

# **The Royal Gibraltar Police inspection 2020**

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# Summary

The first part of this report is about the progress the Royal Gibraltar Police has made since our 2016 inspection. When we revisited the force in 2019, we found that it had met two out of eight areas for improvement. We expected the force to have done more to assess and understand demand, risk and vulnerability. We also expected it to be better at supervising investigations and managing capacity. We have made five new recommendations relating to those issues.

The second part of the report is a new inspection of the force's legitimacy. It includes eight areas for improvement and makes five recommendations intended to help the force better promote ethics, fairness and transparency.

We have summarised our findings on how the force has addressed the 2016 areas for improvement, along with the legitimacy-related themes we inspected in 2019, in the list below.

## Progress on the 2016 areas for improvement

### 1. Auditing of crime and incident recording

- Auditing of crime and incident reporting is still an area for improvement.
- The force should perform more detailed crime record audits and (continue to) train officers and staff.
- The force should increase resilience in this area by appointing a deputy crime desk manager – this is a new area for improvement.

### 2. Counting rules

- The force met this area for improvement by aligning its counting rules more closely to Home Office standards.
- The force should make sure that all calls for service are recorded on CAD, its computer aided dispatch system – this is a new recommendation.

### 3. Supervisory oversight of investigations

- Supervisory oversight of investigations is still an area for improvement.
- Insufficient supervision can mean that cases aren't allocated to those with the most investigative capacity, and delay cases coming to court.
- The force should create a policy that states the frequency and depth of supervision needed, including dip-sampling of files – this is a new recommendation.

- The force's senior leadership team should adopt the Code of Practice for Victims of Crime (the victims' code) and conduct victim surveys – this is also a new recommendation.

#### **4. Policy and procedure around vulnerable and repeat victims**

- The treatment of vulnerable and repeat victims is still an area for improvement.
- The force should develop a corporate definition of vulnerability (and related processes) to ensure that officers can identify it and intervene – this is a new recommendation.
- The force should evaluate all domestic violence incidents and use the data to establish whether [domestic violence prevention orders or notices](#) (DVPOs or DVPNs) would have provided additional protection for victims. If yes, the Government should consider incorporating them into Gibraltar law. This is also a new recommendation.

#### **5. Assessing risk and prioritising response**

- Assessing risk and prioritising response is still an area for improvement.
- It is good that the force is using THRIVE, a risk assessment process used by forces in England and Wales, to assess risk and prioritise its response to calls. However, it could be better at assessing risk.
- The force should be firmer about managing partner and public expectations – it is doing a lot of work that (arguably) other organisations should be doing, as well as a lot of work that is expected of it but not within its remit.

#### **6. Understanding the full range of demand**

- Understanding the full range of demand is still an area for improvement.
- It is good that the force knows when it receives most calls for service and has amended shift patterns accordingly. However, it still doesn't fully understand other demand and therefore cannot know if it is resourcing effectively.

#### **7. Predicting future demand**

- Predicting future demand is still an area for improvement (it wasn't met because the force hasn't compiled a comprehensive prediction of future demand).
- The force should update its strategic threat and risk assessment to more effectively plan for the skills / structure/ ICT it will need in future.

#### **8. Budgeting**

- Budgeting is still an area for improvement.
- The force has tried to address this area for improvement, but it isn't one it can do alone – it needs input and a funding formula from the Minister for Finance.
- Budgets should be devolved and allow the force to generate income.

## How the police promote and reinforce integrity

### Ethics, value and culture

- **Code of ethics:** The force has adopted the College of Policing Code of Ethics as its new code of ethics policy. But it hasn't fully integrated the code into its policies and processes. We make three recommendations to help the force apply the code to its operational environment and promote and make sure people understand it throughout the organisation.
- **Abuse of position for a sexual purpose:** The force has not briefed or trained its workforce on the risks posed by abuse of position for a sexual purpose. Our recommendation is that it give officers and staff more guidance on appropriate behaviour – that is, what to watch out for in themselves and others.
- **Business interests and notifiable associations:** This is an area for improvement. The force is not doing enough to counter the risk of corruption. The senior leadership team should produce business interests and notifiable associations policies that mandate recording of such issues and regular review of registers.
- **Role models:** We were told of a “firm leadership style” in the force. And some of the workforce perceive that some managers seek too readily to blame and reprimand. We didn't encounter any evidence of bullying, although looking for it didn't fall within our terms of reference. Leadership development is an area of improvement for the force and it might benefit from exchanges with officers in England and Wales about these subjects. Our additional recommendation is that the senior leadership team produce an anti-bullying statement and improve processes to prevent bullying.
- **Gifts and hospitality:** This is an area for improvement. The senior leadership team should make sure that gifts and hospitality registers are monitored more regularly to ensure the workforce is complying with policy.

### Ethical and lawful behaviour

- **Vetting:** The Royal Gibraltar Police doesn't have a consistent vetting process. Our recommendation is that the senior leadership team review vetting procedures and consider adopting the College of Policing's authorised professional practice (APP) on vetting.
- **Tackling misconduct and corruption:** This is an area for improvement. The force doesn't fully understand its exposure to the risk of corruption. Its professional standards unit lacks the resource and expertise to develop a full understanding of the risk, or to monitor and mitigate the threat. Our recommendation is that the senior leadership team determine the best model for providing counter-corruption capability, to identify and pursue corrupt employees, or employees who are susceptible to corruption.

Also, under the heading Tackling misconduct and corruption:

- Confidential reporting is an area for improvement. The force doesn't have confidential reporting mechanisms in place. The senior leadership team should develop such a mechanism, perhaps managed independently to avoid scepticism or distrust.

- Understanding the risk of corruption is an area for improvement. The senior leadership team should create a workforce briefing based on the College of Policing's APP on counter corruption.

# Introduction

## Our commission

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) is an independent inspectorate. We conduct statutory inspections of police forces and other law enforcement agencies in England and Wales. We also inspect law enforcement arrangements in British Overseas Territories and Crown Dependencies on invitation from the relevant government.

In early 2019, the Gibraltar Police Authority (GPA), an independent body appointed by HM Government of Gibraltar, invited us to inspect the Royal Gibraltar Police. We agreed terms of reference and a methodology before conducting the fieldwork between 14 and 18 October 2019.

Our terms of reference were:

- how well the Royal Gibraltar Police had implemented the areas for improvement highlighted in our 2016 report; and
- how well it promotes and ensures ethical behaviour.

## About the Royal Gibraltar Police

The Royal Gibraltar Police is the oldest Commonwealth police force outside the UK. It was formed in 1830. There are 248 police officers in the force, supported by a small number of police staff who are directly employed by the Gibraltar Government.

It is not the only policing body in Gibraltar. The Gibraltar Defence Police is a force that guards and enforces law on Ministry of Defence installations in Gibraltar. There is also a Joint Provost and Security Unit, which includes officers from Royal Navy Police, Royal Military Police, and RAF Police.

The Royal Gibraltar Police is a relatively small force and its capacity and capability have limitations. So, we don't compare it directly with other forces, or grade it.

This is our third inspection. We previously inspected the force in 2016 and 2011.

## Methodology

We conducted the fieldwork for this inspection in October 2019. We:

- interviewed staff at all levels of the force;
- attended management meetings and staff briefings;
- consulted other law enforcement and criminal justice organisations;

- spoke with partner agencies and community representatives; and
- met with the GPA and the Gibraltar Police Federation.

We also analysed data and documents, including a self-assessment provided by the force. And we audited a series of its crime investigation files and reviewed calls from the control room.

In reaching our judgments we have, where appropriate, made comparisons with police practices in other British Overseas Territories and Crown Dependencies, and in England and Wales. We have also drawn on the College of Policing's guidance to police forces (known as APPs) as well as referring to findings from other inspection reports.

## **This report**

This report has two sections:

1. The first describes the overall progress the force has made since our last inspection and then reviews each of the eight areas for improvement, including background information, our 2019 findings and judgments, and any new or revised recommendations.
2. The second includes our findings on the force's legitimacy, including its ethical behaviour. This part of the inspection closely resembles other PEEL inspections, but reflects the size of the Royal Gibraltar Police and the context in which it operates.

