



Inspecting policing
in the **public interest**

National Domestic Extremism Review Interested Parties Event

HMI Bernard Hogan-Howe

24th May 2011

HMIC Terms of Reference

To review how intelligence that supports the policing of protest involving criminal activity is prioritised, gathered, assessed and managed by the National Public Order Intelligence Unit, the National Domestic Extremism Team and the National Extremism Tactical Coordination Unit by considering:

1. the existing remit of these units and whether they are appropriate for the future;
2. the effectiveness of operational oversight and governance arrangements for these units;
3. the adequacy and resilience of structures, funding, staffing and resourcing of these units and the future requirements;

HMIC Terms of Reference

4. how intelligence activity associated with these units is authorised in accordance with the law, including:
 - a) consideration of how the 'proportionality' of covert tactics is determined, in particular the use of undercover officers for collecting intelligence;
 - b) the process by which covert methods to collect intelligence are tasked and coordinated;
 - c) the process by which covert intelligence is translated into operational activity and, where appropriate, tested through a judicial process; and
 - d) the training, experience and accreditation of all staff involved in the process;
5. how covert intelligence gathering associated with these units is managed, including the use of undercover police officers; and
6. whether existing legislation, and the guidance provided by ACPO, is sufficient to maintain public confidence in managing intelligence about protest activity.

SOCA Support to HMI Review

- Originally commissioned by Nottinghamshire Police, Metropolitan Police and ACPO following the trial of Ratcliffe on Soar protestors
- Aligned with HMI Review
- Provides detailed case study to inform wider review
- **CONFIDENTIAL** report to commissioning bodies and HMIC

SOCA Support to HMI Review

- To identify whether the actions of Mark Kennedy were consistent with those authorised for his deployment
- To establish if the management and records were in accordance with the relevant codes and legislation

Review Methodology

A five-stage approach to the review is being carried out.

Stage 1: Consultation and document review

Stage 2: Scoping, assessment and evaluation

Stage 3: Benchmarking

Stage 4: User perceptions

Stage 5: Future concept consultation



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Objectives

Through consideration of **public**, **legal** and **operational** perspectives, the review will:

1. assess the remit of the National Domestic Extremism Units (NDEU), and their governance and structure, specifically:
 - operational oversight;
 - funding, staffing and resourcing; and
 - how intelligence is managed;
2. identify weaknesses and gaps to the successful and proportionate management of those units; and
3. examine the overall concept of covert policing in dealing with such protests and demonstrations.

External Reference Group

The External Reference Group (ERG) will provide support and challenge to the review team, to develop thinking and ensure that:

- the approach is rigorous and balanced, drawing in divergent views appropriately;
- presentation of findings balances views from across the broad spectrum of opinion;
- the review and report balances public, legal and operational perspectives appropriately; and
- any conclusions drawn are sound and evidence-based.

ERG Membership

Members were invited to join the ERG because of their widely acknowledged expertise and interest in fields of particular relevance to this review.

Members are asked to contribute personal views and insight, and HMIC accept that these will not necessarily represent the opinion or position of other groups or organisations to which they are associated.

ERG Membership

As such, personal views expressed within the ERG will remain confidential to that group. Likewise, information provided to ERG members in order to allow them to perform their role must remain strictly confidential to the review. We request all members agree that confidentiality of evidence and debate be respected at all times.

In addition, members of the review team may invite individual reference group members to contribute periodically. A single point of contact will be identified within the review team to provide ERG members with direct access to the team.