

Anonymity for Surrey policeman

9 June 2023



A serving **Surrey Police officer** accused of a “series of acts of harassment” against three female officers will not be named by the force throughout his gross misconduct hearing. A five-day hearing will take place at the force’s Guildford headquarters, but the chair of proceedings will not disclose the name of the serving officer for his welfare.

[Image is illustration only – it is not the officer in question.]

The BBC’s LDRS (Epsom and Ewell Times’ news partner – Local Democracy Reporting Service) asked the legally qualified chair, **Eileen Herlihy**, why the officer was not being named, particularly in light of nationwide public concerns about misogyny across multiple police forces, in the wake of Sarah Everard’s murder, the actions of David Carrick and more.

Sarah Everard was murdered by serving Metropolitan Police Officer Wayne Couzens in 2021, when he kidnapped her from the streets of south London, having identified himself as a police officer. He was jailed for life after pleading guilty to her murder. Carrick pleaded guilty to 85 serious offences including 48 rapes over a 17-year period as a Met Police Officer.

But despite the public interest in identifying the Surrey officer accused of harassment, the chair said not naming him “outweighed the public interest in identifying the officer”. The LDRS put to Ms Herlihy that the officer should be named, and asked for the documents relating to the decision to keep his name out of proceedings.

Ms Herlihy said she had weighed up guidance from the Home Office and from police conduct regulations, which said there may be circumstances in which an officer should not be named. Stating that the Home Office Guidance, police conduct regulations and case law all identified that the “default position is one of open justice”, Ms Herlihy said the presumption was that the hearing “must be held in public open to both the public and media to attend”.

She would not provide the evidence on which she based her decision to keep Officer X anonymous, including a written statement and medical evidence from him, and written submissions on behalf of the police force.

Ms Herlihy said she could not provide the documents because they contained “sensitive and confidential information relating to Officer X’s medical condition”.

What’s more, not only does Ms Herlihy’s response mean that the LDRS cannot name the officer, we also cannot detail the reasons the name cannot be revealed. The LDRS put it to the chair that a police officer should not be given a greater standard of anonymity than would be given to a member of the public, and that in order to do this there should be significant evidence to justify the departure from the open justice principle.

She said looking at the documents provided, it was “necessary and proportionate, having weighed up the need for open justice and transparency as against the officer’s welfare, to anonymise the officer”.

The hearing, due to take place between June 12 and 16, will hear allegations that the officer, “carried out a series of acts of harassment against three female police officers”.

If proven, the allegations could amount to gross misconduct because they would be a breach of the authority, respect and courtesy and equality and diversity standards of the Police’s Standards of Professional Behaviour, according to the Surrey Police site.

A Surrey Police spokesperson says: “We expect the highest personal and professional standards of our officers and any allegations of behaviour which does not meet these standards are rigorously investigated in accordance with Police Conduct Regulations and procedures, set nationally by the Government.

“For cases of gross misconduct, these are chaired by a Legally Qualified Chair (LQC) appointed by the Office of the Police and Crime Commissioner. “LQCs are selected from a list of independent, legally qualified persons to conduct police misconduct hearings, and are governed by Police Conduct Regulations. “It is their responsibility alone to determine whether a hearing is held in public or in private, and whether any participant should be anonymised.

“In the case of Officer X, legal representations in relation to anonymity were made to the LQC before the hearing and this was granted. Where an LQC directs that anonymity is granted, Surrey Police must abide by this decision and therefore, as per regulations, we are unable to confirm details relating to the individuals involved without the explicit direction of the LQC.”

The hearing will take place at Surrey Police’s Mount Browne headquarters from 10am from Monday 12 to Friday 16 June.

The Cost of Surrey’s Crime Commissioner: “It’s

criminal”?

9 June 2023



The Police and Crime Commissioner for Surrey Police was elected in May 2021 on a turnout of Surrey voters of 38%. That was 5% higher than the national average but the election coincided with Surrey County Council’s election in all the County’s 81 single-member seats.

The Surrey Police and Crime Commissioner is Conservative **Lisa Townsend**. Her office explains her role: “Your Commissioner is responsible for overseeing the work of Surrey Police, holding the Chief Constable to account on your behalf, and funding key services that strengthen community safety and support victims.”