# The Royal Gibraltar Police's progress on the 2016 areas for improvement

## Overview

Gibraltar is a relatively safe place and the Royal Gibraltar Police offers a good level of service to the public. But there are areas where it could improve. It has made some progress in meeting the areas for improvement we highlighted in 2016. Limited resources and poor-quality technology and infrastructure have delayed progress, as have competing demands. However, we expected to see that rather more had been achieved when we revisited in 2019.

The force isn't as effective or efficient as it could be. We found that some areas for improvement had progressed as a result of other events rather than through deliberate action. A more structured approach – including plans with accountable, responsible officers – would have helped the force achieve more, more quickly.

The force's senior leadership team states its commitment to identifying and implementing best practice; and developing effective policy and process for the organisation. However, we found that poor and outdated practice often curtails officers' effectiveness. Policing in Gibraltar has changed relatively slowly in recent years and this influences the force culture. There is, we believe, limited appetite to challenge this culture or modernise.

The force underestimated the challenge of getting the workforce to adapt to changes in ways of working when it introduced its new ICT platform in 2017. And the platform presented further challenges, such as slow operating speed, use of dual systems and duplication.

The force must invest more energy in getting the workforce to understand and use the new platform. It has the potential to make the force more efficient and effective, as well as help complete the areas for improvement.

We found little incentive for the force to become more efficient and effective. The Government meets additional expenditure if it overspends. And the Government receives any savings or income the force generates; for example, from policing events.

## Area for improvement 1

By July 2016, the commissioner should augment the existing arrangements for crime recording by establishing and beginning operation of a comprehensive system for auditing crime records. Audits should be conducted regularly and led by a senior officer.

### Background

During [our 2016 inspection](#), we saw the records of an audit of crime reports. The records department sergeant performed the audit every few months to give an overview of outstanding crimes compared to incidents logged. Their audit didn't review specific areas, such as high-risk crime.

We found several administrative errors:

- some records had the wrong crime classification;
- the outcome of an investigation was not always updated; and
- certain crimes were filed as detected when they were marked undetected, and vice versa.

In addition:

- some records were submitted later than the counting rules policy allowed;
- some records did not include important information concerning the needs of victims; and
- in some instances, the matter should not have been recorded as a crime.

### Our findings in 2019

The assistant commissioner performed an audit in 2019 that highlighted similar problems to those we found in 2016. For example, there was incorrect classification of some crimes and the wrong status shown on others.

The Royal Gibraltar Police audit also revealed that not all officers were including all the necessary information in crime reports or checking comments from their supervisors. In some cases, it was apparent that supervisors hadn't checked the crime reports well enough before filing them as complete.

The force had taken corrective action and established a steering group to improve crime recording. Minutes from the group's 2019 meeting identified, among other things, the need for more detailed audits as well as additional training for police officers and their supervisors. This training has taken place.

The steering group provides guidance to the recently appointed crime desk manager, who is an experienced investigator and supervisor. They are responsible for checking the validity and correctness of crime reports, as well as performing regular audits. But they hadn't had the relevant College of Policing training to be able to perform robust crime recording audits when we met. (Their training is scheduled for March 2020.)

Each day, the crime desk manager reviews all crimes recorded, cancelled and closed in the previous 24 hours. As the force receives a relatively small number of crime reports, they should be able to audit all the crimes in the system on a regular basis.

The force doesn't dip-sample reported incidents, such as disturbances, to check if they should be recorded as a crime. It would be good practice for the crime desk manager to do this.

The crime desk manager also performs other duties. When they are absent, no audits or checks take place. Instead, the checks must be done on their return. We recognise the force's limited resources, but the commissioner should consider appointing a deputy crime desk manager to cover periods when the crime desk manager is absent or required to fulfil other duties.

### **New area for improvement 1**

The lack of resilience for the Royal Gibraltar Police crime desk manager position is an area for improvement. The Royal Gibraltar Police's senior leadership team should appoint a deputy crime desk manager to conduct audits and checks during long-term absences.

### **Judgment**

**The Royal Gibraltar Police's auditing of crime and incident recording is still an area for improvement.**

### **Area for improvement 2**

By July 2016, the commissioner should align the counting rules policy more closely with Home Office standards, in particular those concerning recording detected crimes where multiple offences have taken place in single incidents.

### **Background**

During [our 2016 inspection](#), we found that the force's usual practice was to record the end results of crime investigations in a way that would maximise the detection rate. For example, where an offender committed affray, assaulting four people in the process, the force recorded five crimes (one for each assault and a further crime for affray). This meant that five crimes rather than one would be detected.

Another example involved seven people being arrested for serious assault and violent disorder against two victims. In this instance, 22 separate crimes were recorded and shown as detected.

Although this practice was allowed by the counting rules policy, it risked creating an inaccurate – and overly optimistic – impression of the force's performance on crime detection. It is also not the usual practice among police forces in England and Wales.

## Our findings in 2019

The Royal Gibraltar Police's counting rules now align more closely with the Home Office [counting rules for recorded crime](#). The section of the force's rules that outlines the one-crime-per-victim rule is an almost verbatim copy of the Home Office rules.

We performed an audit of crime reports for a variety of offences, using methodology that we apply to policing in England and Wales. We found greater similarity in how crimes are recorded than in our 2016 inspection. This includes classifying crimes according to certain types, even where the local legislation and definition of offences differ slightly from UK laws.

We also examined crime reports for single incidents that contained multiple offences. In our sample audit, all crimes were correctly recorded and the ICT system, Cyclops, accurately linked them. This demonstrates more ethical crime recording as well as greater accessibility and consistency of information.

Our audit only highlighted one problem. This related to recording incidents on the Computer Aided Dispatch (CAD) system.

CAD is an ICT system that records calls from the public, incident reports by police officers, and other demands for police services. During our analysis of the system and observations of its use, we weren't convinced that all calls for service were recorded, although we couldn't estimate the number missing. We witnessed calls being received that were recorded on paper and which didn't later appear on CAD. These included calls where officers were dispatched.

A failure to accurately record incidents undermines the force's ability to understand demand. There is also the potential that incidents that should be recorded as crimes will go unrecorded. This could lead to crimes being recorded inaccurately and victims of crime not receiving the appropriate level of service.

While the force has a clear policy on this matter, it is inconsistently followed by staff and supervisors in the control room.

See also area for improvement 5, which is about demand and resources.

### Judgment

**The Royal Gibraltar Police has aligned its counting rules policy more closely with Home Office standards. This means the force has addressed the area for improvement we highlighted in 2016.**

However, it should make sure that officers record all calls for service recorded on CAD.

#### New recommendation 1

With immediate effect, the Royal Gibraltar Police's senior leadership team should make sure that all calls for service are recorded on the force's Computer Aided Dispatch system.

### Area for improvement 3

By October 2016, the commissioner should make sure that robust arrangements for the supervisory oversight of investigations are introduced. These arrangements should include the creation of investigation plans, regular supervisory checks and constructive challenge to decisions by officers concerning investigations.

#### Background

[Our 2016 inspection](#) examined how the Royal Gibraltar Police investigates crime. This included a case file review.

The review revealed examples of good police work and high-quality decision making, such as two allegations of rapes that were investigated very thoroughly and professionally. But we also found examples of inadequate investigation work.

Sergeants were not conducting robust supervision of all investigations. The review revealed many cases where not enough supervisory checks had been conducted and investigation plans hadn't been created.

We concluded that without more effective supervision, the force wouldn't be able to assure the quality of all investigations. Improvements should be made to bring offenders to justice as promptly as possible and provide higher levels of victim care.

#### Our findings in 2019

We went beyond the wording of the 2016 area for improvement when we revisited the force in 2019. We wanted to see if the quality of investigation had improved, as well as supervision. We inspected supervision; case allocation and investigative capacity; investigative support; the force's relationship with Crown Counsel; and victim support.

#### Supervisory oversight

When we reviewed crime reports and investigation case files, we found greater supervisory involvement at sergeant and inspector level than was evident in our 2016 inspection.

Officers supervise response teams by providing signed notes that include guidance for the investigator. But in most cases, these notes were a list of tasks rather than an investigation plan.

