

**POLICE AND CRIME
COMMISSIONER FOR
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND
COMPLAINTS COMMITTEE**

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Report of	CHIEF CONSTABLE
Subject	HUNTING
Date	FRIDAY 18 MARCH 2016 – 2:00 p.m.
Author	CHIEF INSPECTOR SIAN WALLS and SERGEANT LAURA MILLWARD

Purpose of Report

1. The purpose of this report is to update and inform the committee regarding the policing of hunts. Specifically, the issues that will be outlined are those regarding the policing strategy, how the organisation deals with membership of hunts by officers and staff and the ethical debate that this brings in relation to the Code of Ethics and Police Regulations.

Recommendation

2. It is recommended that the committee discuss the issues raised within this report and comment around the efficacy of the current approach taken by the organisation.

Background

3. The hunting of wild mammals with a dog has been illegal since 2004. However the legislation is extremely complex. It is still legal for hunts to gather for trail hunting, a pre laid scent laid through open countryside.
4. The main hunts within Leicestershire are Fernie, Quorn, Belvoir, Cottesmore and Atherstone.
5. Over the last two seasons there has been information provided to the police to suggest illegal activities around hunting activity. For example one hunt uses a bird of prey under the “bird of prey exemption” within legislation, yet the bird used isn’t capable of taking a fox (the legislation doesn’t stipulate that the bird has to be capable of doing this). A second example is that a number of hunts use terrier men. Their purpose is to stop or block fox earths or badger sets to prevent foxes going to ground. They also dig out foxes that have gone to ground for the dogs to kill. Many hunt opposition believe that as soon as a terrier man is present, this is an indication of illegal hunting. A third example is that it is alleged that a fox had been held in captivity (currently under investigation by Lincolnshire police). Again hunt opposition cannot see a reason for this unless it is to enable it to be released to the hounds.

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6. Leicestershire police has continued to police hunts in this particularly challenging environment under Operation Blackthorn.
7. Operation Blackthorn promotes engagement with both hunt saboteurs and hunt members with a purpose of developing relationships between the police, the hunting community and the hunt saboteurs. DI John Gray has responsibility to oversee all investigations into allegations made on both sides within Leicestershire for a consistent approach and Chief Inspector Walls has responsibility to oversee all complaints against the police.
8. There are currently 5 offences linked to hunt activity under investigation (4 allegations of assaults on 'hunt sabs' and 1 on a member of the hunt). Since 2010 there have been 4 investigations relating to offences under hunting legislation: 2 have resulted in fines from the court and 2 have been discontinued by the CPS.
9. The hunts have always attracted considerable interest from both sides of the debate. The season started with the arrival of a petition from hunters to the PCC requiring more action from Police in ensuring protestors remove face coverings.
10. The International Fund for Animal Welfare (IFAW), the League against Cruel Sports (LACs) and the Hunt Saboteur Association are all different organisations who describe their activities as "hunt monitoring". They are all well organised, familiar with legislation, police tactics and procedures.
11. During the last year resources for policing the hunts has moved from specialist operations (Special Branch and Territorial Support Team) to neighbourhood officers, with additional support from the centre where intelligence suggests that this is necessary. In the past, the policing strategy at hunts was to prevent public order offences between hunt organisers and hunt monitors (described above). It has been recognised that the organisation should also address the illegal activities of hunts. Operation Blackthorn will be reviewed to address this and it has been recognised that there is a training requirement for local officers around the complex hunting legislation which is planned for the summer in preparation for the start of the hunting season 2016.

The Membership of Hunts by Officers and Staff

12. Hunting is viewed by the organisation as a lawful and legal activity. It currently does not impose any restrictions on officers who have chosen to pursue this activity outside of their working environment. There are a number of officers within the organisation who are involved in Countryside Pursuits; this is not something that they are asked to declare. The Police Federation are of the opinion that officers do not need to inform the organisation and would support any who feel an obligation to do so.
13. On 10th February the Chief Constable received a number of emails which raised concerns around the impartiality of our wildlife officer, Sharon Roscoe also being part of the Belvoir Hunt. Our Wildlife officers offer support and guidance to colleagues on a wide range of rural issues. They are officers who have a personal interest in the rural communities that we police. This work is taken on voluntarily and in addition to an officer's core duties. Leicestershire Police currently has a number of volunteer officers who are specified points of

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contact on rural neighbourhoods. Generally the volunteers have some interest in rural issues and often come from rural communities. This leads to a situation where many of them will have interests involving shooting, fishing, gaming or land management.