The Liberal Democrats are calling for the abolition of this post after uncovering the cost of running the office. They state the post has cost £3.2 million since 2019. And claim: “Since 2021, the Surrey Commissioner, Lisa Townsend, has had three staff members to run her office social media feeds. The Commissioner has increased the office costs since being elected by £180,000 – the equivalent to seven community police officers. Since the Commissioner was elected, Surrey has also seen a fall in community officer numbers (39).”

This compares with an annual budget for Surrey Police of about £250 million and its employment of approximately 2153 officers.

Julie Morris Leader of the Liberal Democrat group on **Epsom & Ewell Borough Council** told The Times:

“I have never understood the purpose of Police Commissioners. Political appointees have no place in solving crime. My experience is that many crimes considered small and personal are unworthy of being given Police attention. These can cause a great deal of emotional distress and are simply neither followed up nor are they treated seriously. Putting resources back into those categories of crime will help grow confidence in the Police.”

Top Image is a **mock up** by Epsom and Ewell Times of Surrey’s Police and Crime Commissioner Lisa Townsend holding two mobile phones.

Lisa Townsend responded to the **Epsom and Ewell Times** and said: “Surrey Police now has more frontline officers than ever before. It will be officially announced this week that the Force has not only met but exceeded its target for extra officers under the government’s programme to increase numbers by 20,000 across the country. That means more than 300 extra police officers will have joined the ranks since 2019. This is great news for residents and I believe the new recruits will help to make the Force the strongest it has been in a generation.

“Last year, Surrey Police made an operational decision to temporarily halt the recruitment of Police Community Support Officers which was identified as one way of helping the Force meet its savings target. There were no ‘drastic cuts’ – these posts were replaced with new warranted officers and there were no redundancies or loss of numbers to Surrey Police’s frontline teams. We expect PCSOs to be back to the current numbers within the next three years and I am pleased to say that recruitment for this important role has been reopened and the Force are actively seeking applications right now.

“As far as my office budget is concerned, it is important to stress that it accounts for just 0.5% of the total policing budget for which I am responsible.

“When I was elected as Commissioner in 2021, there were only three PCC teams in the entire country that were smaller than we had in Surrey. I would be failing in my elected duty if I did not make sure it is properly equipped to effectively carry out all the responsibilities and growing demands of the PCC role.

“There was a small increase in my budget last year that added posts where we were at our weakest or least resilient which included one extra post in our communications team. I do not employ three people to ‘run our office social media feeds’ – the communications team fulfil a number of crucial roles on our wider engagement with the Surrey public across the county.

“My office is also responsible for commissioning vital services across our county that provide life-changing support for a variety of people across Surrey including survivors of domestic abuse and sexual violence. In addition to our existing funding streams, over the last two years our commissioning team have worked tirelessly in managing to secure more than £4m in government funding for a range of projects in Surrey. This money will help provide key services helping some of the most vulnerable in our society as well as local projects, such as the Safer Streets initiative, that are making a real difference to our communities.”

Alex Coley – who has been chairing Epsom and Ewell Borough Council’s Community and Wellbeing Committee and was re-elected on 4th May for the RA in Ruxley Ward responded: “I attended the Police and Crime Panel on 18th April and was surprised to learn that the Surrey Police Group is showing both a capital underspend and a revenue underspend for this financial year. Several million pounds of surplus funds. In February the PCC decided to increase the share of Council Tax by 5.07%. This is a percentage increase greater than all 11 districts and boroughs in Surrey, even greater than the increase from the county council. I have to wonder why, given the multi-million pound surplus. How will this money be used?

Perhaps funds are not being effectively committed to policing priorities? The PCC is now half way through a four year plan in which the flagship policy is the prevention of violence against women and girls. A crucial policy for policing nationwide. However, it was revealed in February that Surrey Police have the worst rape charge rate in England and Wales. Furthermore, the PEEL report in June last year, by HMICFRS the policing inspectorate, showed a grading of Requires Improvement for suspect and offender management, with specific issues discovered in the management of sex offenders.”

“It’s criminal” is a well known expression denoting waste and has not been used here to suggest any criminal act.

Surrey Police secretly recorded public’s calls with officers

9 June 2023



You probably knew 999 calls are recorded but did you know your conversations with individual Surrey Police Officers were being secretly recorded without you knowing? Surrey Police has escaped a fine for its mass breach of privacy and has received a serious reprimand from the UK’s data authority. The Information Commissioner Office issued yesterday the press release below.