While welcome, these enhanced supervisory checks could delay case files being submitted to the state prosecutor, known as Crown Counsel in Gibraltar. We found that, in some circumstances, investigators could wait for up to three weeks for the sergeant and then the inspector to check a file before returning it. These delays worsened when the Crown Counsel returned files with points of correction that supervisors should have identified.

Delays and omissions were more evident in case files prepared by officers from response teams than officers from specialist units. When we spoke with the criminal investigation department (CID), public protection, fraud and economic crime units, we found that supervisors had a more detailed understanding of the cases under investigation. Specialist officers had more investigative experience and

generally more time to complete case files. In contrast, officers from response teams were generally less experienced as investigating crime was one of many priorities they had to manage.

Such problems are not uncommon in other forces. But they may be more acute in low crime environments such as Gibraltar, where investigators have less opportunity to build investigative skills and experience. This makes effective supervision even more important.

Response officers usually conducted effective early evidence collection when initially attending crime scenes. But when officers were allocated a case to investigate further, time, ability and supervisory support were often lacking.

The force has not provided all officers who investigate or supervise criminal investigations with enough training or continuous professional development. This is a cause for concern.

### **New recommendation 2**

By 1 August 2020, the Royal Gibraltar Police's senior leadership team should set clear expectations in policy for supervisors about the frequency and depth of supervision needed. In addition, supervisors should be trained where necessary. Inspectors should carry out monthly dip-sampling of investigations to provide assurance that these expectations are met.

### **Case allocation and investigative capacity**

The Royal Gibraltar Police doesn't have a consistent approach to make sure that officers with the right skills and experience are allocated crimes for investigation.

The force didn't have a crime allocation policy at the time of our inspection, although an officer was writing one. There was limited evidence of the force matching demand with investigative capacity. Current practice differs from the aspirations of the draft policy. This meant some inexperienced officers had been investigating serious crimes, creating risk for the investigation and the force.

We also found that some specialist units are stretched to capacity due to high levels of demand, volume and complexity. This was a problem for the safeguarding team and economic crime unit (ECU).

Gibraltar faces difficulties in maintaining compliance with MONEYVAL and FATF. MONEYVAL is a monitoring body of the Council of Europe. It assesses compliance with the principal international standards to counter money laundering and the financing of terrorism. FATF is the Financial Action Task Force, a G7 initiative with similar aims to MONEYVAL.

In its [2019 report](#) on Gibraltar, MONEYVAL stated:

The law enforcement and prosecuting authorities responsible for the detection, investigation and prosecution of money laundering are highly motivated to

investigate and prosecute domestic proceed generating crime but have insufficient resources to conduct major money laundering investigations.

We concur that ECU doesn't have the resources to conduct investigations that are commensurate with Gibraltar's risk profile. Roles such as forensic accountant and lawyer, which we would expect to see in the economic crime departments of national agencies, were absent. Should this situation continue, it could damage the reputation of Gibraltar's financial sector. This is a matter for HM Government of Gibraltar to resolve.

CID doesn't have the same capacity problems as ECU and the safeguarding team. But officers are regularly unable to progress their investigations as they are required to perform other duties. In the weeks prior to our inspection, the whole unit had been investigating an Iranian oil tanker suspected of carrying oil bound for Syria.

### **Investigative support**

Scenes of crime officers provide a good forensic service. But the force often has to wait a long time to receive the results of forensic submissions it makes to the UK. This frequently prolongs investigations.

The force's hi-tech crime unit, which examines digital devices, also provides a good service although it lacks capacity to do so quickly.

We found officers using their personal devices to examine offenders' phones. This isn't good practice and doesn't meet best evidence standards.

### **Crown Counsel**

There is an effective, professional working relationship between the Royal Gibraltar Police and Crown Counsel, particularly in feeding back common themes of omissions of evidence found in case files. But it isn't always efficient.

For example, Crown Counsel asks for paper copies of case files, which sees officers photocopying and taking them to court in police cars. This is inefficient, considering that the force's Cyclops case management system was designed to be used by the police and Crown Counsel to avoid paper-based prosecution files. The force should negotiate a return to Cyclops.

### **Victims**

The Royal Gibraltar Police should do more to make sure that victims of crime get the service they need.

Some officers on response teams and in specialist posts told us of their concerns that victims weren't at the heart of investigations. This is most acute for response officers, many of whom struggle to find time to regularly update victims about the progress of investigations. Senior officers are aware of the problem and acknowledged that officers don't contact victims regularly enough.

Officers also lack guidance on what service should they should provide. [Gibraltar's Victims in Criminal Proceedings Regulations 2015](#) sets out a range

of victim entitlements but isn't specific enough to guide officers and omits important elements of the victims' code.

The victims' code, formally known as the [Code of Practice for Victims of Crime](#), was introduced in the UK in 2016. It outlines a range of victim entitlements, including updates on police investigation. Police and other bodies should provide an enhanced service to victims of serious crime, persistently targeted victims, and vulnerable or intimidated victims. These enhanced entitlements include special measures to help vulnerable or intimidated witnesses give their best evidence in court.

The force would improve the quality of victim contact with increased supervision and oversight. Officers should record details of victim contact on the Cyclops case management system, but this rarely happens.

We found no evidence that the Royal Gibraltar Police monitors the quality of service it provides to victims. In other police forces, regular victim surveys and more comprehensive victim contact provide an overall assessment of victim care.

### **New recommendation 3**

By 1 August 2020, the Royal Gibraltar Police's senior leadership team should adopt the Code of Practice for Victims of Crime and conduct victim surveys.

## **Judgment**

### **Supervisory oversight of investigations is still an area of improvement for the Royal Gibraltar Police.**

The force should improve supervisory oversight of investigations and case files to make sure victims receive appropriate care. Its staff need ongoing training; time to properly complete files; and clearer and more efficient policies and procedures, including a local version of the victims' code.

## **Area for improvement 4**

By July 2016, the commissioner should define in policy and procedures how vulnerable and repeat victims will be identified, how risks to them will be assessed and how appropriate support will be provided. Operation of the policy and procedures should begin as soon as possible thereafter.

## **Background**

[Our 2016 inspection](#) examined how the Royal Gibraltar Police dealt with vulnerable and repeat victims. The way it identifies, assesses and supports them was an area for improvement.

There wasn't specific training for officers or support staff to identify vulnerable victims, or a clear arrangement for identifying vulnerable or repeat victims. During our case file review, we didn't find evidence that the vulnerability of victims was considered consistently by officers.

Some of the assault and sex offence cases we reviewed were related to domestic abuse. Knowing who is a repeat and/or vulnerable victim is important as it influences the investigation and the type of victim support that the force and partner agencies need to give. It can also help prevent future victimisation.

### **Our findings in 2019: Identification and assessment**

The Royal Gibraltar Police doesn't have its own definition of vulnerability. Forces in England, Wales and British Crown Dependencies use several different definitions. Many adopt the [College of Policing's definition](#):

A person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation.

Although many officers knew of the range of factors that could cause a person to be vulnerable, the force should adopt this definition of vulnerability or create its own. Its definition should form the basis of a strategy to enable all force staff to more easily identify and respond to vulnerable people.

The force introduced THRIVE, a formal risk assessment process, in the control room in 2019. THRIVE, which stands for Threat, Harm, Risk, Investigation Opportunity, Vulnerability and opportunity to Engage, is commonly used in police forces across England and Wales. It helps make sure the police response is proportionate to the risk in every case. It considers whether the victim is vulnerable and whether there are realistic opportunities to investigate a crime or engage with the community.

Officers we spoke with appeared to use THRIVE appropriately to prioritise calls for a more immediate response where necessary. However, the force lacks comprehensive processes to routinely risk assess all potentially vulnerable victims at initial response.

The force has adopted the DASH risk assessment form that frontline officers in the UK use to help identify high risk cases of domestic abuse, stalking, harassment and so-called honour-based violence. But officers are not required to conduct similar risk assessments when they attend other incidents. So officers aren't identifying all the vulnerabilities of the victims, witnesses, and suspects they encounter. As a result, these people are unlikely to receive the appropriate response, whether it be referral for multi-agency intervention or other safeguarding measures.