14. There is currently a change.org petition asking the Chief Constable and PCC to 'Ensure wildlife crimes are investigated by impartial police officers'. It is at just over 6000 signatures.
15. PC Sharon Roscoe is currently the only fully trained officer (plans to train 3 more in August) and has been doing the role for a number of years. The organisation's current position is that she should not be asked to relinquish her post. All police officers and staff are expected to carry out their duties with fairness and impartiality in line with our national Code of Ethics. Any officers who see the law being broken are expected to take action whether they are on or off duty. National guidance around hunting does not prevent officers from taking part in legal and lawful hunt activities outside of work.

The Code of Ethics and Police Regulations

16. The code of ethics relates to officers being associated to groups or activities.
17. 6.3 of the codes states "Memberships of groups or societies, or associations with groups or individuals, must not create an actual or apparent conflict of interest with police work and responsibilities".
18. 6.4 states "The test is whether a reasonably informed member of the public might reasonably believe that your membership or association could adversely affect your ability to discharge your policing duties effectively and impartially".
19. The College of Policing Integrity and Ethics Team have stated that the topic has never come up before and that 6.4 above should be considered. They have not provided any additional guidance.
20. Police regulations do not offer any guidance in relation to this matter. The Anti-Corruption Unit has considered whether officers should tell the organisation that they hunt in relation to notifiable associations within Police Regulations. They have said that it would be inappropriate to proactively ask members of staff about their associations with hunts on the basis that it's a lawful activity.
21. As a comparator membership of the Freemasons has long been a contentious issue, there is not currently however legal basis upon which to require police officers or staff to declare Freemasonry membership. This is the case for Hunting both locally and nationally.
22. Recruitment Vetting (RV) centres upon membership of the British National Party and contains an indefinite question for the applicant to declare any circumstances which may impact upon their vetting clearance.
23. A notifiable association will always include where a member of Leicestershire Police has an association with an individual, group or organisation who they know, consider or suspect falls into the following categories:

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- A person with unspent convictions. (See the Rehabilitation of Offenders Act).
- A person charged with a recordable criminal offence where matters remain unresolved. This excludes minor road traffic and minor summary offences.
- A person known to be under investigation for but not yet charged with a criminal offence.
- A person subject of any criminal intelligence.
- Persons dismissed or who have resigned from a police force, or other law enforcement role, the subject of criminal investigation and gross misconduct.
- Any person undertaking an investigative role potentially conflicting with Leicestershire Police operations (e.g. private investigators and legal firms).
- Persons working for the media. (Refer to the Force Media Policy).
- Membership of a group or organisation e.g. The British National Party, Combat 18 and the National Front as prohibited by Police Regulations.
- Membership by a police officer of any political party where membership involves the officer playing an active part in politics in contravention of Police Regulations.

Questions

24. The ethics committee is being asked to consider whether police officers who hunt as a hobby may be breaching the code of ethics.
25. Where does the committee stand in relation to any officer who may be hunting with a hunt where there is information/intelligence to suggest that the hunt practices of that hunt may be illegal?
26. Where does the committee stand in relation to any officer who may be hunting with a hunt where there has been a previous prosecution for illegal hunting?
27. What is the stance of the committee in relation to the organisation's current practices around hunting and their effects on public confidence?

Implications

Financial :	N/A.
Legal :	Hunting Legislation applies to activities carried out by hunt that officer rides with as discussed in the report.
Equality Impact Assessment :	N/A.
Risks and Impact :	Public perception and community confidence in dealing
Link to Police and Crime Plan :	N/A.
Communications :	N/A.

List of Appendices

None.

Background Papers

None.

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