The Information Commissioner’s Office (ICO) has issued a reprimand to Surrey Police following the rollout of an app that recorded phone conversations and unlawfully captured personal data.

In June 2020, the ICO became aware that staff members across both police forces had access to an app that recorded all incoming and outgoing phone calls. 1,015 staff members downloaded the app onto their work mobile phones and more than **200,000 recordings** of phone conversations, likely with victims, witnesses, and perpetrators of suspected crimes, were automatically saved.

The ICO considered it highly likely that the app captured a large variety of personal data during these calls and it considered that the processing of some of this data was unfair and unlawful. Police officers that downloaded the app were unaware that all calls would be recorded, and people were not informed that their conversations with officers were being recorded.

The app was first made available in 2016 and was originally intended to be used as recording software by a small number of specific officers, but Surrey Police and Sussex Police chose to make the app available for all staff to download. The app has now been withdrawn from use and the recordings, other than those considered to be evidential material, have been destroyed.

The ICO has applied its revised public sector approach to this case – instead of issuing a £1m fine to both Surrey Police and Sussex Police, they have each received a formal reprimand. The ICO’s approach aims to reduce the impact of fines on those accessing public services and to encourage greater data protection compliance from public authorities to prevent harms from occurring in the first place.



“Sussex Police and Surrey Police failed to use people’s personal data lawfully by recording hundreds of thousands of phone calls without their knowledge. People have the right to expect that when they speak to a police officer, the information they disclose is handled responsibly. We can only estimate the huge amount of personal data collected during these conversations, including highly sensitive information relating to suspected crimes.

“The reprimand reflects the use of the ICO’s wider powers towards the public sector as large fines could lead to reduced budgets for the provision of vital services. This case highlights why the ICO is pursuing a different approach, as fining Surrey Police and Sussex Police risks impacting the victims of crime in the area once again.

“This case should be a lesson learned to any organisation planning to introduce an app, product or service that uses people’s personal data. Organisations must consider people’s data protection rights and implement data protection principles from the very start.”

- Stephen Bonner, ICO Deputy Commissioner - Regulatory Supervision

Recommendations

The ICO recommended that Surrey Police and Sussex Police should take action to ensure their compliance with data protection law, including:

- Deployment of any new apps should consider data protection at the very beginning and document the process. A specific team should consider the method and means of data processing, with remedial action taken to ensure processing is compliant with current data protection legislation prior to the app being deployed.
- Instruction and data protection guidance should be issued to staff in respect of the use of any apps, with officers required to confirm that issued guidance has been read and understood.
- Review existing policies and procedures to ensure that adequate consideration has been given to data subject rights during the processing of personal data and special category data.
- Review the content of data protection training, particularly in respect of law enforcement processing.

The ICO has asked Surrey Police and Sussex Police to provide details of actions taken to address these recommendations within three months of the reprimand being issued.

Surrey Police's nose for dog training

9 June 2023



Surrey Police led the way in Police Dog development by offering a Metropolitan Police Officer, DC **Harry Darbyshire**, a transfer to the Surrey Constabulary in October 1947, where he was made a Sergeant and put in charge of the Force's new Police Dog Section.

Top image is Sgt Darbyshire with Anna of Avondale's son Loki

Whilst dogs had been used by British Police Forces in various limited capacities prior to the Second World War, it was not until after the war that Britain's Police Forces began to consider the possibility of using working dogs to undertake major Police work on a daily basis.