Forces in England and Wales follow processes to try and ensure they identify and assess such vulnerabilities at an early stage to maximise early intervention opportunities and help prevent victimisation. For example, the Metropolitan Police Service expects its staff to conduct a vulnerability assessment when attending incidents. Officers measure vulnerability across five areas and the assessment suggests action(s) if the score meets certain thresholds.

The Royal Gibraltar Police records the number of repeat victims and compares it year on year. But operational information for officers isn't consistent. For example, the command aided despatch ICT doesn't flag or highlight if a caller is a repeat or vulnerable victim. In addition, the system doesn't allow searches against names and addresses to establish if a repeat or vulnerable victim is involved.

#### **New recommendation 4**

By 1 August 2020, the Royal Gibraltar Police's senior leadership team should develop a corporate definition of vulnerability and develop processes to make sure officers identify any vulnerabilities of the victims, witnesses, and suspects they encounter, and make appropriate interventions.

#### **Immediate safeguarding**

Officers understand their safeguarding responsibilities to victims of domestic abuse. They regularly take positive action when attending domestic abuse incidents, to help and protect victims and any other vulnerable people present. This is encouraging. Our crime file review showed that officers routinely safeguard domestic abuse victims by arresting and removing offenders when they have the opportunity. The public protection unit (PPU) reviews all immediate safeguarding actions and agrees any further actions needed. All PPU officers are trained in Achieving Best Evidence (ABE).<sup>1</sup>

The force's response to reports of children absent from care homes wasn't as good, although it has a clear and accessible policy on recording such cases.

A new report should be raised every time a child goes missing. Some children absent themselves repeatedly. For example, we found many more than the 14 instances recorded since January 2019. This was because the repeat instances were being added as notes to the initial report of the child going missing, rather than prompting new reports.

We spoke to officers who knew who the children were and largely relied on them returning to their care homes voluntarily. But we found at least one case where a child had crossed the border to deal drugs.

The force should supervise this problem much more closely as the risk of becoming involved in criminality is high for such vulnerable children. And the risk of becoming a victim of sexual exploitation is even higher.

The Royal Gibraltar Police uses body-worn video cameras to record injuries to victims and the behaviour of perpetrators, when appropriate. The force has a policy that says when officers should use body-worn video. But not all of them understood it. We were also told that much of the body-worn video equipment was unusable.

#### **Domestic violence prevention orders and notices**

Since 2010, police officers in England and Wales have had additional powers to protect victims of domestic abuse.

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<sup>1</sup> The visually recorded statement of young victims and witnesses with the police is usually described as the ABE DVD. It is usually played as their evidence-in-chief at trial. Tier 2 is a level of interview expertise that means that an officer is competent to conduct interviews in serious and complex cases (PIP level 2).

DVPOs and DVPNs give similar powers to emergency banning orders, which are used in many European jurisdictions and recommended by the Council of Europe. But there is no equivalent in Gibraltar. This means the Royal Gibraltar Police and the courts are unable to give victims of domestic violence in Gibraltar the level of protection given to victims of domestic violence elsewhere.<sup>2</sup>

### **New recommendation 5**

By 1 November 2020, the Royal Gibraltar Police's senior leadership team should evaluate all reported domestic violence incidents in Gibraltar. Based on this data, the most appropriate agency should establish whether DVPOs and DVPNs would have provided valuable additional protection for victims. If the evaluation shows they would have done so, the Government of Gibraltar should consider pursuing changes to legislation to enable their introduction as soon as possible thereafter.

### **Working in partnership**

The Royal Gibraltar Police works well with several partner organisations to protect vulnerable people. The partner organisations told us that the force does its best to safeguard vulnerable people through partnership work. We found evidence that [multi-agency risk assessment conferences](#) (MARACs) were well established to manage high-risk domestic abuse offenders.

We appreciate that other partnership functions commonly found in England and Wales such as [multi-agency safeguarding hubs](#) (MASHs), sexual assault referral clinics (SARCs)<sup>3</sup> and independent domestic violence advisors (IDVAs)<sup>4</sup> aren't yet established in Gibraltar. But there is a foundation for the force and its partner organisations to build on as their work together increases.

There were two notable absences in the multi-agency arrangements:

1. There is no youth offending team (YOT) with trained youth case managers to identify a child's vulnerabilities and needs: for example, mental health, victimisation, and speech and language therapy. This limits opportunities for the force to offer out-of-court disposals to divert young people from offending.
2. There is no victim support scheme. So police officers are responsible for victim support from the initial report through to the court case, which is not a sustainable or efficient use of their time (see area for improvement 3, above). A witness care or victim support service would improve victim satisfaction and free officers from this commitment.

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<sup>2</sup> [Authorised Professional Practice: Using domestic violence protection notices and domestic violence protection orders to make victims safer](#), College of Policing, 2015.

<sup>3</sup> SARCs provide victims of sexual offences with a range of services, including conducting forensics examinations and retaining this evidence.

<sup>4</sup> IDVAs handle the safety of domestic abuse victims at risk of harm from partners and family. They regularly review the risk assessments that officers attending medium and high-risk domestic abuse incidents have made. They refer appropriate cases to the MARAC.

## Judgment

**The way the Royal Gibraltar Police identifies, risk-assesses and supports repeat and vulnerable victims is still an area for improvement. While some progress has been made, much more should be done.**

### Area for improvement 5

By October 2016, the commissioner should agree with the Gibraltar Police Authority a policy and procedure to prioritise – and in so doing, match – resources to demand, particularly for response teams.

## Background

[Our 2016 inspection](#) examined demand management. We found the force wanted to give the best service possible yet tried to meet its daily demands without prioritising. We concluded that this was an area for improvement.

The force didn't prioritise its response to daily demand based on an assessment of threat and risk of harm to individuals. This meant that police attended nearly every call, mainly in the order they were received. We also found that a significant proportion of work that the force undertook was not a policing matter.

Officers gave us examples of the non-crime calls they had been told to attend. These included dissatisfaction in the way a spill on a communal floor of a block of apartments had been mopped; response to personal panic alarms; reporting leaking pipes; lost keys; and late meals.

In addition, we were told there were many calls about parking and tobacco smuggling that were suitable for others to deal with, such as traffic enforcement and customs officers. The inspection team confirmed this with observation and audit work in the force control room.

Daily demand was stretching capacity, particularly in the force's response teams. Senior officers had done some work to identify police responsibilities that could be dealt with by other agencies, such as unlawful feeding of the Barbary macaques and illegal fishing. In addition, we found that risk assessments were being used to reduce the policing commitment to some public events, beach patrols and minor traffic collisions.

We advised that prioritising demand on a more formal basis, being clear with the public and with officers about the types of calls that must be dealt with first (and those calls that would better be dealt with by other public bodies) would help the force better manage and maybe even reduce demand.

## Our findings in 2019

We were encouraged to see that the Royal Gibraltar Police had taken steps to better match resources to demand and prioritise how it responds to the public. The force has made progress by trying to make sure that incidents are assessed fully and attended to in order of priority. But it should do more to systematically apply these principles and make best use of its resources.

## Assessing risk

THRIVE has given the force a procedure for prioritising the response team's response to demand. It is a good step forward that helps call takers more accurately assess calls for service. It also makes sure each caller either receives the right level and speed of police response or is referred to another agency when a police officer isn't needed.

We found most calls were appropriately graded and responded to in order of priority. There were far fewer examples of the police attending non-crime and very minor incidents than in 2016.

Another benefit of a systematic risk assessment such as THRIVE is that it gives the police an opportunity to record important factors such as vulnerability and repeat victimisation. It also gives a fuller picture if future incidents involve the same victims or offenders. This is important because vulnerability and repeat victimisation present increased risk and need a higher priority response.

It was disappointing that the procedures for recording THRIVE assessments weren't consistently applied in the control room. Staff didn't always record their reasons for grading calls, which means the force can't assure itself that calls are being properly assessed and appropriately dealt with.

Additionally, the force can't be confident that every call for service is being recorded on the system, which means it may not have a full picture of all the demands on its time.

