the Special Branch and the Metropolitan SPG is just crackers. Think again.

And finally, to launch ill-informed attacks on the police, whenever and wherever someone gets hurt or killed in a shooting incident, as the Labour front bench spokesman did in the Baigre case, or as Michael Meacher did in his year-long vendetta against deaths in custody, is to pander to the worst elements of anti-police extremism. Kindly think again.

I acknowledge that some of my remarks have been 'political'. I have spoken pretty candidly of the failings of both Government and Opposition. Whenever it is necessary to do this, I shall go on doing so. For while the Police Federation wants no part in politics, the political debate is now about the police. No one who represents you can, therefore, "stay silent in the face of misrepresentation, abuse and naked political interference which threatens the very roots of non-partisan policing in this country."

Those are not my words. They are the words of Leslie Curtis, spoken in Humberside. I endorse them wholeheartedly.