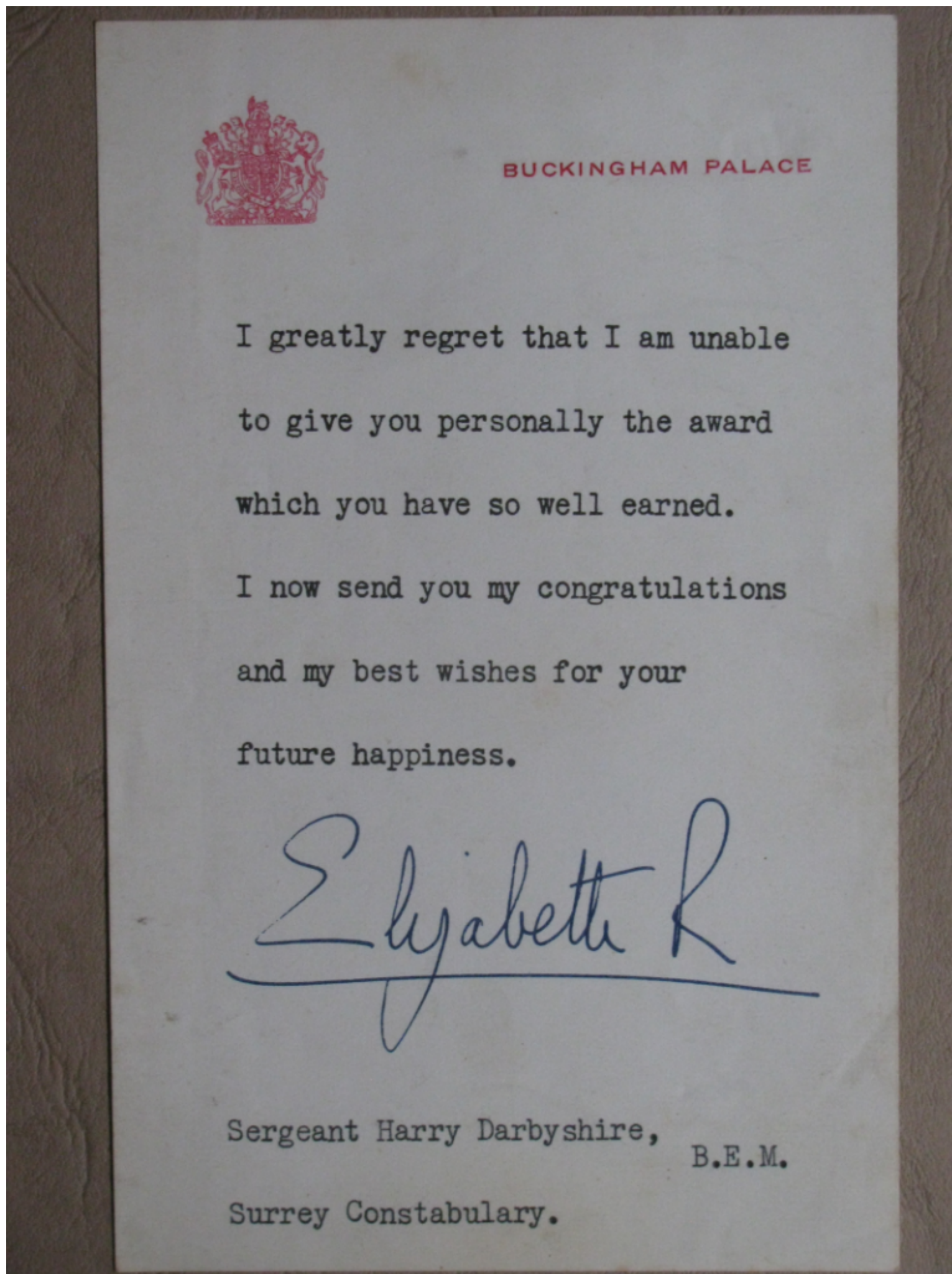
Sergeant Darbyshire was experienced in breeding dogs and training them according to the German method. This was the method Surrey Police had researched and decided to proceed with.

Sergeant Darbyshire owned a German Shepherd dog called "**Anna of Avondale**" that had previously belonged to a German soldier, who had served during the war. Anna of Avondale was Surrey Police's first operational dog and together with her son, **Loki**, formed the Surrey Police Dog Section that would go on to lead the way in Police dog development in Britain and abroad.

Surrey Police dogs that performed well would be included in the breeding programme, with under achieving dogs being removed from the Police Dog Section altogether.

Sir **Joseph Simpson**, the Chief Constable, who had recruited Sergeant Darbyshire was a member of the Kennel Club and his interest in working dogs led to him sanctioning the expansion of the Police Dog Section and encouraging Surrey Police's dog handlers to enter civilian Working Trials. This led to the Surrey Police's Dog Section obtaining even greater recognition due to the high number of awards it won.

The Secretary of the Associated Sheep, Police and Army Dog Society (**ASPADS**) (also known as the Working Trials Society) has stated that, "Harry Darbyshire did more than any other person to put ASPADS, Working Trials and the Nation's Police Dog Sections on the map". Darbyshire was credited with training over 200 dogs in his 29 years police service. He was consulted from around the world, including Kenya and New Zealand.



I was delighted to discover that the photo album containing images of German Shepherd dogs that I had won on an online auction site, once belonged to Sgt. Darbyshire.