## Working with others

Police resources can be significantly enhanced by working with other agencies, both within Government and other law enforcement bodies. Unlike in England and Wales, there is no statutory duty for law enforcement bodies to work together in the jurisdiction of Gibraltar.

The Royal Gibraltar Police has nevertheless established collaborative working arrangements to provide joined-up services and add resilience to its capabilities. We found constructive working arrangements with a range of partner agencies including the Spanish national police, Guardia Civil, the National Crime Agency and the Gibraltar Defence Police, as well as government bodies including the Care Agency, Health Board and the Gibraltar sports and leisure authority.

However, a sizeable portion of police officer resources were still being used to support work that could be done by others. For example:

- routinely directing traffic at the border;
- taking calls from the public in the control room;
- marine call-outs for other agencies with marine capabilities;
- guarding remand prisoners at court on behalf of the prison service, in certain circumstances; and
- escorting vehicles with abnormal loads.

The Royal Gibraltar Police should examine the potential for allowing civilian staff to undertake some posts or handing some responsibilities to other government bodies.

### **Managing expectations**

The public has high expectations of the Royal Gibraltar Police. There is a culture in Gibraltar where police attend incidents that forces in England and Wales would not. But the force has started to take difficult decisions about how it responds to calls for service, and which calls it can no longer allocate resources to. For example, it won't send a police officer to attend a minor traffic collision where there are no injuries. And it is exploring the use of fixed penalty notices (rather than court proceedings) for minor offences.

The force has some unique demands. One example is managing traffic queues at the frontier with Spain. Officers are often deployed to the frontier after a full day's work, which affects officer wellbeing and the overtime budget. As this traffic management role doesn't need warranted officers, the commissioner has tried negotiating with the Government of Gibraltar and partner agencies to find a more appropriate agency to take it on.

The Royal Gibraltar Police should do further work on demand management, supported by the Government of Gibraltar, HM Governor and the GPA.

### **Judgment**

**THRIVE has given the force a procedure to prioritise response team resources. But the force should do more to manage demand. This includes better assessment of risk, greater partnership working and continually managing public expectations.**

## **Area for improvement 6**

By October 2016, the commissioner should establish an effective way to assess how busy the force is likely to be, by using a range of tools to understand daily calls for service and patterns in their demand. This should include: analysing calls for service and recorded crime figures; identifying peak or seasonal demand; and understanding factors affecting demand such as major events. Once this information is available, judgments should be made about optimum shift patterns and the number of officers needed for those shift patterns.

### **Background**

[Our 2016 inspection](#) examined the force's shift system. We concluded that it was an area for improvement as it wasn't based on an assessment of daily demand.

We found that the number of response officers available for deployment (to deal with daily demand) wasn't based on an assessment of the likely volume and types of incident during a particular period. Instead, the response team shift system provided the same number of officers across a 24-hour period, irrespective of demand.

Senior officers were already aware of these issues as they had commissioned an external review of the response team shift system in 2014. This review proposed

several shift patterns, and concluded that there were insufficient officers on response teams to cope with the high level of demand.

### **Our findings in 2019: Understanding current demand**

Shortcomings in the force's ICT systems limit its ability to comprehensively understand demand (that is, all demand from all sources).

In 2016, the force analysed demand through a labour-intensive, manual exercise designed to give it a picture of the typical demands facing the police. This gave it evidence for making a business case to the Government for additional resources. The exercise found an additional 50 police officers were needed to meet demand at that time and identified what roles they should fulfil.

The force has made limited efforts to monitor and review demand, and map hotspots. It periodically measures:

- the volume of calls from the public;
- crimes; and
- time spent on policing events.

However, it hasn't updated its 2016 analysis and doesn't have a comprehensive understanding of all its demands, which include:

- specialist investigations;
- safeguarding;
- hidden and under-reported crimes;
- internal demand;
- bureaucracy; and
- demands that others should deal with.

The force has considered engaging experts to help capture and analyse data and map demand more precisely. Unfortunately, this is currently cost prohibitive. A recent review of the force's resource management unit by an independent consultancy praised its efforts in forward planning and demand management.

### **Matching resource to demand**

The force has made progress in matching resource to the demand it is aware of. It changed officers' shift patterns to achieve more capacity at peak times and give them a more manageable working arrangement while providing a sustainable 24/7 police response capability.

The new shift pattern has succeeded in making more officers available to respond when demand is greatest. But that has been done at a cost to the neighbourhood policing function, which has been reduced from 20 to two police officers serving an area. This enables the response team to better meet demand. But it also means some tasks formerly done by neighbourhood officers – for example, victim contact and safeguarding – have become the responsibility of response officers. And some proactive neighbourhood functions aren't being carried out at all.

It is relatively straightforward to measure the benefits of having greater capacity to respond to incidents. But it is less easy to evaluate the effect of losing proactive neighbourhood policing capability on the force's ability to:

- prevent crime and anti-social behaviour;
- engage with local communities; and
- gather local intelligence and problem solve.

Officers are still stretched and carrying heavy workloads, despite the force's new shift system and improved approach to prioritisation. Some supervisory officers struggle to respond effectively to or manage demand. We found that:

- some non-police calls were still being attended, even with THRIVE to help prioritise;
- officers' deployments lacked enough flexibility to allow them to manage their time and workload and investigate crime; this is because they are responding to so many calls that they don't have time to investigate crime; and
- case files were returned from Crown Counsel with pending enquiries or omissions that should have been spotted on first submission.

The force was using a high level of overtime – more than an extra 10 percent of salaries – to fill gaps in capacity. We found that officers regularly work overtime at the end of their shift to in excess of 12-hour days. This isn't restricted to response staff.

Officers and supervisors from every department are taken away from their routine work to cover additional duties. For example, football match policing, dealing with traffic queues at the border, and Servator patrols.<sup>5</sup> This is because of the small size of the force. The strain is felt throughout and important work, such as preventing and detecting crime, is suffering.

## Judgment

### **The Royal Gibraltar Police's understanding of the full range of its demand is still an area for improvement.**

The force has evaluated when it receives most calls for service and amended shift patterns and officer numbers accordingly. But until it has a complete understanding of the full range of demands it faces, it can't assure itself that it has the right staff with the right skills in the right place to meet those demands.

## **Area for improvement 7**

By October 2016, the commissioner should compile a comprehensive prediction of future demand. This should be used to define the capacity and capability the force will need, which will enable the creation of plans for funding, skills, structure, estates, ICT and other equipment.

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<sup>5</sup> Project Servator patrols are unpredictable, highly visible police deployments, designed to disrupt a range of criminal activity, including terrorism.

## Background

[In 2016, we inspected how the Royal Gibraltar Police maps future demand for its services.](#) We considered it to be an area for improvement.

The force's strategic threat and risk assessment indicated likely trends in serious and organised crime (SOC). It referenced emerging crime types such as cyber crime and child sexual exploitation, as well as likely demographic changes. It provided a useful insight but not a comprehensive understanding of likely future demand.

Consequently, we didn't see a plan to respond to future demand in terms of money, recruitment and structures, apart from a proposal for a new police headquarters. We also found that future training plans were based on filling skill gaps brought about by retirements over a five-year period, rather than on the capabilities and capacity the force would need in future.

### Our findings in 2019: Future growth

The force recently secured funding to increase police officer numbers to cope with growing demand. It received approval to recruit 25 new police officers and to reassign the duties conducted by 25 police officers to civilian members of staff. Posts which have been civilianised include call handlers and despatchers in the control room, and detention officers. Although the force's establishment of police officers is only set to grow by 25, it has effectively increased its strength by 50 posts, as the police officers from the civilianised posts will be released into the pool for reallocation to frontline policing duties.

The increase in police officer numbers gives the force a significant opportunity to change the way it polices Gibraltar, better address demand and fulfil its priorities.

It is vital that the force manages and leads this change effectively. It will be critical for the force to refresh its understanding of demand, as it last conducted a strategic assessment of the threats and risks facing its communities in 2016.

The force hasn't analysed likely future demand, or how it will shape the skills and capabilities it needs in its workforce. As it doesn't have a comprehensive understanding of its current workforce skills, it isn't able to plan to fill any future gaps.

