

**Questions received in advance of the public accountability meeting 23 January 2018
- with answers**

Questions from Dan Taylor via e-mail

Questions 1-8

Hi,

I have seen a York Press article asking for questions for your upcoming public accountability meeting. I have six.

1.) Why is so much resource being allocated to the fracking site at Kirby Misperton during a time of police budget cuts when 3rd Energy uses a creative tax avoidance scheme using a parent company in the Caymen Islands? Companies like this is why there is no money for the police. If they want this level of police involvement then they should surely pay for it? I went down to site for a day to see the situation for myself and there was twice the amount of police as protestors, and I counted at least 8 police vehicles. A massive cost implication which seemed over the top.

Answer

We have to have sufficient numbers of officers and staff available so that they could deal with any eventuality. However, we try to keep the policing resources deployed at the site at a level which is commensurate with the nature of the risk at that time. Senior officers chair a daily meeting in order to minimise the impact on our daily policing functions. Consideration is given to how many resources are required on that day, and whether resources can be handed back to their relevant districts.

2.) Why do evidence gatherers film people during (getting good close ups) the two 20 minute allowed slow walks? It's intimidating and puts people off their legal right to protest.

Answer

Overt filming at Kirby Misperton is for the prevention and detection of crime, and for public safety. The use of CCTV, body-worn video and cameras acts as a deterrent to crime and anti-social behaviour, helps officers to identify suspects, and supports prosecutions, as footage can be used as evidence in court. It also demonstrates transparency around police actions, often in very challenging circumstances, and allows us to review and if necessary learn from our actions.

3.) Why have the police on multiple occasions closed Great Habbton Road when photos from the site show the locks on are clearly contained in the gateway and there is room for cars to pass?

Answer

When we have to close the road, it is proportionate and necessary, balancing the risks to the public and to our staff. We will support the right of people to assemble and protest peacefully, but once the balance tips from peaceful protest to deliberate, unlawful acts that cause unreasonable disruption to the local community, then we will take action.

4.) Why was the removal of a car attempted in Kirby Misperton village to allow the removal of the workover rig without any attempt to contact the cars owner? I saw the video of the event, and it looks really bad on NYP. The local resident is understandably confused and angry. Why are the police helping 3rd energy disrupt village life to suit their needs?

Link to video:

<https://www.facebook.com/red.shell.37/videos/g.573619286143264/10155876826434901/?type=2&theater&ifg=1>

Answer

On the morning of Friday 27th October 2017, there had been two lock-ons (north and south Habton Road) completely blocking the road. These were eventually cleared and the road was re-opened. In the afternoon, a number of vehicles had been parked in Main Street which would cause obstruction and difficulty for the HGV's passing through. At the time, every effort was made to contact vehicle owners prior to consideration of any vehicles being moved.

North Yorkshire Police are completely impartial with regards to the ongoing debate in relation to hydraulic fracturing (fracking). We are there to uphold the law, prevent crime and disorder, keep the peace, protect and reassure communities, investigate crime and bring offenders to justice, whilst also facilitating fundamental Human Rights around 'Peaceful Protest' by supporting and protecting those engaging in it and taking account of their rights to freedom of expression, assembly and association.

We will do this whilst balancing the needs and rights of the wider public, local communities (residential, visiting, and business) and the rights of all, including the Energy companies, to go about lawful and peaceful activities.

5.) My brothers phone was stolen from a pub in Malton, and using find my iPhone he managed to track the phone to the street it taken to. He said the police didn't want to know. Why are the police no longer following up on thefts anymore? Is it due to too many resources allocated to Kirby Misperton?

Answer

Workloads, demands from the public and ongoing incidents are catered for with appropriate numbers of resources being allocated to ensure there is no detrimental effect on our policing responsibilities. There is no indication that the individual command areas are suffering as a result of the policing operation at Kirby Misperton. Although we are focused on this operation, it is still 'business as usual' elsewhere for North Yorkshire Police.

We would encourage your brother to contact North Yorkshire Police if he has additional information that would assist us in progressing the investigation.

6.) Why are any points raised by people that are negative of North Yorkshire police (such as ones that show they are not at fault for certain road closures) deleted from the NYP Kirby Misperton Facebook page? Without balance, the protestors are completely demonised.

Answer

No comments or posts are deleted from the NYP Kirby Misperton Facebook page because they are critical of North Yorkshire Police. Comments may be removed 'if' they contain swear words, use inappropriate images or advocate violence.

Supplementary question from Dan

In addition to question 3, I have seen today (03/01/2018) there has been another road closure due to a lorry

surfer: <https://www.facebook.com/ian.r.crane.7/videos/1305567966215573/>

Whereas I don't agree with assertions made in the video by the filmer that police are deliberately doing this to intimidate or drive a wedge in the community, I am wondering why the road has been closed in this way and why it requires two vans and so many officers? The blockade appears to be randomly in the middle of the village, I can't see a lorry between the two vans at all. I have also heard that the lorry is passable by car (i.e: local traffic) and if they could be allowed to pass this would reduce disruption to village life so could it please be discussed

- a.) why roads are being closed in this way and
- b.) why it needs so much resource? Surely you could close the road just as effectively with a patrol car, some cones and two officer?

Answer

On Wednesday 3rd January 2018, two men climbed on top of a tanker as it drove along Main Street, near the roundabout in the centre of the village. Due to the incident, Main Street in Kirby Misperton was completely impassable to traffic until about 12.30pm. Police officers assisted motorists to find other routes. Local residents were able to access their homes on foot. The road closure details were announced on social media and in the local press. We do everything we can to minimise disruption to local residents.