Surrey Police's first Police Dog, Anna of Avondale died in August 1950, but her name lives on in The Anna of Avondale Trophy, which serving Police Dogs and their handlers compete for every year in her memory.

The images accompanying this article were taken from the photo album and show Sergeant Darbyshire, who was awarded the BEM (British Empire Medal), with some of his working dogs.

Sgt Darbyshire's award of the BEM signed by the Monarch of the day.

Plodcast problem leads to PC sacking

9 June 2023



A Surrey Police officer was dismissed without notice after he made a podcast in which his wording suggested he “condoned committing criminal acts of domestic abuse”. The officer, who cannot be named due to reporting restrictions and is referred to as Officer A, uploaded an episode of his podcast in January 2022 in which he discussed a non-crime domestic incident with his ex-partner that took place on Christmas Day 2021, following an argument over child contact that day.

A Surrey Police misconduct hearing on 8 February 2023 found his behaviour was a breach of discreditable conduct and dismissed him without notice. During the podcast uploaded to Spotify on 10 January 2022, but since deleted, Officer A discussed the Christmas Day 2021 incident, and “made a number of inappropriate comments referring to his ex-partner”, according to the hearing outcome.

The report into the hearing said: “During the podcast he also used discussion and wording which suggested that he condones committing criminal acts of domestic abuse.” Surrey Police said the officer accepted the allegations made against him, but that he had experienced a “difficult break-up with his former partner”. He said this as well as “frustrations regarding his access to their child” were the context in which he recorded the podcast.

Surrey Police said: “The panel accepted the officer’s explanation that by the words he used he was not condoning domestic abuse but the impact on the public view may well be different given the ongoing national concern regarding violence against women and girls and the level of mistrust some have with the police in such matters.”

The officer, who cannot legally be named because of restrictions put in place at the hearing, identified himself as a police officer in the podcast on April 23, 2020 and as a Surrey officer in the introduction of a previous podcast. The panel found him to have breached the professional standard of duties and responsibilities (being diligent in the exercise of their duties and responsibilities) in this regard.

A member of the public alerted Surrey Police to “inappropriate content on social media” on April 23, 2020, which was dealt with by the officer’s senior management team and the content was removed.

Surrey Police add: “The officer is not being named to protect the welfare of his former partner and child, who played no part in the officer’s alleged misconduct. This will ensure the correct balance is maintained between the open process as envisaged by the Regulations and Home Office Guidance and the welfare of either the officer or others”.

“On Your Bike” to Surrey’s PCSOs?

9 June 2023



A Surrey County Councillor has criticised the reduction in the number of Police Community Support Officers in recent years. PCSOs are non-warranted but provided with a variety of police powers and the power of a constable in various instances by the forty-three territorial police forces in England and Wales and the British Transport. Surrey Police employ about 2,153 warranted officers.

Analysis of new Home Office statistics commissioned by the Liberal Democrats from the House of Commons Library has shown the drastic cuts to PCSOs in Surrey. They claim a total of 88 full-time equivalent PCSOs were employed in Surrey as of September 2022. This is in stark contrast to the 123 that were employed in March 2015 – meaning there have been 35 PCSOs cut from Surrey Police in that time.

Cllr Will Forster (Woking South) stated: “These shocking figures prove that Conservative Ministers are yet again failing to prevent crime in Surrey. They should be ashamed. Police Community Support Officers play a vital role in keeping our communities safe. The Government should be empowering them to do their job, not slashing their numbers into oblivion.

Liberal Democrats are calling for a return to proper community policing, where officers are visible, trusted and known personally to local people. We will build communities where people are safe – and feel safe, too.”

Epsom and Ewell Times asked Surrey Police for their take on the figures and a spokesperson said: “In 2022, to contribute to savings across the force, we reduced the number of Police Community Support Officers in Surrey Police to 96, 22 posts fewer than our previous staffing level of 118 full-time equivalent PCSOs. This reduction did not involve redundancies and achieving this staffing level did not result in a reduction in overall numbers in our Safer Neighbourhood Teams; we maintain a strong blended mix of police officers and PCSOs in these key frontline posts.

In September 2022, Surrey Police employed 88 PCSOs. This is lower than our desired number of PCSOs, so it is inaccurate to say that 35 PCSO roles have been cut by the Force. We are actively recruiting to bring our establishment level back up to 96.