The force's training plans are limited by the budget available. They are based on an annual assessment of operational and tactical skills needs. There are no plans to develop leadership and management skills. Officers do not have formal or regular performance and development assessments. Without them, the Royal Gibraltar Police won't be able to understand the skills it has, and which staff need training for the future.

Understanding skills and training requirements is of critical importance as the force is about to recruit and train its largest increase in police officer numbers in decades. It should design simple, effective processes to help structure and measure its training and training needs. It should also develop overarching plans to give leadership and direction at this critical period of change so that senior leaders and the GPA can oversee and manage the change effectively.

## ICT infrastructure and support

ICT problems lessen the force's ability to effectively meet demand. Software runs slowly, and access to servers and the internet is also slow and unstable.

The force relies on centralised government ICT staff to provide support when requested. It is now in the third year of a phased implementation of a new ICT system, which has been slower than anticipated and hasn't yet achieved the expected benefits.

The Royal Gibraltar Police has no ICT strategy to guide future planning and investment. Decisions on IT procurement tend to be ad-hoc and based on the funding available in the coming year, rather than part of a wider strategy to future-proof policing. For example, many body-worn video cameras were purchased because video evidence can be crucial in bringing offenders to justice. However, a large number are now broken because insufficient thought was given to how they would be used or maintained.

## Judgment

**The Royal Gibraltar Police's understanding of future demand is still an area for improvement.**

The force has yet to compile a comprehensive prediction of future demand (part of the 2016 area for improvement). It should update its strategic threat and risk assessment to more effectively plan for the skills, structures and ICT it will need in future.

## Area for improvement 8

By July 2016, the Minister for Finance should set out the funding formula, including the associated criteria, thresholds and conditions that need to be met for resources needed to police Gibraltar.

## Background

[Our 2016 inspection](#) examined the force's funding arrangements.

We found that the GPA determines, in consultation with the commissioner of police, the number and rank structure of personnel employed by the force. The Authority then submits an annual budget for the force to the Minister for public finance.

The Government gives the commissioner of police a budget for all aspects of policing. But this was not a fully devolved budget in 2016. There was no flexibility in how the force could use the funds; for example to improve its service or move money from one police function to another to better manage demand.

The force relied on a significant overtime budget to manage peaks of demand and fill gaps when officers were on leave, sick or training. We believed this could be reduced if the force were better able to match resource to demand, or the funds could be converted to police officer posts if demand outstripped available resource.

There were limited opportunities for the force to generate income from policing activity. For example, when commercial enterprises needed policing support, such as

escorting cranes, managing queues at music festivals or crowd control at football matches, any income generated from policing was paid to the Government. In addition, because legislation concerning the proceeds of crime was not (at the time of our inspection) enacted, the force was unable to benefit from its work in seizing criminal assets.

We concluded that in an environment where the economy was growing rapidly and it could reasonably be expected that demand for policing would grow, the Royal Gibraltar Police needed guidance that set out the funding formula (including the associated criteria, thresholds and conditions) for the resources it needed.

### **Our findings in 2019: Funding**

The Government sets the budget annually after a bidding process. Annual allocations tend to be based on the previous years' budget and there are limited freedoms and flexibilities to manage the budget in-year as the Government does the financial planning and budget monitoring.

The GPA has little influence over the funding available but it retains responsibility for policing. And the commissioner of police has little ability to influence how resources are allocated yet is accountable for managing the budget. The commissioner doesn't have a senior financial manager on his leadership team.

As a result, the Royal Gibraltar Police can only conduct short-term financial planning as it doesn't know what resources may be available in future. There is no medium-term financial planning that might enable a more strategic approach to ensure the force can adapt to changing demand and be fit for purpose.

This situation makes it very difficult for the GPA and the force to develop longer term change plans and align financial plans with other key strategies, such as workforce and ICT. It also means that capital investment in infrastructure is hampered. This includes the long overdue plans to build a fit-for-purpose police station.

There is no incentive for the force to reduce spending or use its resources more efficiently. The police budget is monitored, and the Government routinely considers its financial reports. But any overspends are covered by central government funds at the end of each year and any underspent budgets are returned to central funds.

### **Judgment**

**The Minister for Finance hasn't set out a funding formula. This limits the Royal Gibraltar Police's ability to conduct the type of financial planning we would expect from English and Welsh forces.**

# How the Royal Gibraltar Police promotes the right ethics, values and culture

[Research by the College of Policing](#) shows the best way to make sure that police workforces behave ethically and lawfully is to promote the right behaviour to officers and staff. It recommends taking a preventative approach to misconduct and corruption, rather than focusing on apprehending and disciplining those responsible.

Police leaders need to promote ethical principles and behaviour and act as role models, in line with the [Code of Ethics](#).<sup>6</sup> Officers and staff should feel confident about applying these principles to their decision making.

## Code of Ethics

In 2019, the Royal Gibraltar Police replaced its code and values document with a new policy. Its code of ethics policy is a verbatim copy of the College of Policing Code of Ethics that includes a statement that the code has been adopted as best practice.

The force hasn't adopted large sections of the Code of Ethics. It hasn't reviewed and updated its procedures and policies to reflect the new policy. For example, it isn't integrated into the appraisal system, recruitment or promotion processes. We found force policies that contradict it.<sup>7</sup> And the senior leadership team told us that some aspects of it cannot be implemented in Gibraltar despite it now being enshrined in force policy.

### New recommendation 6

By 1 August 2020, the Royal Gibraltar Police's senior leadership team should amend the Royal Gibraltar Police's code of ethics policy to reflect the force's operational environment and make sure that the revised policy is incorporated into other policies and processes.

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<sup>6</sup> This code is used by forces across England and Wales to promote the highest standards of behaviour amongst its police officers and police staff. It is a benchmark for what is expected of those who work in the police service. It complements other policies, processes and legislation relating to standards and discipline of police officers and staff. The ethos of the Code of Ethics is to encourage positive behaviours so that police officers and staff do not find themselves subject to poor performance or disciplinary proceedings.

<sup>7</sup> See sections on business interests and reportable associations, below.

## Promoting the Code of Ethics

The force's senior leadership team promoted the old code and values, which were incorporated into a range of training courses and referenced in corporate policies and procedures, before creating the new code of ethics policy.

The senior leadership team had started to promote the new policy at the time of our inspection:

- the assistant commissioner had started a series of presentations that the force planned all officers would have attended by the end of Autumn 2019;
- posters summarising the code were displayed across the force's headquarters;
- force orders were being used to remind officers of their responsibility to comply with the Code of Ethics; and
- the force's officer promotion process had been redesigned to follow the College of Policing's competencies and values framework, which is based on the code.

However, the new code wasn't yet fully integrated across the force. Many officers knew about it but didn't understand how to apply it to their work. They felt they would benefit from a clearer explanation how to link police practice with accepted behaviour.

Staff working for Royal Gibraltar Police who are not police officers are civil servants, employed by the Government rather than the force. They told us they didn't see the relevance of the Code of Ethics and that it hadn't been promoted to them. Senior force leaders told us that, in principle, the code applies to these staff members but that, in practice, it can't discipline them and has no way of making them comply.

This is a misunderstanding. The [College of Policing's Code of Ethics](#), and therefore the force's own new policy, states:

The Code of Ethics (...) applies to every individual who works in policing, whether a warranted officer, member of police staff, volunteer or someone contracted to work in a police force.

The force should consider establishing a network of ethics champions, representing officers and staff across all departments, who would meet to share learning. This has worked well in the UK. It should also consider making the Code of Ethics an agenda item in senior management meetings and form a committee focused exclusively on ethics and equality.

### New area for improvement 2

The Royal Gibraltar Police workforce's understanding of the Code of Ethics is an area for improvement. Its senior management team should make sure that the code of ethics policy is embedded across the entire workforce.

### New area for improvement 3

Embedding the Code of Ethics in the Royal Gibraltar Police's activity is an area for improvement. The force's senior leadership team should consider establishing a network of ethics champions, representing officers and staff across departments, who would meet to share learning. Additionally, the force should consider having the Code of Ethics as an agenda item in senior management meetings and form a committee that focuses exclusively on ethics and equality.