A sterile area was created around the tanker for the protection and safety of the protestors, the officers and the public.

When we have to close the road, it is proportionate and necessary We will support the right of people to assemble and protest peacefully, but once the balance tips from peaceful protest to deliberate, unlawful acts that cause unreasonable disruption to the local community, then we will take action.

Questions from Paul Lamb via Twitter

Questions 9, 10

Paul lamb

@Julia_Mulligan Hear you're taking questions.

9 - Are you able to register private CCTV and the like to assist in investigations

10 - Small fee paid

the owners are paid nominal sum say £10 for registering their system that allows police to view as required

payment isn't really an issue. The linking of the hundreds of domestic and small business system is my point

Answer

When a member of the public signs up to North Yorkshire Community Messaging (NYCM) they have the option to register as a private CCTV owner. If an officer, in the course of an investigation, is required to make CCTV enquires, then he/she has the ability to send an appeal for CCTV/information to those specific individuals. The CCTV, if available, would then be collected by the officer as an exhibit. I would like to stress that NYP do not pay for receiving such evidence, if available.

North Yorkshire Community Messaging currently has 22,783 subscribers, 950 of which have registered as private CCTV owners.

Question from Timothy Akers via the OPCC contact us form

Question 11

What is being done to aid all ex-prisoners into meaningful work after prison, especially those who have served more than 18 months, as they are the most likely to reoffend if not given an alternative, with respect, and hope that things will get better.

Answer

The police are not involved in locating or identifying jobs, as this is completed by Partner agencies.

Whilst in prison there are some provision for prisoners to obtain employment on day release and that is coordinated by the prison service.

Prisoners subject to MAPPAs are referred to the Job centre so that any potential risks are identified. The purpose of this being that suitable and appropriate employment is identified without the need for the individual to disclose aspects of their offending to future employers. This applies to all MAPPA subjects regardless of sentence length.

The Offender manager who is from the National Probation Service will assist the individual with making and attending interviews, completion of CV and support towards employment.

For IOM subjects, a member of Advanced Personnel Management, a company that deliver contracts on behalf of the UK government and are specialists in job seeking and benefits,

are assigned to provide 1:1 support. This will signpost the person towards employment and to give support in the process.

When a lead agency changes to Police, advice is given about suitable employment and restrictions.

Questions from Sally Field via e-mail

Questions 12, 13, 14

11 - I would like to ask if the sexual offenders are given advice or education in conducting a relationship. I have worked with offenders and it seems they don't have guidance or understanding on appropriate behaviour with females.

Answer

Courses are available whilst in custody but this is only available for those who have fully admitted their offending. The National Probation Service run SOTP (Sex Offender Treatment Programme) and Maps for change. Maps for change includes relationship and behaviour training and works on a 1:1 basis with the offender and their manager.

Group work programs are available but sometimes offenders are not willing to discuss their true offending in groups, so their preference is towards 1:1 work.

12 - Are checks made on their internet usage following release as women can easily be put at risk as well as children.

Answer

Some offenders have orders in place that restrict or prohibit their internet and computer use. Where such prohibition exists their use can be monitored.

A Sexual Harm Prevention Order or Sexual Risk Order provides the police with the power to examine such devices and a dedicated officer is allocated to undertake this work.

In addition to the orders, there is always the option of consent.

13 - Before release are appropriate steps taken to ensure appropriate accommodation is in place and not simply with family or girlfriend.

As I believe strong boundaries are needed to correct offending behavior without using emotional manipulation.

Answer

When MAPPA offenders are released on licences they are likely to be released to an approved premises.

Licence conditions allow the National Probation Service to direct where the person will reside and that it is a suitable address. If there is no licence and no conditions then the person can reside where they want to.

For an RSO there is a requirement for them to register their addresses with the police. The police will consider whether there is a need for disclosure to safeguard adults or children at the address. Additional conditions to a licence or Court Order may include disclosing to the police, details of current or developing relationships, for the same purpose.

Questions from Gwen Swinburn via Twitter

Questions 15,16

Gwen Swinburn@GSwinburn

#NYPScrutiny Having waited 40 days for this #foi I am now into 75 days waiting for an internal review. I even simplified the request to address the investigation conclusion only... <https://northyorkshire.police.uk/access-to-information/foi-disclosure-log/foi-0323-2017-18-city-york-council-contracts/>

(FOI 0323.2017-18 - City of York Council Contracts)

Qs

14 1. With such delays the team appears inadequately resourced, despite PCC commitment to 'squeezing the pips dry' is it?

15 2. Seems Police have unfair different transparency standards Re statements at end of *investigations*. Why isn't there a common standard? See link

Pl see link where I have copied in my internal review request and explainer regarding publication of conclusions. A common protocol will save time & £ & will avoid perception of and/or coverup/discretion.

https://www.whatdotheyknow.com/request/city_of_york_council_procurement_2#comment-81614

Answer

1. There was a need for consultation with the OIC of the investigation, CYC itself and DCC Winward, all of which took some time to sort out before the IR could be concluded. This was not a simple matter to review and needed to be done properly and thoroughly which therefore took some time.

2. There is no set standard about disclosure issues as each case has to be considered on an individual basis depending on the facts of that case and any disclosure has to be lawful which means many factors have to be taken into account. We do however endeavour to be as transparent as we can be within the law.