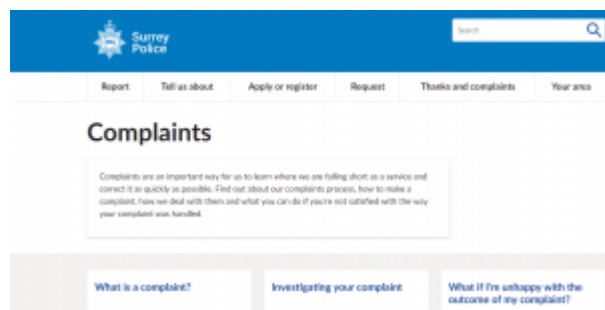
We know how important a visible police team with local knowledge is to residents in each of our boroughs. A trusted, knowledgeable, and proactive local policing presence is just as important to us, and PCSOs are a valued and integral part of that.”

What is your view about visible policing in Epsom and Ewell? Write in to Epsom and Ewell Times.

Image West Midlands Police – <https://www.flickr.com/photos/westmidlandspolice/7042127963/> CC BY-SA 2.0

Surrey Police Top Complaints Table

9 June 2023



Surrey Police received more complaints per officer in its force than any other in England and Wales. The Home Office recently published the statistics for the year end 31st March 2022.

Epsom and Ewell Times has analysed the tables and the top forces are as follows:

Rank	Force	Number of police officers	Number of allegations	Allegations Per officer
<u>1</u>	<u>Surrey Police</u>	2,153	3,983	1.8500
<u>2</u>	<u>Cleveland Police</u>	1,443	2,358	1.6341
<u>3</u>	<u>Gloucestershire Constabulary</u>	1,279	1,940	1.5168
<u>4</u>	<u>Essex Police</u>	3,678	5,375	1.4614
<u>5</u>	<u>Hampshire and Isle of Wight Constabulary</u>	3,302	4,734	1.4337
<u>6</u>	<u>Kent Police</u>	4,064	5,527	1.3600

Lisa Townsend, Police and Crime Commissioner for Surrey, said: “My office has been in detailed discussion with Surrey Police following the understandable concerns that the public may have following the national news this week. There is no place for misogyny or abuse of any type in Surrey Police and I have been clear with the Force that I have the highest expectations of our police officers.

“I am pleased that Surrey Police have rigorous processes in place to discourage all forms of behaviour that fall below the standards we have of every officer, and I am confident that all cases of misconduct are carried out with the utmost seriousness when an allegation is made either externally or internally. The latest quarterly data from the IOPC to last September shows a reduction in complaint cases against police officers in Surrey. However it is important to note that while every case is taken seriously, the total number of complaints received relates to a wide variety of themes. Many complaint cases are resolved to the satisfaction of the complainant.

“My office continues to play an important role in scrutinising the Force in all areas of performance, including regular meetings with Surrey Police’s Professional Standards Team and the IOPC. This includes identifying trends and working to improve the timeliness and quality of the service that every complaint receives.”

Helen Maguire Liberal Democrat PPC for Epsom and Ewell said: “As a former Royal Military Police Officer, it goes without saying that I fully support the difficult work that Surrey Police do. However, following the conviction of David Carrick, these Surrey figures will be seen locally as being very disturbing and so the public needs reassurance. Therefore Surrey Police Force must ask themselves why they are top of the table and how do they investigate internal complaints against their own police officers. That can only be achieved if there is external scrutiny of the figures – the public will not take kindly to seeing Surrey Police marking their own homework!”

Mark Todd, Chair of Epsom and Ewell Labour Party said: “In Epsom & Ewell we get a terrible deal on policing, so it’s no wonder that complaints are so high; and the huge problems at the Met show that the problems go wider still. During austerity the Conservative Government cut our police funding by 20% and Epsom’s police station was closed. It lies

derelict on Church Street with just a small base during working hours at the town hall. We need a properly resourced, trained and managed police force and that's what a Labour Government would provide. Currently our police force is not fit for purpose and it's all the Government's fault."

A full table of complaints against officers in each police force is available from Epsom and Ewell Times [HERE](#)

Surrey Police have hit back: "The Home Office figures quoted by some outlets are for overall public complaints to the force. These capture dissatisfaction with the service provided by police. The figures do not reflect misconduct investigations. This is a really important distinction to make. "

Epsom and Ewell Times has extrapolated the figures above from the Home Office table: "Number of individuals (officers) subject to a complaint". Readers may explore for themselves via this Home Office website page.