## Abuse of position for a sexual purpose

In 2012, the Independent Police Complaints Commission (IPCC) published [\*The abuse of police powers to perpetrate sexual violence\*](#). This report states that "the abuse of police powers for purposes of sexual exploitation, or even violence, is something that fundamentally betrays the trust that communities and individuals place in the police".

The College of Policing's [\*Code of Ethics\*](#), which has been adopted by the Royal Gibraltar Police, states that policing professionals must "not establish or pursue an improper sexual or emotional relationship with a person with whom [they] come into contact in the course of [their] work who may be vulnerable to an abuse of trust or power".

The force hasn't recognised the potential for its employees to abuse their position in this way. Unlike most forces across the UK, the Royal Gibraltar Police hasn't briefed or trained its workforce to raise awareness of the issue.

When we explained to officers and staff what abuse of position for a sexual purpose meant, they understood that such behaviour would be unethical. However, the force hadn't told them the signs to look for that could:

- affect their ability to recognise matters of concern that should be reported; or
- understand the boundaries for their own behaviour.

### New area for improvement 4

The Royal Gibraltar Police workforce's understanding of abuse of position for a sexual purpose is an area for improvement. The Royal Gibraltar Police's senior leadership team should provide more guidance to its workforce to increase understanding of the risks posed by abuse of position for a sexual purpose.

## Business interests and reportable associations

The code of ethics policy states that: "people working (...) can have business interests as long as those interests are authorised and there is no conflict with an individual's police work and responsibilities".<sup>8</sup>

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<sup>8</sup> *Code of Ethics Policy*, Royal Gibraltar Police, 2019, page 10. Unpublished.

It is common practice to record, monitor and review business interests in police forces across England and Wales. This isn't routine practice in the Royal Gibraltar Police. We think it should be and see this as an area for improvement.

The code of ethics policy also states that: "Membership of groups or societies, or associations with groups or individuals, mustn't create an actual or apparent conflict of interest with police work and responsibilities."<sup>9</sup>

Policies in forces across England and Wales require officers and staff to submit details of associations – often referred to as notifiable associations – that fall within certain criteria. For example, if an officer became aware that a relative was in a relationship with a known criminal, they would be expected to inform the force. Any potential risks would then be considered and managed accordingly.

Some senior managers and officers told us it would be impractical to tell officers and staff to notify the force and register their notifiable associations. It was said that Gibraltar's small and close-knit population meant that everyone knows everyone else. So attempting to apply such a policy would be unworkable, bureaucratic and ineffective.

We were told that this operational environment mitigates the threat of corruption, as any corrupt activity would quickly be reported by the public. We have strong reservations about this analysis.

Corruption takes many forms and can include unconscious bias towards or against others. Gibraltar's small size creates an environment where the potential for corruption can exist, particularly in a subconscious way. We acknowledge that many people know each other in a personal as well as professional context.

The first step in mitigating the potential for corruption and protecting officers and staff from allegations of corruption is to have a clear and well applied policy on reporting notifiable associations. Officers in UK forces are required to highlight these associations. By doing so, they demonstrate ethics and integrity and it allows the force to consider the level of risk and what, if any, mitigating action to take. Officers in Gibraltar are not required to do this. The force's current position is that individuals should recognise and assess any risk and manage it themselves. This position isn't appropriate and increases officers' personal exposure to allegations of corruption.

We are concerned that the Royal Gibraltar Police is not doing enough to counter the risk of corruption. It should do more to protect the public, its organisation and staff from corruption and allegations of corruption.

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<sup>9</sup> As above, page 10.

## New area for improvement 5

The Royal Gibraltar Police's management of business interests and notifiable associations is an area for improvement. The force's senior leadership team should produce business interests and notifiable associations policies that mandate recording of such issues and regular review of the registers on which they are recorded.

## Role models

The force's senior leaders have signed up to a command team leadership contract, which sets the principles they will adhere to. These include:

- being consultative, trustworthy, accessible and cohesive; and
- embodying the Code of Ethics.

Their signed contract is prominently displayed in the police station. It is a positive step to promoting ethical behaviours. We encourage the Royal Gibraltar Police to extend the contract to sergeants and inspectors.

We were told by some, less senior staff that the phrase "firm leadership" is occasionally used to describe management behaviours that, in a small number of cases, may have amounted to bullying.

We examined the last two staff surveys conducted by the Gibraltar Police Federation. A perception exists among an apparently large number of officers that some senior officers sometimes behave in an unacceptable manner when dealing with their staff. Whether true or not, this perception is a cause for concern.

We understand that the commissioner of police and the chair of the federation have met to develop a plan to deal with this. The force has established several workstreams to better understand the problem. Shortly before our inspection, an external review concluded that there wasn't systematic bullying in the force. But it did find some evidence of bullying and harassment by a minority of managers, supervisors and peers that was not being reported and consequently not addressed. It made recommendations for the commissioner to:

- acknowledge that the force takes the federation's concerns about bullying seriously;
- improve processes to prevent bullying;
- implement an effective grievance procedure; and
- work more closely with the Gibraltar Police Federation to investigate claims of bullying.

HM Governor and the GPA should support the commissioner and the force in resolving this problem to ensure that any unacceptable behaviour is dealt with.

### **New recommendation 7**

With immediate effect, the Royal Gibraltar Police's senior leadership team should produce an anti-bullying statement and improve the force's processes to prevent bullying.

### **Leadership style and culture**

The daily management meeting considers any lessons to be learnt from the previous 24 hours. We found encouraging evidence of lessons learnt following operational incidents when the force changed procedures and adopted new ways of working.

However, many junior officers perceived that some senior officers were sometimes too ready to apportion blame when something goes wrong. We were unable to determine whether, or to what extent, there is a 'blame culture' within the force. However, staff perceptions are important. We are pleased that the force's leadership recognises this and has invited the Police Federation to raise any instances of the perceived blame culture with it.

We also saw elements of a culture where change happens slowly, sometimes with resistance. Staff said, "We've no time to change" and, "We've always done it this way." And, "We tried that and failed, so no point repeating." They also described an environment where they were so busy with their duties that they were too busy to change.

That said, on the whole we found a workforce that was professional, committed and enthusiastic about their work and the force they worked in.

### **New area for improvement 6**

The leadership development provided to the Royal Gibraltar Police workforce is an area for improvement. Operational exchange at inspector and chief inspector rank should be encouraged with British police forces for up to six months. This will allow managers to experience different management styles in other forces, as well as bring skilled managers into the force from England and Wales.

### **Gifts and hospitality**

The Royal Gibraltar Police has a system for monitoring gifts and hospitality. The policy requires officers and staff to record all gifts and hospitality in a central register. But we found that the register wasn't being used routinely.

### **New area for improvement 7**

The Royal Gibraltar Police's management of gifts and hospitality is an area for improvement. The Royal Gibraltar Police's senior leadership team should make sure that its gifts and hospitality registers are monitored regularly to make sure staff are complying with force policy.

# How the Royal Gibraltar Police makes sure its officers behave ethically and lawfully

## Vetting

The integrity and ethical standards of a police force are underpinned by its ability to recruit, retain and promote a workforce with the right values and behaviours. This starts with vetting policies and practices.

In England and Wales, the approach to vetting is governed by the [College of Policing's APP on vetting](#).

The Royal Gibraltar Police doesn't have a consistent vetting process. We were told that vetting happens at initial entry for police officers but was sometimes disjointed because it was conducted by several units. We were also told that additional vetting takes place for some specialist posts but was not systematic.

Regardless of the special circumstances in Gibraltar, the force must be able to properly vet applicants. It must also be able to vet officers and staff seeking promotion or moving post, where it is necessary to do so.

Vetting is highlighted as a concern on the force's risk register. It has put controls in place to mitigate the risks of it not being done or not being done properly. These controls include:

- raising awareness;
- encouraging officers to report issues that might affect vetting; and
- developing better policy and procedures.

### **New recommendation 8**

By 1 August 2020, the Royal Gibraltar Police's senior leadership team should review the force's vetting procedures. It should consider adopting the College of Policing's Authorised Professional Practice on vetting.

## Tackling misconduct and corruption

The issue of corruption, even at a low or subconscious level, didn't appear to be a concern for the force. This was despite an environment that might permit or even promote corruption.

Gibraltar's small population and recruitment pool, the presence of transnational organised crime, and the links and associations between the population and those serving in the force creates the potential for infiltration, corruption, blurring of ethical lines and inappropriate interventions by senior figures in the community.

The force doesn't fully understand its exposure to the risk of corruption. Its professional standards unit lacks the resource and expertise needed to develop such an understanding or monitor and mitigate the threat.

### **New area for improvement 8**

The Royal Gibraltar Police's understanding of the corruption risks it faces is an area for improvement. The Royal Gibraltar Police's senior leadership team should compile a comprehensive, local, counter-corruption threat assessment and control strategy to evaluate and manage the full range of risks to the integrity of its organisation.

The Royal Gibraltar Police was unable to proactively identify individuals who are corrupt or susceptible to corruption. It lacks processes (commonplace in England and Wales) to collect intelligence, analyse workforce data and disciplinary records or carry out integrity testing. This represents a risk to the force.

The force was also unable to effectively audit police systems. IT passwords are frequently shared among employees, thus increasing the risk of computer misuse. In the absence of a system to monitor keystrokes, the force should at least consider:

- periodically auditing the Cyclops system; and
- outlining what is and isn't acceptable use of police systems.

The force's professional standards unit, particularly its counter-corruption capability, should be reviewed to make sure there are enough resources to promote ethical standards; challenge poor behaviours; and monitor and target corruption. This review should set clear expectations for governance and leadership. The force may benefit from external expertise and could identify good practice from forces in England and Wales.

The Royal Gibraltar Police isn't unique among the British Overseas Territories or Crown Dependencies in lacking the capability to conduct proactive counter-corruption operations. Such forces and the Foreign and Commonwealth Office may wish to consider creating a joint or remote capability to fill this gap. In the interim, the force should develop better vetting, business interests and notifiable associations policies. Along with effective use of ICT auditing, these can mitigate some of the risks from corruption.

### **New recommendation 9**

By 1 November 2020, the Royal Gibraltar Police's senior leadership team should determine the best model for providing a counter-corruption capability to proactively identify and pursue employees who are corrupt or susceptible to corruption.

### **Reporting mechanisms**

Confidential reporting mechanisms are common in UK police forces. They give the workforce a way to anonymously report issues of concern, whether related to corruption, poor behaviour, bullying or abuse of power for sexual gain. Such mechanisms also give other forces' professional standards units a useful intelligence-gathering opportunity.

The Royal Gibraltar Police lacks such mechanisms. It should develop a method for staff to anonymously and confidentially report concerns about integrity, by telephone or email or both. There are electronic systems available that protect the identity of an individual making a report.

To avoid scepticism and distrust about the anonymity of reporting mechanisms or systems, it is important to communicate what they are for, how they work and what makes them secure. It may also be beneficial if the reporting system were managed independently. The force may wish to collaborate with a police force(s) in England and Wales, British Overseas Territories or Crown Dependencies if it is not feasible for it to introduce its own system.

### **New recommendation 10**

By 1 November 2020, the Royal Gibraltar Police's senior leadership team should develop a method of anonymously and confidentially reporting integrity issues, either by telephone or email or both. To avoid scepticism and distrust about the anonymity of reporting systems, it would be beneficial if this facility were managed independently.

To report and prevent corruption, staff need to be able to identify risks and signs of corruption. The Royal Gibraltar Police workforce lacked a thorough understanding of these issues.

### **New area for improvement 9**

The Royal Gibraltar Police workforce's understanding of corruption is an area for improvement. The Royal Gibraltar Police's senior leadership team should provide a briefing about corruption risks and signs of corruption to the workforce, based on the College of Policing's APP on counter corruption.

## Annex A: New areas for improvement

1. The lack of resilience for the Royal Gibraltar Police crime desk manager position is an area for improvement. The Royal Gibraltar Police's senior leadership team should appoint a deputy crime desk manager to conduct audits and checks during long-term absences.
2. The Royal Gibraltar Police workforce's understanding of the Code of Ethics is an area for improvement. Its senior management team should make sure that the code of ethics policy is embedded across the entire workforce.
3. Embedding the Code of Ethics in the Royal Gibraltar Police's activity is an area for improvement. The force's senior leadership team should consider establishing a network of ethics champions, representing officers and staff across departments, who would meet to share learning. Additionally, the force should consider having the Code of Ethics as an agenda item in senior management meetings and form a committee that focuses exclusively on ethics and equality.
4. Abuse of position for a sexual purpose is an area for improvement. The Royal Gibraltar Police's senior leadership team should provide more guidance to its workforce to increase understanding of the risks posed by abuse of position for a sexual purpose.
5. The Royal Gibraltar Police's management of business interests and notifiable associations is an area for improvement. The force's senior leadership team should produce business interests and notifiable associations policies that mandate recording of such issues and regular review of the registers on which they are recorded.
6. The leadership training provided to the Royal Gibraltar Police workforce is an area for improvement. Operational exchange at inspector and chief inspector rank should be encouraged with British police forces for up to six months. This will allow managers to experience different management styles in other forces, as well as bring skilled managers into the force from England and Wales.
7. The Royal Gibraltar Police's management of gifts and hospitality is an area for improvement. The Royal Gibraltar Police's senior leadership team should make sure that its gifts and hospitality registers are monitored regularly to make sure that staff are complying with force policy.
8. The Royal Gibraltar Police's understanding of the corruption risks it faces is an area for improvement. The Royal Gibraltar Police's senior leadership team should compile a comprehensive, local, counter-corruption threat assessment and control strategy to evaluate and manage the full range of risks to the integrity of its organisation.

9. The Royal Gibraltar Police workforce's understanding of corruption is an area for improvement. The Royal Gibraltar Police's senior leadership team should provide a briefing about corruption risks and signs of corruption to the workforce, based on the College of Policing's APP on counter corruption.

## Annex B: New recommendations

1. With immediate effect, the Royal Gibraltar Police's senior leadership team should make sure that all calls for service are recorded on the force's Computer Aided Dispatch system.
2. By 1 August 2020, the Royal Gibraltar Police's senior leadership team should set clear expectations in policy for supervisors about the frequency and depth of supervision needed. In addition, supervisors should be trained where necessary. Inspectors should carry out monthly dip-sampling of investigations to provide assurance that these expectations are met.
3. By 1 August 2020, the Royal Gibraltar Police's senior leadership team should adopt the Code of Practice for Victims of Crime and conduct victim surveys.
4. By 1 August 2020, the Royal Gibraltar Police's senior leadership team should develop a corporate definition of vulnerability and develop processes to make sure officers identify any vulnerabilities of the victims, witnesses, and suspects they encounter, and make appropriate interventions.
5. By 1 November 2020, the Royal Gibraltar Police's senior leadership team should evaluate all reported domestic violence incidents in Gibraltar. Based on this data, the most appropriate agency should establish whether DVPOs and DVPNs would have provided valuable additional protection for victims. If the evaluation shows they would have done so, the Government of Gibraltar should consider pursuing changes to legislation to enable their introduction as soon as possible thereafter.
6. By 1 August 2020, the Royal Gibraltar Police's senior leadership team should amend the Royal Gibraltar Police's code of ethics policy to reflect the force's operational environment and make sure that the revised policy is incorporated into other policies and processes.
7. With immediate effect, the Royal Gibraltar Police's senior leadership team should produce an anti-bullying statement and improve the force's processes to prevent bullying.
8. By 1 August 2020, the Royal Gibraltar Police's senior leadership team should review the force's vetting procedures. It should consider adopting the College of Policing's Authorised Professional Practice for vetting.
9. By 1 November 2020, the Royal Gibraltar Police's senior leadership team should determine the best model for providing a counter-corruption capability to proactively identify and pursue employees who are corrupt or susceptible to corruption.

10. By 1 November 2020, the Royal Gibraltar Police's senior leadership team should develop a method of anonymously and confidentially reporting integrity issues, either by telephone or email or both. To avoid scepticism and distrust about the anonymity of reporting systems, it would be beneficial if this facility were managed independently.

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